

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

3 July 2019

To: MEMBERS OF THE AREA 3 PLANNING COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 3 Planning Committee to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Thursday, 11th July, 2019 commencing at 7.30 pm. Deposited plans will be available for Members' inspection for half an hour before the start of the meeting.

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

1. Apologies for Absence
2. Declarations of Interest

3. Minutes 5 - 8

To confirm as a correct record the Minutes of the meeting of Area 3 Planning Committee held on 6 June 2019

Decisions to be taken by the Committee

4. Development Control 9 - 12

Introduction and Glossary

5. TM/19/00449/FL - Development Site North of Vantage Point, 13 - 46
Holborough Road, Snodland

6. TM/18/03048/AO - Garden Centre rear of 400 Hermitage Lane, 47 - 70
Maidstone

7. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

PART 2 - PRIVATE

8. Exclusion of Press and Public 71 - 72

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

9. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr D A S Davis (Chairman)
Cllr M C Base (Vice-Chairman)

Cllr Mrs S Bell
Cllr T Bishop
Cllr R I B Cannon
Cllr D J Cooper
Cllr R W Dalton
Cllr Mrs T Dean
Cllr S M Hammond
Cllr P M Hickmott
Cllr A P J Keeley

Cllr D Keers
Cllr A Kennedy
Cllr D Lettington
Cllr Mrs R F Lettington
Cllr Mrs A S Oakley
Cllr R V Roud
Cllr Mrs M Tatton
Cllr D Thornewell
Cllr C J Williams

This page is intentionally left blank

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 6th June, 2019

Present: Cllr D A S Davis (Chairman), Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr Mrs T Dean, Cllr D Keers, Cllr A Kennedy, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr Mrs M Tatton, Cllr D Thornevell and Cllr C J Williams

Councillors N J Heslop and S A Hudson were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M C Base, Mrs S Bell, R W Dalton, S M Hammond, P M Hickmott and A P J Keeley

PART 1 - PUBLIC

AP3 19/13 DECLARATIONS OF INTEREST

For reasons of transparency, Councillor Mrs Tatton advised that she was the parish clerk and Proper Officer for Teston Parish Council who were consultees on the Amber Lane, Kings Hill and Heath Farm, East Malling applications. However, as she had not been involved in any decision making regarding the parish council's response this did not represent either a Disclosable Pecuniary or Other Significant Interest and there was no requirement for her to withdraw from the meeting and not participate in the debate.

AP3 19/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 25 April 2019 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)

AP3 19/15 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP3 19/16 TM/18/03031/OAEA - DEVELOPMENT SITE NORTH OF 51 AMBER LANE, KINGS HILL

Outline Application: Redevelopment to provide up to 85 Class C3 residential units, together with landscaping, open space and other associated works at development site north of 51 Amber Lane, Kings Hill.

All matters reserved for future approval except for access (Site 5.4)

RESOLVED: That outline planning permission be REFUSED for the following reasons:

- (1) The proposed development, by virtue of its location, siting, proposed means of access and intensification of residential activities would result in the partial loss (insofar as it relates to the means of access) and deterioration of ancient woodland, which is an irreplaceable habitat. There are no demonstrated reasons which are wholly exceptional to allow for such loss and deterioration to take place and no suitable compensation strategy. Furthermore, there are no acceptable measures proposed that would mitigate the harm that would arise. As such, the development is contrary to the requirements of paragraph 170(c) of the National Planning Policy Framework (2019) and the associated standing advice of Natural England and the Forestry Commission.
- (2) The proposed development by virtue of its location and siting and the lack of any cohesive or responsive relationship with the nearby residential settlement would be entirely at odds with the prevailing character of the immediate and surrounding environment. As such, the development would be harmful to visual amenity and demonstrably would not respect the site and its surroundings, protect, conserve or enhance local distinctiveness, be sympathetic to local character and history, or take any opportunities for improving the character and quality of the area and the way it functions. The development proposed is therefore contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).
- (3) The proposed development by virtue of the form, scale and design of the vehicular and emergency accesses would

significantly erode the prevailing character of the site and its immediate surroundings and introduce urbanising features which would cause visual harm to the appearance of the site and locality. The development proposed is therefore contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).

- (4) The proposed development by virtue of its overall quantum, size and proposed means of access would cause increased levels of vehicular activity along Amber Lane giving rise to noise and disturbance which would be harmful to the residential amenities of the occupants of properties along Amber Lane. As such, the development is contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).
- (5) The Local Planning Authority is not satisfied that, on the evidence submitted, the proposed access *strategy* to serve the development can be delivered in a safe and acceptable manner. As such, the development is considered to be contrary to the requirements of policy SQ8 of the Managing Development and the Environment DPD (2010) and paragraph 110 of the National Planning Policy Framework (2019).

[Speakers: Caroline Bridger – Kings Hill Parish Council; Peter Coulling – Teston Parish Council; Naomi Schilling, Richard Dowling, Mr Fisher, Derek Edmonds, Katie Dodsworth and David Rush – members of the public]

AP3 19/17 TM/18/03032/OAEA - HEATH FARM, WATERINGBURY ROAD, EAST MALLING

Outline Application: Redevelopment to provide up to 40 Class C3 residential units, together with landscaping, open space and other associated works at Heath Farm Wateringbury Road, East Malling.

All matters reserved for future approval except for access (site 5.5)

RESOLVED: That outline planning permission be REFUSED for the following reasons:

- (1) The proposed development by virtue of the overall number of units proposed, the resultant density, form, pattern and character that would subsequently arise would be entirely at odds with the prevailing character of the environment, which is rural in character

and appearance. As such, the development would be harmful to visual amenity and demonstrably would not respect the site and its surroundings, protect, conserve or enhance local distinctiveness, be sympathetic to local character and history, or take any opportunities for improving the character and quality of the area and the way it functions. The development proposed is therefore contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).

- (2) The proposed development by virtue of its specific nature and the locational characteristics of the site does not contribute to the objectives of sustainable development. The site would be separated from local amenities, facilities and public transport routes and the proposed development makes no provision to provide acceptable or safe connections between the site and such facilities in a way that would offer future residents a genuine choice of sustainable transport options. The development therefore fails to meet the objectives of sustainable development as set out by paragraph 8 and the requirements of paragraph 102 and 103 of the National Planning Policy Framework (2019).

[Speakers: Peter Coulling – Teston Parish Council]

PART 2 - PRIVATE

AP3 19/18 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.10 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

AREA PLANNING COMMITTEES

Report of the Director of Planning, Housing & Environmental Health

Part I – Public

Section A – For Decision

DEVELOPMENT CONTROL

In accordance with the Local Government Access to Information Act 1985 and the Local Government Act 1972 (as amended), copies of background papers, including representations in respect of applications to be determined at the meeting, are available for inspection at Planning Services, Gibson Building, Gibson Drive, Kings Hill from 08.30 hrs until 17.00 hrs on the five working days which precede the date of this meeting.

Members are invited to inspect the full text of representations received prior to the commencement of the meeting.

Local residents' consultations and responses are set out in an abbreviated format meaning: *(number of letters despatched/number raising no objection (X)/raising objection (R)/in support (S))*.

All applications may be determined by this Committee unless (a) the decision would be in fundamental conflict with the plans and strategies which together comprise the Development Plan; or (b) in order to comply with Rule 15.24 of the Council and Committee Procedure Rules.

GLOSSARY of Abbreviations and Application types

used in reports to Area Planning Committees as at 23 September 2015

AAP	Area of Archaeological Potential
AODN	Above Ordnance Datum, Newlyn
AONB	Area of Outstanding Natural Beauty
APC1	Area 1 Planning Committee
APC2	Area 2 Planning Committee
APC3	Area 3 Planning Committee
ASC	Area of Special Character
BPN	Building Preservation Notice
BRE	Building Research Establishment
CA	Conservation Area
CPRE	Council for the Protection of Rural England
DEFRA	Department for the Environment, Food and Rural Affairs

DETR	Department of the Environment, Transport & the Regions
DCLG	Department for Communities and Local Government
DCMS	Department for Culture, the Media and Sport
DLADPD	Development Land Allocations Development Plan Document
DMPO	Development Management Procedure Order
DPD	Development Plan Document
DPHEH	Director of Planning, Housing & Environmental Health
DSSL	Director of Street Scene & Leisure
EA	Environment Agency
EH	English Heritage
EMCG	East Malling Conservation Group
FRA	Flood Risk Assessment
GDPO	Town & Country Planning (General Development Procedure) Order 2015
GPDO	Town & Country Planning (General Permitted Development) Order 2015
HA	Highways Agency
HSE	Health and Safety Executive
HMU	Highways Management Unit
KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards
KDD	Kent Design (KCC) (a document dealing with housing/road design)
KWT	Kent Wildlife Trust
LB	Listed Building (Grade I, II* or II)
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
LMIDB	Lower Medway Internal Drainage Board
LPA	Local Planning Authority
LWS	Local Wildlife Site
MAFF	Ministry of Agriculture, Fisheries and Food
MBC	Maidstone Borough Council
MC	Medway Council (Medway Towns Unitary Authority)
MCA	Mineral Consultation Area
MDEDPD	Managing Development and the Environment Development Plan Document
MGB	Metropolitan Green Belt
MKWC	Mid Kent Water Company
MWLP	Minerals & Waste Local Plan
NE	Natural England
NPPF	National Planning Policy Framework
PC	Parish Council
PD	Permitted Development
POS	Public Open Space
PPG	Planning Policy Guidance
PROW	Public Right Of Way

SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (prepared as background to the LDF)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document (a statutory policy document supplementary to the LDF)
SPN	Form of Statutory Public Notice
SSSI	Site of Special Scientific Interest
SWS	Southern Water Services
TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan
TCS	Tonbridge Civic Society
TMBC	Tonbridge & Malling Borough Council
TMBCS	Tonbridge & Malling Borough Core Strategy (part of the Local Development Framework)
TMBLP	Tonbridge & Malling Borough Local Plan
TWBC	Tunbridge Wells Borough Council
UCO	Town and Country Planning Use Classes Order 1987 (as amended)
UMIDB	Upper Medway Internal Drainage Board
WLP	Waste Local Plan (KCC)
AGPN/AGN	Prior Notification: Agriculture
AT	Advertisement
CA	Conservation Area Consent (determined by Secretary of State if made by KCC or TMBC)
CAX	Conservation Area Consent: Extension of Time
CNA	Consultation by Neighbouring Authority
CR3	County Regulation 3 (KCC determined)
CR4	County Regulation 4
DEPN	Prior Notification: Demolition
DR3	District Regulation 3
DR4	District Regulation 4
EL	Electricity
ELB	Ecclesiastical Exemption Consultation (Listed Building)
ELEX	Overhead Lines (Exemptions)
FC	Felling Licence
FL	Full Application
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Assessment
FOPN	Prior Notification: Forestry
GOV	Consultation on Government Development
HN	Hedgerow Removal Notice
HSC	Hazardous Substances Consent

LB	Listed Building Consent (determined by Secretary of State if made by KCC or TMBC)
LBX	Listed Building Consent: Extension of Time
LCA	Land Compensation Act - Certificate of Appropriate Alternative Development
LDE	Lawful Development Certificate: Existing Use or Development
LDP	Lawful Development Certificate: Proposed Use or Development
LRD	Listed Building Consent Reserved Details
MIN	Mineral Planning Application (KCC determined)
NMA	Non Material Amendment
OA	Outline Application
OAEA	Outline Application with Environment Assessment
OAX	Outline Application: Extension of Time
RD	Reserved Details
RM	Reserved Matters (redefined by Regulation from August 2006)
TEPN56/TEN	Prior Notification: Telecoms
TNCA	Notification: Trees in Conservation Areas
TPOC	Trees subject to TPO
TRD	Tree Consent Reserved Details
TWA	Transport & Works Act 1992 (determined by Secretary of State)
WAS	Waste Disposal Planning Application (KCC determined)
WG	Woodland Grant Scheme Application

Snodland
Snodland East And
Ham Hill

25 February 2019

TM/19/00449/FL

Proposal: Erection of 4 no. warehouse units (Use Classes B1c/B2/B8) and 2 no. Drive-Thru units (Use Classes A3 and/or A5), together with the provision of parking, landscaping and associated works

Location: Development Site North Of Vantage Point Holborough Road Snodland Kent

Go to: [Recommendation](#)

1. Description:

- 1.1 Planning permission is sought for a mixed use development consisting of four no. commercial buildings and two no. drive-thru food and drink units.
- 1.2 The largest of the commercial units (Unit A) would measure 80m in length and 74m in width and be located at the southern end of the site. It would be accessed by the existing eastern arm of the roundabout that serves the Holborough Lakes development. Sixty car parking spaces would be provided to the southern side of the proposed unit together with cycle storage for 40 bicycles. The submitted drawings show the inclusion of 8 no. HGV delivery bays within its southern elevation. This building would stand approx. 15.7m in height, would have the appearance of a warehouse building and have a curved roof form. It would be clad externally with two different types of grey cladding to the elevations, grey profiled metal sheeting to the curved roof and grey, powder coated aluminium curtain walling/windows. Ventilation louvres would be installed within the external walls and again be finished grey. The proposed use would be either B1(c) (light industrial), B2 (general industrial) or B8 (storage and distribution).
- 1.3 The three other B1/B2 and B8 commercial units (Units B, C and D) and the two A3/A5 drive thru units would be accessed from a separate access to that serving Unit A which will be a modified version of the existing one allowing direct access to/from the southbound carriageway of the A228. The modified access is to include new slipways for leaving and entering the A228.
- 1.4 Units B and C would be located within a single building measuring 74m in length and 40m in width. Twenty Four no. car parking spaces would be provided for each unit together with 10 no. covered cycle storage bays. These units would take the same architectural form and design as Unit A and make use of the same external materials. The building would stand at approximately 13.4m in height at roof level.
- 1.5 The main body of Unit D as proposed measures 36m in length and 45.5m in width. A small off-shoot located on the north side of the main building measures approx. 23m in length and 10m in width. This unit would have 15 no. parking spaces

located adjacent to it together with 10 no. cycle storage bays. This building would have the same architectural form and external appearance as the other commercial units and also be finished with the same palate of materials.

- 1.6 The A3/A5 unit known as “Drive Thru 1” would measure approx. 16m in length and 11m in width. It would have a mono-pitched roof and would stand 5.5m high at its highest point. This building would be finished externally with rendered walls, horizontal timber cladding and grey coloured powder coated aluminium soffits, windows and doors. A section of panelling would be installed around the entrance to the unit coloured wine red to reflect the corporate colour associated with the occupier.
- 1.7 The other drive-thru A3/A5 unit “Drive Thru 2” would measure 31m in length and 14m in width. It would stand 5.8m in height and be finished with two different types of grey cladding, vertical timber cladding, blue engineering brick work and grey coloured windows.
- 1.8 The proposed plans show that 35 no. car parking spaces would be provided for Drive Thru 1 and 42 for Drive Thru 2. Four no. covered cycle storage stands would be provided for each unit.
- 1.9 A triangular shaped parcel of land located at the southern end of the site and which is separated from the main body by a public footpath is shown to be enhanced as an ecology park with additional tree, hedge and shrub planting taking place within it as well as the creation of wildflower banks and grassland.
- 1.10 Landscaping would take place around the periphery of the site with much additional tree and hedge planting and additional planting within the site as well.
- 1.11 The application does not specify the proposed operational hours of any of the units.

2. Reason for reporting to Committee:

- 2.1 At the request of Cllr Sue Bell in order to give consideration as to whether the development conflicts with policies E1 and E3 of the DLA DPD.

3. The Site:

- 3.1 The site lies on the east side of the A228, west of the railway line connecting Aylesford to the Medway Towns. The site lies between the Peter’s Bridge roundabout to the north and the roundabout serving the Holborough Lakes development to the south.
- 3.2 The site is allocated in the adopted Development Plan as an employment site to which policies E1 and E3 of the DLA DPD apply. The site is currently used as a depot for storing recovery vehicles. Access to the site is currently taken from two

separate points. One is from the eastern spur of the “Holborough” roundabout and the other is an access point directly from the southbound carriageway of the A228.

- 3.3 A triangular section of land at the southern end of the site is currently not used as a part of the depot for storing recovery vehicles and is laid mainly to grass. This part of the site also lies within flood zone 3. The central section of the site lies within flood zone 2.
- 3.4 The Holborough Mill Conservation Area is located on the west side of the A228 and has a narrow road frontage opposite the southern end of the application site. The CA wraps around the rear of the office building that stands on the north west side of the Holborough Lakes roundabout and extends westwards along the north side of Ladds Lane. A Grade II Listed Building is located within this CA, immediately north of the office building, close to the western boundary of the A228. A mature tree screen stands on this boundary together with a close boarded fence.

4. Planning History (relevant):

TM/11/03295/OA Approved 13 August 2012

Outline Application: Construction of business park (use classes B1, B2 and B8), including associated accesses (including alterations to existing vantage point access road), parking and servicing area, landscaping, surface water storage areas, demolition of existing buildings and structures, and related development, including alterations to site levels and enhancement of pocket park

TM/14/01795/FL Approved 16 July 2014

Temporary use of currently vacant land for general open storage including areas for storage, means of access, boundary enclosure, and small administration building

TM/19/01131/AT Under Consideration

Display of five internally- illuminated fascia signs

TM/19/01132/AT Under Consideration

The installation of 1no internally- illuminated freestanding 12m totem sign with tenant appendages

TM/19/01133/AT Under Consideration

Display of various internally-illuminated and non-illuminated signs, including four free standing, 2 Banner units, 19 Dot signs and 1 Play Land sign

5. Consultees:

- 5.1 Snodland TC: No objection: The Town Council welcomes this high quality development. We would recommend that additional soft landscaping be placed along the A228 and CCTV installed to police anti-social behaviour. We would appreciate a condition to ensure that the takeaway units manage their litter.
- 5.2 Wouldham PC: We are concerned with the increase in traffic in this very busy area and think that a contribution should be made for crossings from Holborough Lakes across the A228. We note that the majority of the objections are not for the warehouses, but for the drive thru which will encourage more passing traffic and is unnecessary.
- 5.3 Medway Council: No objection subject to a condition to secure substantial landscaping, particularly along the site's boundaries in order to limit its visual impact and to minimise any eroding impact upon the gap between Snodland and Halling.
- 5.4 Highways England:
- 5.4.1 Referring to the planning application referenced above (received 5 March 2019), in the vicinity of M2 and M20 (in particular junctions 2 and 4 respectively), Snodland, Kent (which forms part of the Strategic Road Network), notice is hereby given that Highways England's formal recommendation is that we:
- a) offer no objection*
- 5.4.2*on the basis that we are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and DCLG NPPF particularly paragraph 109) in this location and its vicinity.
- 5.5 KCC: (H&T): Initial comments received 12.04.2019

Introduction

- 5.5.1 It is noted that this application seeks permission for the erection of 4 warehouse units (*use classes B1c/B2/B8-light industrial, general industrial and storage and distribution*) with a total gross internal floor (*GIFA*) of circa 11,325 square meters, as well as two drive thru units, (*use class A3-restaurant and cafes*), with a total GIFA of 611 square meters.
- 5.5.2 I can confirm that the proposals have been the subject of pre-application discussions with Kent County Council (*KCC*) Highways. *KCC's* formal pre-application response is contained in Appendix A1 of the applicant's Transport Assessment (*TA*).

Access

- 5.5.3 The applicant has proposed to utilise the existing access points onto the public highway. The first access is situated south of the development site and takes the form of a private service road, which also serves as the eastern arm of the Holborough Lakes roundabout. All existing activities associated with the site take place from this access. It is understood that this access will remain unchanged as shown on the submitted site plan (*drawing number: SO59/3002 Rev p14*), with no physical changes to either the private service road itself or this arm of the Holborough Lakes roundabout.
- 5.5.4 To access both the drive thru/roadside element of the proposals and the site's remaining industrial units (Units B, C and D) the applicant has proposed to utilise the existing, all be it amended, lay-by access onto the A228. Alterations that the applicant has proposed include the introduction of diverging (deceleration) and merging (acceleration) lanes, which have been designed in accordance with a design speed of 85 kilometres/52 miles per hour. Reference has also been made to the relevant technical design standards in Design Manual for Roads and Bridges (DMRB) Technical Directive (TD) 42.95, as shown on the applicant's site access plan titled 'Potential Left-In/Left-out Junction (drawing number: 18-T111-05 Rev A)'.
- 5.5.5 I can confirm that the speed limit for the area within the immediate proximity of the revised access onto the A228 has recently been reduced to 50 miles per hour (*mph*). The associated Traffic Regulation Order (*TRO*) for the speed limit amendment was sealed on 19th December 2018. This speed limit change is in preparation for a new controlled toucan crossing facility which is planned adjacent to the Holborough Lakes service station.
- 5.5.6 A speed survey has also been undertaken by the applicant to identify 85th percentile speeds within the proximity of the existing lay-by access on the A228. This survey was undertaken between 27th November and 3rd December 2018 and confirms actual observed 85th percentile speeds of 50.9 mph. Based on the results of the applicant's survey and the fact that KCC Highways have recently implemented a scheme to reduce the posted limit of the A228 to 50 mph, diverging and merging lanes based on a design speed of 50 mph are acceptable.
- 5.5.7 The amended access arrangements have also been subject to an independent stage 1 road safety audit (*RSA*). This audit was completed by JB Road Safety Consultants and includes a review of the existing lay by/priority junction arrangement, proposed access arrangement with deceleration and merge lanes and an access with deceleration lane and priority access, with no merge lane.
- 5.5.8 It is noteworthy that the RSA contained within the appendix of the applicant's TA relates to a previous version of the proposed access arrangements. However, a revised RSA has been submitted by the applicant to this authority via email.

Importantly the revised RSA raises no substantive highway safety issues with the access arrangements proposed, or the proximity of the acceleration lane to the Holborough Lakes roundabout.

5.5.9 Finally, I note that the existing footway will be realigned to suit the revised access arrangements. The submitted drawings show that the footway will be a width of 2 meters for its duration. As stated in KCC Highways formal pre-application advice the feasibility of providing a 3-meter-wide shared foot/cycle way requires further investigation in the interest of promoting sustainable modes of transport. Provision of such a link will ensure continuity with the existing implemented improved provision as part of the Peter's Village development.

Sustainable Travel

Walking and cycling

5.5.10 Section 2.31 to 2.44 of the applicant's TA outlines opportunities for walking and cycling to the proposals. As highlighted by the applicant the existing footways, which abut the A228 provide a connection to the development site for pedestrians approaching the site from the direction of Snodland and the Holborough Lakes development; whereas, the recently implemented improvements as part of the Peter's Village development provide a connection for those approaching the site from the north. KCC Highways would reiterate the comments made earlier in this consultation response, in that the applicant should be required to investigate the feasibility of providing a 3-meter-wide shared foot/cycleway between Peter's Bridge and the Holborough Lakes service station. This would ensure continuity of provision between the two locations, as well as being in the overall interest of promoting sustainable modes of transport.

Public Transport

5.5.11 Sections 2.32 to 2.36 of the applicant's TA identify the nearest public bus stops to the development site. The nearest stops are situated on the south and northbound carriageway of the A228. Full details, including route maps and timetables, of the routes that serve the stops in questions are contained in Appendix A5 of the applicant's TA. Examples of locations that can be accessed on these routes include Larkfield, Maidstone, Chatham and Rochester.

5.5.12 Public Right of Way Route (*PROW*) 0233/MR32/3 is situated east of the development site and provides a direct link to Snodland train station as demonstrated in the applicant's TA (*Figure 2.16*). Alternatively, the station could be accessed via Snodland High Street, Rocfort Road and Brook Street, although this would involve pedestrians crossing the A228 at the Holborough Lakes service station, which does not currently have any controlled crossing facilities. As highlighted by the applicant Snodland train station provides services to destinations including Maidstone, Tonbridge and London at a reasonable

frequency. If not already undertaken, then consultation is recommended with KCC's PROW team given the proximity of PROW route 0233/MR32/3 to the site.

Travel Plan

- 5.5.13 In addition to the submitted TA the applicant has provided a framework Travel Plan (TP). As outlined within the TP initial surveys will be conducted to ascertain baseline travel to work figures, which will then be supplemented by annual surveys. The applicant has proposed a target of a 10% reduction in single occupancy private vehicle travel within 5 years of the initial survey being undertaken.
- 5.5.14 Measures outlined by the applicant to encourage the take up of sustainable modes of transport by the development's future occupants include promotion of the County Council's lift sharing scheme (liftshare), promotion of the on and offsite pedestrian network and the promotion of bicycle user groups upon opening of the site. These measures are considered acceptable to this authority.

Trip Generation

- 5.5.15 It is my understanding that trip generation figures for the employment element of the proposals have been obtained from TRICS, the National Trip Generation database. Inspection of the trip generation figures for the employment element of the proposals reveals that the applicant has included a site in Northern Ireland (TRICS site reference: AR-02-D-01). Closer review of this site on the TRICS database confirms that 50% of the units on the site were unoccupied at the time of the survey in 2010. Consequently, sensitivity checking is required with this site omitted from the site selection parameters.
- 5.5.16 Further clarity is also required on the source of the trip rates shown in tables 6.2 to 6.4, as they do not correspond to the times or figures shown in Appendix A10 (TRICS Outputs). For example, a two-way trip rate of 0.653 between 07:45-08:45 is given in tables 6.2-6.4, yet no such time period or corresponding rate is shown in Appendix A10, whereas Appendix 13 (Traffic Flow Diagrams) gives a two-way trip rate of 0.693 for the AM peak period.
- 5.5.17 Rather than making use of the TRICS database comparable A3/A5 have been surveyed for the roadside element of the proposals. Importantly, both the surveyed sites have drive-thru facilities and possess similar location characteristics to the development site. This approach is acceptable in principle to this authority and in accordance with KCC's formal pre-application advice.
- 5.5.18 I note that paragraphs 6.12 and 6.15 of the applicant's TA states that the raw survey data is contained in Appendix A11; however, I am unable to locate the survey data in Appendix A11. I would therefore be grateful if the applicant could provide the missing survey data for review and validation by this authority. In addition, the trip rates that are contained in tables 6.5 and 6.6 differ to those that

are presented in Appendix 13 (traffic flow diagrams). For example, a two-way trip rate for the AM peak period of 53.57 is given in Appendix 13, yet Table 6.5 gives a two-way trip rate of 36.197 for the McDonald's unit.

Pass-by trips

5.5.19 As highlighted in the applicant's TA (paragraph 6.20) KCC Highways advised in our formal pre-application advice that a 50% reduction from the total traffic generation of the roadside element of the proposals to account for pass-by trips, would provide a robust basis for assessment. The applicant has proposed that the number of pass-by trips would in fact be much higher (80% and 95%) based on the proximity of other nearby A3/A5 restaurants and the high traffic volumes already travelling along the A228. It is therefore assumed within the applicant's methodology that customers are less likely to travel to a facility that is further away from their nearest existing restaurant. Consequently, it is assumed that the new restaurant will primarily act as a local facility, namely for the residents of local settlements such as Snodland, Peter's Village and Halling for example.

5.5.20 Surveys have been undertaken at sites with similar locational characteristics by the applicant in accordance with the guidance in TRICS Research Report 14/1 titled 'Pass-By and Diverted Trips (Paragraph 11.1)'. The results of these surveys demonstrate that single purpose trips represent a low percentage of the overall number of trips. These surveys support the applicant's proposals that the number of overall pass-by-trips would in fact be higher than 50%. Consequently, it is considered that the applicant has provided satisfactory justification for a pass-by percentage of 80% and 95% for "Drive Thru 1" and "Drive Thru 2" respectively.

Trip Generation

5.5.21 To distribute the traffic associated with the proposals the applicant has used 'origin and destination' data from the 2011 census, alongside Google real time journey planner. Data for Middle Super Output Area (MSOA) E205005150: Tonbridge and Malling 002 has been used, as this is the census area that the development site falls within.

5.5.22 In summary, the applicant has forecast that 63% of the employment-based trips will approach to/from the north, with the remaining 37% approaching from the south. Although KCC Highways would not wholly agree with some of the detailed routing forecasts shown in Table 6.12 of the applicant's TA, the principles that underpin the applicant's methodology are considered acceptable. However, in the interest of clarity, it would be helpful if the applicant could provide the census data and associated workings that underpin their distribution assumptions.

5.5.23 Although the applicant has not explicitly explained the distribution for the drive thru element of the proposals it appears from the submitted flow diagrams that a first principles approach has been adopted. It is noteworthy that the applicant has

forecast that a significant proportion (25%) of the drive-thru trips will come to/from the Manley Boulevard arm of the Holborough Lakes roundabout. It is unclear how this conclusion has been reached, as this arm of the roundabout only serves the Holborough Lakes estate. In addition, the applicant has forecast that none of the drive thru trips will arrive from the northern arm of the Peter's Bridge roundabout. Again, the rationale for this is somewhat unclear given the proximity of Halling to the site. Further sensitivity testing is therefore required.

5.5.24 Finally, I note that the Heavy Goods Vehicles (HGV) movements associated with the development have been distributed separately based upon the patterns observed in the traffic surveys undertaken by the applicant. This approach is acceptable to this authority.

Traffic Impact

5.5.25 To quantify the anticipated traffic impact of the proposals on the Local Highway Network the applicant has undertaken a number of junction capacity assessments namely for: Peter's Bridge/A228 roundabout, Holborough Lakes Roundabout and the site access itself. No capacity assessments have been undertaken for the amended layby access onto the A228, as this is not possible within the capabilities of the available industry standard software.

5.5.26 The junction capacity assessments completed are founded on traffic surveys undertaken on Thursday 29th November 2018 and are contained in Appendix A3 of the applicant's TA. These surveys were undertaken in the AM and PM peak period. Importantly, as well as undertaking turning counts at the junctions in question, queue length surveys have also been undertaken to validate the results of the junction capacity assessments.

5.5.27 It is of note that the results of the traffic surveys confirm the local highway networks peak hours of operation in the study area as 07:45 and 08:45 and 16:30 and 17:30 respectively; rather than the traditional periods of 08:00 to 09:00 and 17:00 to 18:00. Because of the results from the traffic surveys the junction capacity assessments have been undertaken based upon the local highways peak hours of operation, as identified in the survey. This approach is acceptable to this authority.

5.5.28 Importantly the applicant has also included nearby committed developments in their junction capacity assessments namely: Kings Hill Phase 3 (TMBC reference: 13/01535/OEA), Holborough Lakes (TMBC reference: 01/02746/OEA), Peter's Village (TMBC reference: 05/00989/OEA) and Leybourne Grange. Where some of these developments are in an advance stage of construction, such as the Holborough Lakes development for example, a pro-rotta rate has been used in order to avoid double counting the traffic from the occupied parts of the development. This approach is acceptable to this authority as the movements from the occupied sections of the development will have been captured within the traffic

surveys undertaken by the applicant. Several different scenarios have been modelled by the applicant, these include:

- 2018 observed i.e. the existing situation based upon the traffic surveys undertaken.
- 2023 future year scenario i.e. growthed 2018 traffic flows and committed development included.
- 2023 development scenario i.e. 2018 growthed flows, committed development and the development's traffic.
- 2023 outline case i.e. 2018 growthed flows, committed development and the development traffic from the 1993 outline consent.

5.5.29 As discussed earlier in this response clarification is required in respect of the applicant's trip rate methodology because this will have a consequential impact on the results of the junction capacity assessments contained in the submitted TA.

5.5.30 It would also be helpful if the applicant could provide an additional traffic flow diagram, which demonstrates the 2023 growthed flows, committed development trips and new residual trips (minus pass by and the sites existing trips), as I am unable to locate such a diagram in Appendix A12. The provision of such a diagram will assist in validating the outputs from the junction capacity assessments that have been undertaken.

5.5.31 Tonbridge & Malling's draft Local Plan was submitted to the Inspectorate earlier this year. An additional assessment is required for the end of the Local Plan period of 2031 in order to determine whether this development will lead to any significant impact which may affect the local plan allocations. Please provide assessments for 2031 base plus committed development (including permitted) and 2031 base plus committed plus proposed traffic flows.

Parking

5.5.32 Supplementary Planning Guidance SPG4, Kent Vehicle Parking Standards is the County Council's adopted guidance in respect of recommended parking for non-residential land uses, as outlined in table 4.7 of the applicant's TA. In accordance with Kent County Council Highways formal pre-application advice the applicant has undertaken a parking accumulation exercise to validate the level of provision that is proposed. Although, it is accepted that the results in tables 4.12 to 4.14 indicate that the level of provision will be sufficient for forecast demand, without any overspill parking on the adjacent public highway; the raw survey data that underpins the parking accumulations is missing from the appendix of the TA. I would therefore be grateful if the applicant could provide the omitted survey data in the first instance.

5.5.33 As detailed in sections 4.16 to 4.20 SPG4 also provides guidance on the required level of cycle parking provision, dependent on a development's land use class and overall size. I note that the requisite level of cycle parking will be provided within the curtilage of each individual unit, as shown on the applicant's site plan (drawing number: S059/3002 Revision P14 titled 'Proposed Site Plan'). This approach is acceptable to this authority.

Turning and Servicing

5.5.34 In accordance with standard practice the applicant has submitted a suite of swept path analysis to demonstrate the suitability of the development's proposed layout for the vehicles that will require access. This analysis is contained in Appendix A9 of the applicant's TA and includes a 16.5-meter-long articulated vehicle. I note from drawing number 07.7 titled 'Swept Path Analysis (16.5M Articulated Vehicle)' that the service vehicle will overrun a number of marked parking bays in order to access its final position to undertake servicing. Confirmation of the servicing plan for the "Drive Thru 1" element of the proposals is therefore required. For example, will staff mark/cone off spaces prior to deliveries/servicing being undertaken?

Summary

5.5.35 There are several areas where key information has been omitted, specifically in relation to the applicant's trip generation and distribution methodology. It is important that further clarification is provided on these matters in the first instance, as any amendments will have a consequential impact on the results of the junction capacity assessments undertaken. Once the applicant has provided the further information requested, I will then provide further highway-based comments.

Additional comments received 12.05.2019

Access

5.5.36 As confirmed in the applicant's Transport Note, they have no objection to providing the additional shared 3-meter shared foot/cycle way requested by this authority. I note that the applicant anticipates that there may be some challenges in providing the foot/cycle way for the entire length requested; most notably by the southbound bus stop where the existing footway abuts the site's perimeter fence. However, having reviewed the site layout plan (*drawing number: S059/3002 Rev p14, titled 'Proposed Layout Site Plan'*) and the applicant's red/blue line boundary against the existing highway boundary it is considered that the requested provision is achievable, all be it subject to land dedication and amendments to the existing boundary fence line. Precise details of the foot/cycleway alignment could be agreed at the detailed design stage as part of any future S278 Agreement with this authority.

Trip generation

- 5.5.37 Clarification on the trip rates used within the junction capacity assessments for the employment element of the proposals has been provided. In addition, the methodology used to calculate the PM peak hour trip rates has been clarified. On the basis that the traffic surveys undertaken identify the PM peak hour for the study area as being between 16:30 and 17:30, rather than 17:00 to 18:00, the average rate for between 16:00 and 18:00 has been used. This approach is acceptable given the results of the traffic survey undertaken by the applicant.
- 5.5.38 As requested in this authority's original consultation response dated 12th April 2019 sensitivity checks have been undertaken with TRICS reference site: AR-02-D-01 removed from the site selection parameters. Whilst it is noted that omitting this site increases the overall trip generation from the employment element of the proposals, it is accepted that this does not significantly alter the overall trip generation figures presented in the TA.
- 5.5.39 In addition to providing clarification on the trip rates for the employment element of the proposals, clarification has also been provided on the trip rates for the roadside/drive thru element of the development. The applicant has confirmed that PM peak hour surveys from the drive thru restaurant in Brickhill, Bletchley were used in the junction capacity assessments contained in the TA, rather than survey data from the Park Farm restaurant in Folkestone. None the less, it is accepted that the Brickhill restaurant also has similar locational characteristics to the Vantage Point site, and therefore provides a suitable basis for comparison. The raw survey data for the drive thru A3/A5 elements of the proposal has also been provided for review and validation by this authority.
- 5.5.40 A review of the survey data for the comparable site to the "Drive Thru 2" element of the proposals (*contained in Appendix A3 of the TN*) confirms that data was available for a whole day period (06:00-19:00); however, only PM peak hour survey data was available for the comparable site to "Drive Thru 1" (Brickhill) restaurant. Consequently, the applicant has calculated a conversion factor based on the PM peak hour survey data for the restaurant against a traffic profile from the TRICS database. KCC Highways would not wholly agree with the use of this methodology to calculate the anticipated AM peak hour trips; however, additional sensitivity testing has been undertaken.
- 5.5.41 The sensitivity testing involved comparing the AM peak hour trips presented in the TA against trip rates derived from a sample of sites contained in the TRICS database. Importantly, the sample sites used in the sensitivity testing are of a similar scale to the development site, as well as possessing similar location characteristics. The results of this sensitivity test were submitted to Kent County Council (KCC) Highways via email on Tuesday 13th May 2019. Whilst the results of this sensitivity test confirm that the McDonald's element of the proposals will generate more movements in AM peak than anticipated in the TA (**133 two-way**

movement compared to 103 two-way movements), this needs to be considered in the context of the high number of pass-by trips that the A3/A5 “Drive Thru 1” is forecast to generate (**80% of total trips**). Therefore, based on the revised more robust trip generation figures an additional 30 two-way movements are anticipated in AM peak period, of which only **6** will be new trips on the local highway network. It is accepted that a change of this magnitude will not materially affect the results of the junction capacity assessments, or the conclusions that have been drawn from them.

Trip Distribution

5.5.42 As requested in this authority’s initial consultation response details of the workings behind the distribution assumptions contained in Table 6.12 of the TA have been provided. These details confirm that a significant proportion (63%) of the employment trips associated with the development proposals are likely to route via the A228 (*North*), Hall Road (*North*) or Hall Road (*South*). KCC Highways would still not agree with some of the detailed routing proportions relating to routes that approach the site from the south, particularly in relation to the A228, Leybourne Way, Castle Way and M20 junctions. However, given the low number of new trips that the proposals are anticipated to generate through these junctions and modest increase (**2-3.5%**) on future year (2023) traffic flows the proposals are anticipated to represent, additional junction capacity assessments are not considered necessary.

5.5.43 The applicant has acknowledged that a proportion of the new trips associated with the drive thru/roadside element of the proposals could have been assigned to the northern/Halling arm of the Peter’s Bridge roundabout. KCC Highways still anticipates that in practice a proportion of the new trips from the drive thru/roadside element of the proposals will come from the Halling direction. None the less, it is accepted that given the modest number of new trips the proposals are anticipated to generate (**25 two-way movements in the AM peak period and 33 two-way movements in the PM peak period**) and positive junction capacity assessments further remodelling is not required. Finally, it has been confirmed that the distribution assignments contained in Table 6.10 of the TA relates to new drive-thru trips only, exclusive of pass-by trips. This is considered to a reasonable assumption and reflective of the demand likely to be generated from the Holborough Lakes development.

Traffic Impact

5.5.44 Highway capacity assessments for the following scenarios have been undertaken by the applicant:

- Existing scenario (Observed 2018)
- Future year scenario without the development traffic (Base 2023)
- Future year scenario with the development traffic (Development case 2023)
- Future year scenario with the outline 1993 consent traffic (Outline case 2023)

Peter's Bridge/Medway Works Roundabout

- 5.5.45 The baseline scenario (*Observed 2018*) capacity assessments indicate that the junction is currently operating within capacity, with no significant queuing (***max queue length of 2.4 vehicles in the AM peak***) or delays on any arms of the roundabout. This is consistent with the results of the queue length surveys undertaken on Thursday 29th November 2018, which are contained in appendix A3 of the TA. A future year scenario (*Development Case 2023*) that includes background growth, traffic flows from committed development proposals as well as the additional traffic flows from the development site has also been tested. The results of this assessment confirm that the junction will continue to operate within capacity in both the AM and PM peak hour periods, all be it with some minor additional queuing (***most notably on its northern arm***) when compared to the future year scenario without the additional traffic from the development (*Base 2023*). As the junction will continue to operate within capacity in 2023 with the additional traffic generated by the development no mitigating measures are required.
- 5.5.46 In addition to undertaking a junction capacity assessment, analysis of the personal injury collision record at the junction has been undertaken. Personal injury collision data covering the period between 1st July 2013 and 30th June 2018 has been obtained from KCC's Transport Intelligence Team. In this period 3 collisions have been recorded, all of which were slight in severity but clustered at the A228 north exit arm of the roundabout. All these collisions relate to drivers suddenly changing lane and not noticing the vehicle in the adjacent lane therefore leading to a collision. Neither the geometry of the existing highway layout or its condition is listed as a contributory factor in any of the collisions.

Site Access (A228 junction)

- 5.5.47 As stated in section 7 of the TA it is not possible to undertake a junction capacity assessment when merge (*acceleration*) and diverge (*deceleration*) lanes are to be provided. This is because there is no opposing traffic flow travelling in the opposite direction to the traffic joining the major carriageway from the minor arm. Consequently, use of conventional modelling software such as Picady to check the capacity of the proposed junction arrangement assessment is not possible in this instance.

Site Access (private service road)

Finally, a capacity assessment has been undertaken at the priority junction that serves the NY recovery yard currently situated on the site. Again, capacity assessments for the existing and future year scenario with the addition of the development traffic proposals have been undertaken. Unsurprisingly, this assessment confirms that all arms of the junction operate well within capacity, with no queueing in all scenarios.

Parking

5.5.48 As stated earlier in this consultation response the applicant has verified the source of the employment trip rates that underpin the TA, as well as undertaking sensitivity testing with the site previously identified by KCC Highways omitted. Table 1 in the applicant's TN confirms that admission of this site does not significantly alter the resulting trip generation figures. Consequently, the conclusion drawn from Table 4.12 of the TA remain valid and it is accepted that a provision of 123 car parking spaces will meet forecast demand for the employment element of the proposals.

The raw survey data for the drive-thru/roadside element of the proposals that underpins the parking accumulation exercise presented in the TA have now been provided. Whilst it is disappointing that the overall accumulations for the drive-thru element of the proposals (*Table 4.15 in the TA*) have not been updated with the more robust trip generation figures provided in the sensitivity tests undertaken, it is accepted that the proposed provision will be sufficient for the forecast demand. In the interest of clarity and the avoidance of doubt the revised parking accumulation with the more robust trip generation figures is given below in Table 1.

Time	Arrive	Depart	Accumulation	Available
07:00-08:00	25	22	23	54
08:00-09:00	43	38	28	49
09:00-10:00	36	37	27	50
10:00-11:00	30	33	24	53
11:00-12:00	38	33	27	50
12:00-13:00	43	38	29	48
13:00-14:00	40	41	31	46
14:00-15:00	30	35	26	51
15:00-16:00	28	25	29	48
16:00-17:00	29	32	26	51
17:00-18:00	32	32	26	51
18:00-19:00	29	30	25	52

Table 1: Parking Accumulation (Combined Drive Thru) using trip generation figures from applicant's sensitivity test.

SUPPLEMENTARY NOTES TO TABLE 1

NOTE 1: Starting accumulation for each individual unit assumed as 10 vehicles.

NOTE 2: Table 1 assumes that 30% of all Drive Thru 1's trips will park, whereas 45% of the overall Drive Thru 2 trips will park as identified in the surveys undertaken by the applicant.

NOTE 3: Total gross internal floor area of the Drive Thru 1 restaurant assumed as 443 square meters in accordance with the details submitted in the application form.

5.5.49 Table 1 confirms that peak accumulation will still occur between 12:00 and 14:00 where 31 of the 77 spaces (**40% of the proposed provision**) will be occupied. These findings are broadly consistent with Table 4.15 (*Parking Accumulation Combined Drive Thru*) contained in the TA, which forecast a maximum occupancy of 36 vehicles (*46% of the proposed provision*). It should be noted that the accumulations shown above in Table 1 and Table 4.15 of the TA slightly differ due to the amended traffic profile associated with the applicant's sensitivity testing. In summary, it is accepted that it has been demonstrated that a total of 77 car parking spaces will meet the demands of the drive-thru element of the proposals, without any overspill parking on the adjacent public highway.

Turning and Servicing

5.5.50 I am grateful for the applicant's confirmation that the intended operators have pre-existing established delivery strategies that they will also apply to the development site. It is noted that deliveries for this element of the proposals will be programmed for quieter periods when demand for parking spaces is lower, therefore enabling delivery vehicles to manoeuvre, park and then undertake the required deliveries. Whilst this approach is acceptable in principle, the applicant should be required by condition to provide a delivery management plan. This plan should outline delivery times and measures that will be taken to ensure that deliveries can be undertaken, without any detriment to the public highway.

Summary

5.5.51 I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority. In the event that the Borough Council is minded to approve the application, KCC Highways request that the following works are secured via a S278 agreement: *-Provision of a 3-meter shared foot/cycle way from the point where the existing shared foot/cycle way situated to the north of the site terminates, up to the existing dropped kerb crossing point situated to the east of the Holborough Lakes Service Station, prior to use of the site commencing.*

5.6 KCC (Heritage): The site has potential for prehistoric and post-medieval archaeology. I note that a desk based assessment has been submitted which looks fine and gives a good overview of the site. I am happy that archaeological issues can be dealt with through an appropriate condition.

5.7 KCC (LLFA):

5.7.1 We have reviewed the updated FRA (Brookbanks, March 2019). At detailed design, we would expect that design is compliant with KCC Drainage and Planning Policy Statement (June 2017), specifically that:

1. any attenuation storage is calculated on the full contributing development area.
2. the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2017).

5.7.2 These are technical matters which can be addressed during detailed design. In this instance there is sufficient open space to allow an increase in surface area of the attenuation ponds if necessitated by the change in design criteria.

5.7.3 Should your local authority be minded to grant permission for this development, we would recommend conditions requiring the submission of a detailed surface water drainage scheme and that a verification report be submitted once the approved details have been implemented.

5.8 EA: No objection subject to conditions concerning flood risk and contamination.

5.9 Southern Water: There is an increased risk of flooding arising from the impact of the foul sewerage flows from the proposed development. A condition should be used to require details of foul sewage and surface water disposal to be submitted to and approved by the LPA in consultation with Southern Water.

5.10 Neighbours (response to site and press notices): 0/2X/49R/11S. The 49 letters of objection do so for the following reasons:

- Additional traffic congestion
- Dangerous for pedestrians trying to cross the road despite the 50mph speed limit
- Additional litter from the food and drink units
- The car parks will attract boy racers and their associated anti-social behaviour
- Further anti-social behaviour arising from the food and drink units

- We should be discouraging fast food units, not encouraging them for health reasons
- It is irresponsible to locate fast food outlets close to local schools
- The development would urbanise the semi-rural environment
- There are already sufficient food and drink establishments in the local area. There is no need for the proposed units
- Increased light and noise pollution
- The applicant's Transport Assessment (TA) does not take into account the planning permission for the rail head on the adjacent site serving the quarry

5.11 The letters submitted in support comment as follows:

- The land has been under used since the cement works were demolished
- It is currently used to hold old lorries and is not a good first impression to visitors
- The development will provide much needed jobs
- It will not bring additional traffic into the area

6. Determining Issues:

Principle of the development

- 6.1 The whole of the site is located within an area designated under the existing development plan as an employment area to which policies E1 and E3 of the DLA DPD applies.
- 6.2 Policy E1 safeguards the site (and others within the wider Borough) for uses that fall within use classes B1, B2 and B8. It states that uses other than these will not be permitted. It also requires that the site's redevelopment must not result in unacceptable harm upon residential or rural amenity by virtue of noise, smell, dust vibration or other emissions, or by the visual intrusion or the nature and scale of traffic generation. With specific reference to the site in question, the policy requires the site to be developed with a quality development reflecting the gateway status of the site.
- 6.3 Policy E3 simply designates the site as a vacant site and states that it is allocated for employment use.
- 6.4 Section 6 of the NPPF refers to building a strong competitive economy. Paragraph 80 states that decisions should create the conditions in which

businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.

- 6.5 The proposed development of units A, B C and D would be create approx. 11,000 sqm of floorspace for purposes falling within B1, B2 and B8 use classes. This element of the proposed development therefore wholly accords with the policies above and is acceptable in terms of broad principle.
- 6.6 The proposed A3/A5 units to be located within the site conflict with policies E1 and E3 as they are not employment uses falling within the B1, B2 or B8 use classes. However, these units would still contribute towards employment generation despite not being traditional employment uses in planning. This is an important material consideration which weighs in favour of this aspect of the proposed development.
- 6.7 Furthermore, in terms of the introduction of these uses onto this site, I am mindful that Section 7 of the NPPF seeks to ensure the vitality of town centres. It states at paragraph 86 that LPAs should apply a sequential test to applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date local plan. The inclusion of the proposed A3/A5 uses as part of a much larger commercial orientated development would not, however, typically be found in town centres in the same way that bars, cafes and restaurants would be expected to contribute to vitality and viability of town centres. Rather, they are commonly found adjacent to motorways and dual carriageways, on sites such as this, given that a key element of their business model is the ability to serve passing motorists. As such, I do not consider that the inclusion of these uses on this site would adversely affect the function of Snodland town itself.
- 6.8 In light of the above considerations, the principle of the proposed uses associated with this development, in this location, is considered to be acceptable.

Character of development:

- 6.9 Policy CP 24 of the TMBCS requires all development to be well designed and of a high quality in terms of detailing and use of materials. Proposals must be designed to respect the site and its surroundings in terms of scale, layout, siting, character and appearance. Policy SQ 1 of the MDE DPPD echoes the requirements of policy CP 24 and requires developments to protect, conserve and, where possible enhance the character and local distinctiveness of the area.

Concerning the quality of new development, the NPPF states at paragraph 124:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

6.10 Paragraph 127 of the NPPF states that decisions should ensure that developments:

- Will function well and add to the overall quality of the area
- Are visually attractive as a result of good architecture
- Are sympathetic to local character and history, including the surrounding built development

6.11 Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunity available for improving the character of quality of an area and the way it functions.

6.12 It must also be borne in mind that policy E1 of the DLA DPD requires the development to respect the site's "gateway location".

6.13 It is therefore clear that the development plan policies CP 24 and SQ 1 are in conformity with current national planning guidance concerning the quality of development.

6.14 The boundary of the Holborough Mill CA lies on the west side of the road opposite the southern portion of the application site. The CA has a narrow frontage to the road and is heavily tree screened. Two separate Listed Buildings are located within this CA. Consequently, the following must also be taken into consideration when determining the current proposals.

6.15 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.16 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that when exercising powers within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6.17 Current Government guidance concerning development and the historic environment is contained within section 16 of the NPPF. It states at paragraph 192 that when determining applications, LPA's should take account of the desirability of sustaining and enhancing the significance of heritage assets.

6.18 Paragraph 193 states:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)."

This is irrespective of whether potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

- 6.19 The proposed industrial units are would be large in size, highly visible from the A228 and other public vantage points. Whilst their overall scale and form would reflect their proposed function, they have been designed with curving roof forms, different types of cladding and glazed screening that would provide a higher quality of commercial building than a typical industrial warehouse. The design of the proposed industrial units has clearly been influenced by the requirement of policy E1 for the development of this site to reflects its gateway status
- 6.20 The two smaller A3/A5 units are of a form and design that is typical of such units. The materials to be used respect the design of the units the units themselves and would sit comfortably within the wider development.
- 6.21 The largest of the proposed units (Unit A) would be located at the southern end of the site close to existing large scale industrial buildings also located on the east side of the A228. The scale of the units would reduce northwards across the site with the much smaller A3/A5 units being located at the northern end of the site, at the point that is farthest from the existing built form of Snodland. The proposed layout and the scaling down of the units from the south to the north end of the site as proposed respects the particular context of the site and the development within the wider locality.
- 6.22 Significant additional landscaping is to take place under this proposal to supplement the existing hedgerows and boundary screening to the site. Substantial amounts of additional tree planting would take place from the northern end of the site along its eastern boundary and also on the western side of the site adjacent to the realigned access road. Tree planting would also take place along both sides of the central access road, alongside the western boundary of the site adjacent to Unit D and along each side of the southern access road serving Unit A. Tree planting would also take place within the proposed ecology Park at the southern end of the site. Trees to be planted will include Beech, Silver Birch, Small leaf Lime, Hornbeam, Field Maple, Hazel, Malus, Sorbus (Rowan), and Norway Maple.
- 6.23 Substantial hedgerow planting would take place along sections of the western boundary of the site, together with large swathes of shrub planting, which would extend into the site adjacent to the access roads.
- 6.24 The existing site is dominated by an expansive area of hardstanding used to park recovery vehicles and, whilst some tree screening is present along the boundary with the A228, much of the site is highly visible as are the numerous recovery vehicles and associated plant within it. The current use of the site does not make a positive contribution to its character or indeed provide a high quality entrance to the Borough. By contrast, the proposed development, by reason of the design and layout of the proposed buildings, coupled with the proposed comprehensive

landscaping scheme would significantly enhance the character of the site. For these reasons, I consider that the development would not fail to preserve the character and appearance of the Conservation Area and would not harm the setting of the Grade II Listed Building located within the Holborough Mill Conservation Area.

- 6.25 Taking all of the above into account the development would comply with policies CP 24, SQ 1 and the requirement of policy E1 to provide a high quality development that would respect the site's gateway location to the Borough, and also paragraphs 127, 130, 192 and 193 of the NPPF.

Highway safety:

- 6.26 Policy SQ 8 of the MDE DPD states at point 2 that development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network. It goes on to state at point 3 that development which involves either the construction of a new access or the increased use of an existing one onto the primary or secondary road network where a significantly increased risk of crashes or traffic delays would result what will not be permitted.
- 6.27 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.28 Paragraph 110 of the NPPF states that developments should meet a number of different aims, the first of which is to give priority to pedestrian and cycle movements within the site and neighbouring areas and, as far as possible, to facilitate access to public transport. The applicant has agreed with the local highway authority to enter into a s278 agreement to increase the length of the cycle lane along the western side of the site in the form of shared footpath/cycle lane that would be provided within the limits of the public highway. A bus stop is located with the south bound carriageway, next to the site and another is located within the northbound carriageway, to the south of the Holborough roundabout. The site is not located that far from Snodland town itself and there are pedestrian crossing points across the A228 on either side of the Holborough roundabout. Consequently, the site is accessible to users of public transport and, of course improvements will be made to the cycleway/footpath immediately next to the site under an agreement between the applicant and the local highway authority.
- 6.29 Paragraph 110 of the NPPF also states that developments be designed to enable charging of plug-in and other ultra-low emission vehicles and to allow access by delivery and emergency vehicles. The scheme has been designed to allow such access and would provide for vehicle charging within the parking areas.
- 6.30 Highways England has been consulted in respect of this application and considers that it would not materially affect the safety, reliability and/or operation of the

strategic road network. For example with regard to trip generation, Highways England considers that the likely trip generation by the drive thru units could largely be expected to be pass by trips already on the highway network or traffic from Snodland, neither of which will affect the strategic road network (e.g. the M20 or M2 motorways). Furthermore in its consideration of the application, Highways England has clearly taken the existing use of the site as a vehicle recovery depot into account, which it considers to be similar to the main [commercial] use that will replace it.

- 6.31 The local highway authority is also now satisfied that the development would be acceptable in terms of impact upon the local highway network. With specific regard to trip generation the highway authority considers that the baseline traffic surveys were undertaken at the appropriate time of the day. Additional sensitivity testing has been sought by the highway authority, which the applicant has undertaken regarding both the proposed commercial units and the two drive thru units. This additional testing has resulted in a small increase in the forecast number of trips generated by the proposed development. However, the highway authority agrees with the applicant's TA and Highways England that the most of the visits to the proposed drive thru units would be from passing vehicles (more than 80%) and the actual number of new trips generated by this aspect of the development would be very low. In light of this the highway authority considers the impact of the development upon the local highway junctions to be acceptable and they will continue to operate within capacity, not just based on present day levels, but also those predicted for 2023 as well.
- 6.32 The amount of car parking proposed for each element of the development has also been found to be acceptable by the local highway authority. Conditions can, of course, be used to ensure that the parking and access arrangements are provided prior to the first occupation of the individual units.
- 6.33 I am aware that objections have been lodged on grounds that the development will be geared towards car borne traffic particularly the food and drink units, and that an additional crossing should be provided across the A228 to enable pedestrians to cross the road more safely should they wish to access those units. As has been stated by the local highway authority, a controlled toucan crossing is planned to be installed adjacent to the petrol filling station to the south of the Holborough Lakes roundabout, which would of course improve the ability of pedestrian and cyclists to cross the A228 close to the application site, together with the provision of a longer section of cycle lane along the western boundary of the site. For clarity, the toucan crossing proposed is part of KCC's strategy for wider road improvements and is not mitigation required to make the proposed development acceptable. However it would, when installed, make the site more accessible by pedestrians and cyclists.
- 6.34 An objection has been made on behalf of the neighbouring land owner that account has not be taken of an extant planning permission (TM/02/3665) for

additional railway sidings on the adjacent land. However that permission relates to the provision of railway sidings within the adjacent site in order to reduce the amount of road movements required to remove the cement from that site. As such the current proposal does not need to consider the cumulative impacts of this extant permission in terms of highways impacts.

6.35 Taking the above into account, the development is not considered to cause an unacceptable impact upon highway safety and the residual cumulative impacts upon the road network are not considered to be severe. Therefore, in accordance with paragraph 109 of the NPPF, permission should not be refused on highways grounds.

Flooding and drainage:

6.36 The southern half of the site lies within flood zone 2. A smaller section of this part of the site also lies within flood zone 3 as well. The site is, of course, specifically allocated within the current Development Plan for employment provision. As such the designation of this site for this purpose would have been informed by a Strategic Flood Risk Assessment undertaken as part of the Development Plan process.

6.37 Current Government advice contained within the NPPF at paragraph 162 states that where development comes forward on sites allocated in the development plan, the sequential test need not be applied. This test is used to steer developments to areas with the lowest risk of flooding. The NPPG provides guidance concerning appropriate land uses with the different flood zones. It defines the proposed uses are regarded as “less vulnerable” in flood risk terms which are appropriate within both flood zones 2 and 3.

6.38 Both the EA and the LLFA are satisfied that the development is acceptable in terms of flood risk and that suitable surface water drainage can be provided on site as part of the overall development.

6.39 The development will be connected to the mains sewer for the disposal of foul waste and is not, therefore, a matter for the local planning to consider further. Of course, the applicant will need to comply with the Building Regulations and the requirements of the water authority.

Other material considerations:

6.40 There is potential for the proposed development to create noise given the nature of the uses to be accommodated. However, the existing use of the site as a vehicle recovery depot creates noise as well and other impacts on amenity. The site is also not immediately adjoined by residential properties; the nearest ones are located on the west side of the A228, south west of the site, within the Holborough Lakes development. Given the particular location of the site, the existing land use and the presence of the A228 dual carriageway along its western

boundary, I do not consider that the proposed development would cause unacceptable detriment to the amenity of residents within the locality.

Consequently, it is not considered necessary or reasonable to require deliveries to the site to be undertaken only during certain times of the day or days of the week, or indeed control the operation of any of the proposed units in a similar way.

6.41 Details of the external lighting have also been submitted at this stage. This will be a combination of LED lamps mounted on 5m, 6m, 8m and 10m high columns and other lamps mounted to the external walls of the commercial buildings. The tallest columns would be located around the car park to Unit A (the largest unit). Smaller columns mounted with LED lights would be installed throughout the wider site as well as lamps being installed on the external walls of the commercial buildings. All of the lighting will fit in with the character of the overall development and has been designed to not cause unacceptable light spill outward from the site.

6.42 The southern part of the site (the location of Building A) is designated as an area of archaeological potential. An initial assessment undertaken on behalf of the applicant has revealed that only an area within the north west of the site (an area of undisturbed pasture) has the potential of undisturbed remains associated with an Iron Age/Roman settlement. This part of the site lies outside of the designated area of archaeological protection, but given that remains from these eras have been found in the local area, it is considered reasonable and necessary for a condition to be used to ensure that any remains found on site during excavation works are recorded appropriately.

6.43 Much concern has been voiced regarding the likely operator(s) of the proposed A3/A5 units and in particular that the McDonalds units are not wanted in the local area. However, the identity of a particular operator of a proposed use cannot be determinative in planning. The application has to be assessed on the basis of the proposed use, not the user. The NPPF in section 8 states that planning decisions should aim to achieve healthy, inclusive and safe places. (paragraph 91). In paragraph 92, with specific reference to enabling and supporting healthy lifestyles, it provides examples of how this could be achieved which includes layouts of development that encourage walking and cycling. As has been stated earlier in this report, the applicant has agreed to improve such links to the site by the provision of an additional section of cycle lane and footpath along the western boundary of the site. Footpaths would be created alongside the access road within the site together with pedestrian crossings.

Conclusions:

6.44 The proposed development would provide a comprehensive redevelopment of this designated employment site. It is acknowledged that the development would also include food and drink uses which would not normally be permitted on such sites. However given the limited size of this element of the proposed development compared to the significant size of the proposed employment provision, the overall

development would result in economic growth in the local area and make a significant contribution towards employment provision within the Borough.

- 6.45 The development would also markedly improve the character of the site and will include the installation of many new trees, hedges and shrubs, together with appropriate lighting within the site.
- 6.46 Both Highways England and the local highway authority consider the development to be acceptable in terms of impact upon the strategic and local road networks. Adequate car parking would be provided for the development as a whole and provision will also be made for cycle storage and charging electric and other low emission vehicles.
- 6.47 Due to the location of the site, the development would not cause demonstrable harm to the amenity of residents living in the local area.
- 6.48 For all of the above reasons, the development is considered to be acceptable, and as such, the following recommendation is put forward.

7. Recommendation:

- 7.1 **Grant planning permission** in accordance with the following submitted details:

Proposed Plans 18-081-EX-002 PL3 dated 25.02.2019, Planting Plan
6777.ASP.PP.1.0_REV A dated 25.02.2019, Planting Plan
6777.ASP.PP.1.1_REV C dated 25.02.2019, Planting Plan
6777.ASP.PP.1.2_REV C dated 25.02.2019, Planting Plan
6777.ASP.PP.1.3_REV C dated 25.02.2019, Landscaping 6777.ASP3 dated
25.02.2019, Site Plan S059_3001.PL2 dated 25.02.2019, Site Plan
S059_3002.PL4 dated 25.02.2019, Floor Plan S059_3025.PL1 dated
25.02.2019, Floor Plan S059_3026.PL1 dated 25.02.2019, Floor Plan
S059_3027.PL1 dated 25.02.2019, Roof Plan S059_3028.PL1 dated
25.02.2019, Floor Plan S059_3029.PL1 dated 25.02.2019, Section
S059_3035.PL1 dated 25.02.2019, Elevations S059_3036.PL1 dated
25.02.2019, Elevations S059_3037.PL2 dated 25.02.2019, Floor Plan
S059_3050.PL2 dated 25.02.2019, Floor Plan S059_3051.PL1 dated
25.02.2019, Floor Plan S059_3052.PL1 dated 25.02.2019, Roof Plan
S059_3053.PL1 dated 25.02.2019, Floor Plan S059_3054.PL1 dated
25.02.2019, Sections S059_3060.PL1 dated 25.02.2019, Elevations
S059_3061.PL1 dated 25.02.2019, Elevations S059_3062.PL1 dated
25.02.2019, Floor Plan S059_3075.PL1 dated 25.02.2019, Other screening
opinion dated 15.03.2019, Floor Plan S059_3076.PL1 dated 25.02.2019, Floor
Plan S059_3077.PL1 dated 25.02.2019, Floor Plan S059_3079.PL1 dated
25.02.2019, Sections S059_3085.PL1 dated 25.02.2019, Elevations
S059_3086.PL1 dated 25.02.2019, Elevations S059_3087.PL1 dated
25.02.2019, Site Plan S059_3100.PL2 dated 25.02.2019, Floor Plan
S059_3105.PL1 dated 25.02.2019, Elevations S059_3106.PL1 dated

25.02.2019, Floor Plan S059_3110.PL2 dated 25.02.2019, Elevations S059_3111.PL2 dated 25.02.2019, Elevations S059_3112.PL2 dated 25.02.2019, Roof Plan S059_3115.PL2 dated 25.02.2019, Location Plan S059_3000.PL2 dated 25.02.2019, Letter cover letter dated 25.02.2019, Other Aubrilam Brochure dated 25.02.2019, Design and Access Statement dated 25.02.2019, Energy Statement dated 25.02.2019, Other canopy brochure dated 25.02.2019, Planning Statement dated 25.02.2019, Other play frame dated 25.02.2019, Schedule areas dated 25.02.2019, Statement ventilation dated 25.02.2019, Air Quality Assessment dated 25.02.2019, Arboricultural Survey dated 25.02.2019, Archaeological Assessment dated 25.02.2019, Ecological Assessment dated 25.02.2019, Lighting dated 25.02.2019, Flood Risk Assessment dated 25.02.2019, Noise Assessment dated 25.02.2019, Environmental Assessment geoenvironmental assessment dated 25.02.2019, Report site services overview dated 25.02.2019, Transport Statement dated 25.02.2019, Travel Plan dated 25.02.2019, Other Transport Note dated 18.04.2019, Other Remediation Strategy & Verification Plan dated 26.04.2019, Email dated 26.04.2019, subject to the following conditions:

Conditions:

- 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 All materials used externally shall accord with the approved plans.

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

- 3 The use of Units A, B, C and D shall not be commenced, until the area shown on the submitted layout as vehicle parking space and loading/unloading areas for those units has been provided, surfaced and drained. Thereafter, those areas shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking and loading/unloading space.

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

- 4 The use of the two A3/A5 units labelled "Drive Thru 1" and "Drive Thru 2" on plan no. S059/3002 pl4 shall not be commenced, until the area shown on drawing no S059/3100 pl 3 as vehicle parking space has been provided, surfaced and drained. Thereafter, those areas shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country

Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 5 The access to the site shall be constructed in accordance with the approved plan (05 Rev A titled 'Potential Left-In/Left-Out Junction with Merge and Diverge Lanes). The access shall be implemented prior to first commencement of the use of any of the buildings hereby approved (with the exception of (Unit A shown on plan no. S059/3002 pl4) and shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 6 No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure the safe and free flow of traffic.

- 7 The cycle storage facilities shall be installed in accordance with the plans hereby approved prior to the first occupation of any of the approved buildings.

Reason: To ensure that adequate cycle storage is provided.

- 8 The development shall be carried out in accordance with the submitted flood risk assessment (ref: 6600149-MLM-ZZ-XX-RP-C-0001-Rev01, MLM Consulting Engineers Limited, Date: 07/02/2019) and the following mitigation measures it details:

Finished floor levels shall be set at 6.4m above Ordnance Datum (AOD) for building Units A, B and C as shown in section 3.1 and Appendix E (drawing ref: 6600149-MLM-ZZ-XX-DR-C-0002) of the FRA.

Less flood resilient buildings to be located in flood zone 1 as stated in section 3.1 of the FRA.

Evacuation of the site will be managed by the site operators in response to the Environment Agency early flood warning system (See section 7 of FRA).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 9 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any

proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

10 No development shall take place other than as required as part of any relevant approved site investigation works until the following have been submitted to and approved by the local planning Authority:

(a) Results of the site investigations (including any necessary intrusive investigations) and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the site will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended).

The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved end use.

(b) Prior to the commencement of the development the relevant approved remediation scheme shall be carried out as approved. The Local Planning Authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework.

11 Following completion of the approved remediation method strategy, and prior to the first occupation of the development, a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground level shall be submitted for the information of the Local Planning Authority.

The report shall be undertaken in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. Where it is identified that further remediation works are necessary, details

and a timetable of these works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

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

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework.

- 12 The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. 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.

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.

- 13 Units A, B, C and D as identified on plan number S059/3002 pl4 shall not be occupied until the electric vehicle charging points shown on plan nos. S059/3025 pl1, 3050 pl2 and 3075 pl1 have been installed in accordance with details that have first been approved by the Local Planning Authority. The work shall be carried out in strict accordance with the approved details and shall be retained at all times thereafter.

Reason: In order to encourage the use of electric vehicles to help reduce vehicle emissions in the interests of air quality and in accordance with paragraph 110 of the NPPF.

- 14 The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavation and record items of interest and finds. The developer will inform the Local Planning Authority of the start date of construction works on site not less than two weeks before the commencement of such works.

Reason: In the interests of archaeological research.

- 15 The external lighting shall be installed in accordance with the details shown on plan no. 18-081-EX-002 PL3 and maintained/retained in accordance with those details in perpetuity.

Reason: In order to ensure that the lighting accords with the approved plans and does not cause unacceptable light pollution in the locality.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes H and J, of Part 7 of Schedule 2 of that Order.

Reason: In order to enable the local Planning Authority to control further development of this site in the interests of amenity.

- 17 The development hereby approved shall be undertaken in accordance with the following plans:

Proposed Plans 18-081-EX-002 PL3 dated 25.02.2019, Planting Plan 6777.ASP.PP.1.0_REV A dated 25.02.2019, Planting Plan 6777.ASP.PP.1.1_REV C dated 25.02.2019, Planting Plan 6777.ASP.PP.1.2_REV C dated 25.02.2019, Planting Plan 6777.ASP.PP.1.3_REV C dated 25.02.2019, Landscaping 6777.ASP3 dated 25.02.2019, Site Plan S059_3001.PL2 dated 25.02.2019, Site Plan S059_3002.PL4 dated 25.02.2019, Floor Plan S059_3025.PL1 dated 25.02.2019, Floor Plan S059_3026.PL1 dated 25.02.2019, Floor Plan S059_3027.PL1 dated 25.02.2019, Roof Plan S059_3028.PL1 dated 25.02.2019, Floor Plan S059_3029.PL1 dated 25.02.2019, Section S059_3035.PL1 dated 25.02.2019, Elevations S059_3036.PL1 dated 25.02.2019, Elevations S059_3037.PL2 dated 25.02.2019, Floor Plan S059_3050.PL2 dated 25.02.2019, Floor Plan S059_3051.PL1 dated 25.02.2019, Floor Plan S059_3052.PL1 dated 25.02.2019, Roof Plan S059_3053.PL1 dated 25.02.2019, Floor Plan S059_3054.PL1 dated 25.02.2019, Sections S059_3060.PL1 dated 25.02.2019, Elevations S059_3061.PL1 dated 25.02.2019, Elevations S059_3062.PL1 dated 25.02.2019, Floor Plan S059_3075.PL1 dated 25.02.2019, Other screening opinion dated 15.03.2019, Floor Plan S059_3076.PL1 dated 25.02.2019, Floor Plan S059_3077.PL1 dated 25.02.2019, Floor Plan S059_3079.PL1 dated 25.02.2019, Sections S059_3085.PL1 dated 25.02.2019, Elevations S059_3086.PL1 dated 25.02.2019, Elevations S059_3087.PL1 dated 25.02.2019, , Floor Plan S059_3105.PL1 dated 25.02.2019, Elevations S059_3106.PL1 dated 25.02.2019, Floor Plan S059_3110.PL2 dated 25.02.2019, Elevations S059_3111.PL2 dated 25.02.2019, Elevations S059_3112.PL2 dated 25.02.2019, Roof Plan S059_3115.PL2 dated 25.02.2019, Location Plan S059_3000.PL2 dated 25.02.2019, Site Plan S059_3100.PL3 dated 09.05.2019

Reason: To ensure the development is undertaken in accordance with the plans hereby approved.

Contact: Matthew Broome

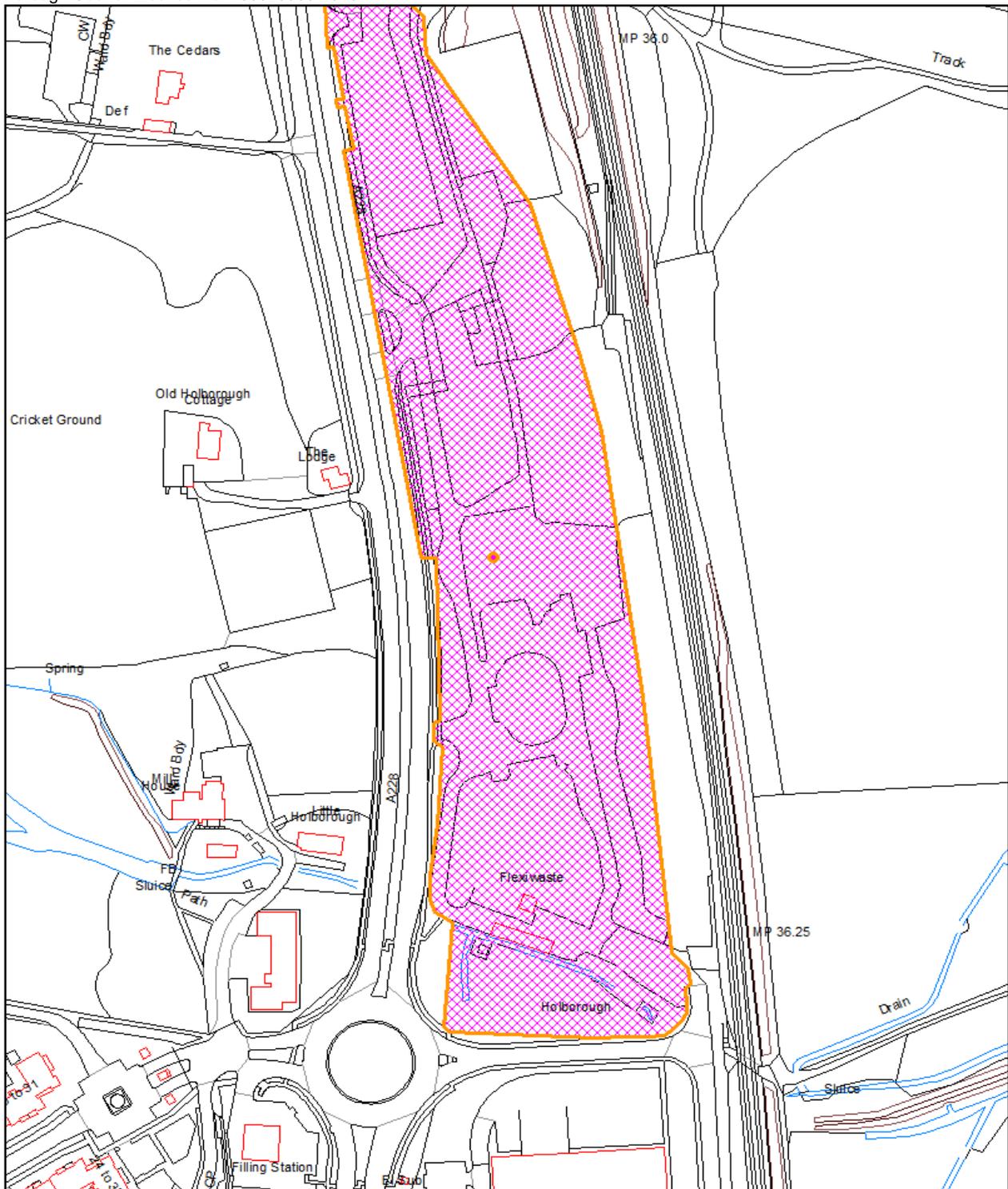
This page is intentionally left blank

TM/19/00449/FL

Development Site North Of Vantage Point Holborough Road Snodland Kent

Erection of 4 no. warehouse units (Use Classes B1c/B2/B8) and 2 no. Drive-Thru units (Use Classes A3 and/or A5), together with the provision of parking, landscaping and associated works

For reference purposes only. No further copies may be made. ©Crown copyright. All rights reserved. Tonbridge and Malling Borough Council Licence No. 100023300 2015.



This page is intentionally left blank

Aylesford
Aylesford South

30 January 2019

TM/18/03048/OA

Proposal: Outline Application: Redevelopment of existing garden furniture retail centre (with ancillary cafe) and commercial cattery and small pet boarding centre with 9 no. dwellings comprising 3 no. detached four bedroom houses and 6 no semidetached three bedroom houses with associated alterations to existing access road, new garaging and parking facilities and surface water run off pond

Location: Garden Centre Rear Of 400 Hermitage Lane Maidstone Kent ME16 9NT

Go to: [Recommendation](#)

1. Description:

- 1.1 Outline planning permission is sought for the demolition of the existing garden centre buildings and the erection of residential dwellings. The proposal has been amended following initial submission, reducing the number of units and revising the layout to provide 9 dwellings comprising 3 no. detached two and a half storey four bedroom houses and 6 no semi-detached two storey three bedroom houses, along with associated alterations to the existing access road, new garaging and parking facilities, landscaping and surface water run off pond.
- 1.2 This application seeks approval of access, layout, and scale, with the final appearance and landscaping reserved. The layout plan provided shows three detached dwellings backing onto the adjacent Hermitage Court business centre, with the three pairs of semi-detached dwellings backing onto the existing dwelling The Hermitage. A landscaped buffer zone would be maintained 15m in width between the ancient woodland to the south of the site and the developed area.
- 1.3 Access is proposed via the existing track that leads from Hermitage Court, off Hermitage Lane. The existing access leads past the dwelling on site to a small car park serving the garden centre. The access would be widened as part of the development, with new parking and turning areas laid out to serve the new dwellings. Parking for most dwellings would be located on the front drive, some plots with side by side parking; others with tandem spaces; and some instead served by car ports. Two visitor spaces would also be provided.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Michael Base in order for the committee to examine if the proposed development conflicts with policies CP5 and CP14 of the TMBCS.

3. The Site:

- 3.1 The site is a Garden Centre containing various buildings and structures, located on the western side of Hermitage Lane on the outskirts of Maidstone. The development site straddles the borough boundary. Adjacent to the site is the hermitage court business centre; to the south is an area of Ancient Woodland; and to the north is an existing dwelling, The Hermitage.
- 3.2 The site is located outside of the settlement confines in open countryside and is well screened by the existing business park. In the wider area a number of development sites are under construction including at Chapelfield Way to the north and Fullingpits Avenue to the south. West of the site across the field is quarry. These developments have had a significant impact on the local landscape character and, as such, it is best described as rural fringe.

4. Planning History (relevant):

TM/11/00940/FL Approved 21 June 2011

Demolition of 2 no. existing Class A1 retail sales buildings & erection of 2 no. replacement Class A1 retail sales building on same footprint

5. Consultees:

- 5.1 Consultees were contacted for both the initial scheme for the higher number of units, and the revised scheme before the committee now. Both sets of comments are set out below for completeness.

Comments in relation to the initial scheme:

- 5.2 PC: This proposal is contrary to Policy CP14 which restricts new development in the countryside.
- 5.2.1 There is a need to maintain the Mid Kent Strategic Gap separating the built up areas of the Medway Gap and Maidstone. Whilst this new development replaces retail units the development will continue the residential sprawl out of Maidstone Borough, further restricting the Mid Kent strategic gap. This development is therefore contrary to Policy CP5.
- 5.2.2 This development will increase traffic movements along the heavily congested Hermitage Lane and the already over capacity A20. This addition traffic movement will primarily be at peak times, which is different to the current traffic movement at this site which is during the day and not at peak time. Therefore no further development whatever the size, should take place along Hermitage Lane until 1) the works required to improve the capacity of the Coldharbour roundabout on the A20 have been completed; 2) the necessary improvements required to the A20/Hall Road/Mills Road junction have been completed; and 3) the required

improvements at the southern end of Hermitage Lane and leading to the junction between Fountain Lane and the A26 Tonbridge Road have been completed.

- 5.3 KCC Economic Development: Requests developer contributions in relation to Primary and secondary education, library book stock and high speed fibre optic broadband connections.
- 5.4 Maidstone Borough Council: Object on the following grounds: (1) The development by virtue of its location being situated within an area and 15m buffer of Ancient Woodland would result in detriment to the Ancient Woodland contrary to Paragraph 175 of the National Planning Policy Framework, and Natural England's Standing Advice on Ancient Woodland. The benefits of the development are not considered to outweigh this significant harm.
- (2) The proposed development due to its urban form of development and layout would result in overdevelopment of the site detrimental to the character and appearance of the area and harmful to the countryside contrary to paragraph 79 of the National Planning Policy Framework.
- 5.5 Kent Fire & Rescue Service: Access is satisfactory
- 5.6 KCC Flood and Water Management: Kent County Council as Lead Local Flood Authority notes the proposed application is for outline planning permission but only appearance and landscaping matters are reserved. Unfortunately no surface water drainage strategy has been provided for the proposed development, therefore we are unable to determine that the proposed layout has adequate provision for sustainable drainage systems, pursuant to paragraph 165 of the National Planning Policy Framework
- 5.7 Natural England – No objection. Natural England advises that the proposals as presented have the potential to adversely affect woodland classified on the ancient Woodland Inventory. Natural England refers you to our Standing Advice on ancient woodland <https://www.gov.uk/ancient-woodland-and-veteran-treesprotection-surveys-licences>.
- 5.8 Southern Water: Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

5.9 Neighbours: 16/0X/9R/7S + site notice. 9 objections, 7 comments in support raised on the following (summarised) grounds in relation to the first scheme:

- Object
- Increase traffic movements
- Roads unable to cope
- No evidence of mitigation
- When will this relentless housebuilding stop
- Caused devastation to this area
- Hermitage Lane one long traffic jam with concrete
- See sense
- Strongly oppose
- Hermitage Lane at gridlock
- Residents cannot get in or out of their homes due to constant traffic jams
- No schools or doctors to cope with additional homes
- Utterly appalling
- Open spaces are being eroded by housing developments
- Traffic chaos
- Horrendous pollution levels
- No infrastructure
- No amenities

5.10 The following comments were received in support:

- Would ease congestion
- Café generates more traffic
- Proposal would result in a reduction in traffic
- Would tidy the area
- Asset to local community
- Shortage of houses in the area
- Already commercial buildings on site
- Traffic caused by poor management system not houses

Re-consultation 21.05.2019

5.11 PC: No objection

5.12 Natural England: No objection

5.13 Southern Water: Comments as before

5.14 Kent Fire & Rescue Service: no further comments provided

5.15 KCC Flood and Water Management: No comments if 9 units as this is a minor application.

5.16 KCC Economic Development: Requests revised contribution towards education and library book stock.

5.17 KCC Highways: The proposals are an outline application for the redevelopment of the existing garden furniture retail centre (with ancillary cafe); commercial cattery and small pet boarding centre with 9 dwellings comprising 6 semi-detached houses and 3 detached house provision, of new access roads and garages and parking facilities, with appearance and landscaping reserved.

Access:

5.17.1 Access to the site is proposed via the existing priority junction that abuts onto Hermitage Court. It should be noted that this access road does not form part of the publicly maintainable highway and therefore falls outside of Kent County Council (KCC) Highway's jurisdiction, as Local Highway Authority (LHA).

5.17.2 The personal injury collision record for both the existing accesses onto Hermitage Court and the B2246, Hermitage Lane have been checked via crash map (www.crashmap.co.uk) for the last 5 year period up to 30th June 2018, and I can confirm that no collisions have been recorded. Consequently, both accesses in question have good personal injury collision records. Having reviewed the applicant's site plan (drawing number: KWTP.02 Rev A) I note that the access road that will serve the proposed dwellings will be provided with an initial width of 3.85 metres, which widens to 4.1 metres in the southern section of the site. Consideration to providing a minimum width of 4.8 metres for the entire length of the service road should be given to safely enable two-way flows. This is particularly relevant given the varying horizontal alignment proposed in the submitted drawings.

5.17.3 An existing footway fronts onto the western side of Hermitage Lane from the Hermitage Court access road, however, this footway is discontinuous. In the interest of promoting sustainable transport the applicant should be required to investigate the feasibility of providing a dropped kerb pedestrian crossing point within the immediate proximity of the site.

Traffic impact:

5.17.4 I note from the applicant's Transport Statement (TS) that a traffic survey was undertaken on Wednesday 27th March 2019 between 08:00 and 09:00, 14:45 and 15:45 and 17:00 and 18:00. This survey recorded traffic flows at the existing access onto Hermitage Court, that serves the uses currently associated with the site, and Hermitage Court's junction with the B2246, Hermitage Lane. The results of this survey demonstrate that the existing garden centre and its associated ancillary uses, cattery and pet boarding centre generate a total of 42 two-way movements (combined arrivals and departures) in the AM peak (08:00-09:00), and 29 two-way movements in the PM peak (17:00-18:00). Of the 42 two-way movements recorded in the AM peak period, 20 arrived from the direction of Hermitage Lane and 9 departed towards the direction of Hermitage Lane, with the remainder arriving from or departing to the wider Hermitage Court estate. Conversely, of the 29 two-way movements recorded in the PM peak period, 15

departed towards the direction of Hermitage Lane and 6 arrived from the direction of Hermitage Lane, with the remainder arriving from or departing to the wider Hermitage Court Estate. Whilst it is disappointing that the applicant has not quantified the number of movements that the proposals are forecast to generate using an industry standard piece of software, such as TRICS (the national trip generation database), it is acknowledged that 9 dwellings will not generate a level of traffic that could be considered 'significant' in its own right.

5.17.5 When considering the net impact of the proposals it is important to consider the level of traffic that could be generated by the sites extant (lawful) use, which in this case is a furniture garden retail centre with associated ancillary services, commercial cattery and small pet boarding centre. Should the proposals be granted permission, then these uses would cease to exist at the site and the resulting level of traffic generated from the development site altered, in line with the new land use permitted.

5.17.6 As demonstrated in the applicant's traffic survey the existing uses on the site generate a total of 42 two-way movements in the AM peak and 29 two-way movements in the PM peak. This is likely to be more than the volume of traffic that could be generated by the development proposals for 9 dwellings. Consequently, it is accepted that the proposals are anticipated to generate less traffic than the sites existing extant use; therefore, the impact of the proposals in highway capacity terms could not be reasonably described as severe in accordance with paragraph 109 of the National Planning Policy Framework (NPPF).

Sustainable travel:

5.17.7 A breakdown of the available sustainable transport opportunities for any future residents of the proposed development has been given in section 2 of the applicant's TS. As highlighted by the applicant Barming train station, which provides services to London and other regional and local destinations at varying frequencies throughout the day, is situated approximately 600 metres north of the development site. The distance to Barming train station is within the maximum suggested walking distance of 2 kilometres (km) for commuting and 1.2 km for elsewhere, (Guidelines for Providing for Journeys on Foot, The Institution of Highways and Transportation, 2000).

5.17.8 In respect of existing public bus stops it has been correctly highlighted by the applicant that the nearest existing bus stop is situated almost directly outside the development site. However, as pointed out by the applicant (paragraph 2.10 of the TS), this stop provides a limited range of services and is therefore likely to have a negligible impact on meeting the travel needs of any future occupants of the development. Although a wider range of services can be accessed from Maidstone Hospital, which is situated approximately 1 km south of the site, the existing footway that front onto the western side of Hermitage Lane that abuts the site are discontinuous.

5.17.9 Consequently, pedestrians will have to cross over to the existing footways on the eastern side of Hermitage Lane in order to access the existing continuous footway links that provide access to Barming train station, Maidstone Hospital and its associated facilities, as well as those within the immediate proximity, such as the nearby Tesco Express store for example. In the interests of promoting sustainable transport the applicant should be required to investigate the feasibility of a dropped kerbed pedestrian crossing point within the proximity of the site.

Parking:

5.17.10 The applicant has proposed to provide 18 car parking spaces. Kent Design Guide Review: Interim Guidance Note 3 (IGN3), which is the county council's adopted parking standards, states that 3-bedroom houses in a suburban location should be provided with a minimum of 1.5 spaces per unit and 4 bedroom houses a minimum of 2 independently accessible spaces per unit. In addition, IGN3 states that visitor parking should be provided at a rate of 0.2 spaces per unit; therefore, a total of 2 (1.8) visitor car parking spaces are required in this instance. It is unclear from the applicant's site plan how the requisite level of visitor parking will be provided. I would therefore be grateful if the applicant could provide clarity on this matter.

5.17.11 Supplementary Planning Guidance (SPG4) Kent Vehicle Parking Standards is the county council's adopted guidance for cycle parking. SPG4 advises that individual residential dwellings should be provided with parking a minimum rate of 1 space per bedroom. The applicant has proposed to provide the required level of cycle parking via sheds in the curtilage of each dwelling. This approach is acceptable to this authority.

Turning and servicing:

5.17.12 I note from the applicant's site plan that a turning head will be provided in the south eastern section of the site. Having reviewed the site plan the turning head measures approximately 10 metres across at its widest place and therefore may be restrictive for the turning requirements of larger vehicles. As a result, swept path analysis should be provided to demonstrate the adequacy of the turning area for the largest vehicle i.e. a refuse freighter that will require access to the development.

Summary:

5.17.13 I would be grateful if the applicant could provide the additional information/consider my initial comments in the first instance. Once the applicant has provided the additional information requested, I will provide further highway-based comments; however, if I can be of any further assistance in the interim period, then please do not hesitate to contact me.

Following discussions with the applicant, the plans were amended in line with KCC Highways comments. The following comments were then received:

5.17.14 This response is in addition to this authority's previous consultation responses of 13th March and 6th June 2019. I note that the applicant has submitted a revised site plan (drawing number: KWTP.02 Rev A). As requested by this authority the applicant has confirmed that they will provide a new link from the development site to the existing footway that abuts the development and dropped kerb pedestrian crossing points to allow sustainable onward connections. Whilst the exact location of the crossing has not been confirmed this should be secured by a S278 agreement under the 1980 Highways Act, with exact details of its location and design agreed at the detailed design stage as part of the technical approval process. In addition to confirming that a suitable dropped kerb pedestrian crossing will be provided, a carriageway width of 4.8 metres for the duration of the access road is now proposed to safely enable two-way traffic flows.

5.17.15 As well as highlighting amendments to the access arrangements it was identified by this authority that the previous layout lacked the required visitor parking provision. The applicant has addressed this matter by providing the 2 additional visitor parking spaces required within the curtilage of the development. Finally, it was previously requested that swept path analysis be provided to confirm the adequacy of the eastern turning head; although this has not been provided amendments have been made to the layout. Amendments include the provision of a 14 meter long hammer head arrangement to replace the turning circle previously proposed.

5.17.16 These arrangements are anticipated to be adequate for the largest sized vehicle that will require access to the development site. I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority. In the event that the Borough Council is minded to approve the application, KCC Highways request that the following works are secured via a S278 agreement:

- Provision of a new dropped kerb pedestrian crossing point on the existing western and eastern footway.

5.17.17 The following requirements should be secured via condition:

- Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to/from site

- (b) Parking and turning areas for construction and delivery vehicles and site personnel

- (c) Timing of deliveries

(d) Provision of wheel washing facilities

(e) Temporary traffic management/signage.

-Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.

-Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

-Provision of measures to prevent the discharge of surface water onto the highway.

-Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

-Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.

-Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.

-Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.

5.18 Neighbours: 4/0X/0R/4S + site notice. 4 comments in support raised on the following (summarised) grounds in relation to the revised scheme

- Cannot see any reason why development would cause further disruption
- 9 houses will not create as much traffic
- Objectors should read plans and surveys as many of their submitted facts are incorrect
- Fully support the plans
- Traffic system is the cause of traffic
- Housing would tidy up the area and create much needed housing
- 9 houses not many in the scheme of things, compared with other developments in the area

5.18.1 Woodland Trust: The Trust is writing to you in relation to application 18/03048/OA for the construction of nine dwellings, and to express concerns related to the potential impacts of such development on the adjacent area of ancient semi-natural woodland, known as Fullingpits Wood (grid ref: TQ7304056079).

5.18.2 While we acknowledge that the applicant has taken account of the ancient woodland by means of implementing a 15m buffer, we consider that the siting of the Sustainable Urban Drainage System (SUDS) within the buffer zone goes against the material planning guidance contained within Natural England's

standing advice. This guidance states that: “You should avoid sustainable drainage schemes unless: they respect root protection areas; any change to the water table does not adversely affect ancient woodland or ancient and veteran trees”.

5.18.3 Where areas of SUDS are situated in close proximity to woodland, there is potential for them to impact on the hydrology of the ancient woodland, which can subsequently adversely affect the existing stable conditions within the ancient woodland. Furthermore, the applicant’s arboricultural report shows that the area of SUDS would encroach on the root protection areas of trees on the woodland edge. As such, we consider that the siting of the SUDS within the buffer zone would be adversely impactful on the ancient woodland and clearly contradicts Natural England’s standing advice.

5.18.4 In summary, the Trust will maintain a holding objection to this application unless the applicant is able to demonstrate that the area of SUDS would not result in the deterioration of the ancient woodland and that they are able to re-locate it outside of the root protection areas of trees on the edge of the woodland. Please do not hesitate to contact us with any further questions or concerns regarding the comments we have provided.

5.19 No further comments were received from Maidstone Borough Council.

6. Determining Issues:

6.1 The LPA is required to determine planning applications in accordance with the adopted Development Plan unless material planning considerations indicate otherwise. The Development Plan currently in force is comprised of the TMBCS (September 2007), the DLA DPD (April 2008), the MDE DPD (April 2010) and the saved policies of the TMBLP. The policies contained within the NPPF and the guidance contained within the associated NPPG are material considerations.

The five-year supply of housing and presumption in favour of sustainable development:

6.2 Policy CP15 of the TMBCS sets out a requirement for the provision of at least 6,375 dwellings in the plan period 2006 – 2021, equating to 450 units per year. Historically the Council has persistently over-delivered on that requirement due to a highly successful strategy of allocating sites through plan making right across the Borough. Those sites in some cases are continuing to be delivered but many have been in residential use for some time and inevitably there are fewer sites representing similar opportunities now.

6.3 At the time of writing this report, the Council cannot demonstrate a five year housing land supply. For decision making purposes this means that the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF falls to be applied.

- 6.4 Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development. Under paragraph 11(d), the presumption means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- I. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 6); or
 - II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.5 In this case, the policies that protect areas or assets of particular importance specified in footnote 6 include those in the NPPF relating to irreplaceable habitats (in this case the adjacent ancient woodland). These are therefore addressed first in order to establish how the presumption falls to be applied in this case.

Ancient woodland:

- 6.6 The site lies adjacent to an area of Ancient Woodland, known as Fullingpits Wood. The NPPF states at paragraph 175 that when determining planning applications, local planning authorities should apply the following principles:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 6.7 Paragraph 177 reiterates that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 6.8 Policy NE4 of the MDE DPD requires that the extent of tree cover and the hedgerow network should be maintained and enhanced. Provision should be made for the creation of new woodland and hedgerows, especially indigenous broad-leaved species, at appropriate locations to support and enhance the Green Infrastructure Network. This includes provision of new habitats as part of development proposals. The policy goes on to state that development that would result in the net loss or deterioration of woodland will only be permitted if all of the following tests are met:
- (a) development cannot reasonably be located on an alternative site;
 - (b) the need for development clearly outweighs any harm which may be caused to the ecological, archaeological and landscape value of the woodland; and
 - (c) harm can be reduced to acceptable limits through the implementation of positive environmental mitigation measures within the site or by replacement planting elsewhere or enhanced management.
- 6.9 Ancient woodland will be protected, and where possible, enhanced through improved management. Development that would adversely affect ancient woodland will not be permitted unless the need for, and benefits of, the development in that location can be demonstrated to override the harm that would be caused to the ecological and historical importance of the ancient woodland.
- 6.10 One of the reasons ancient woodland is considered to be so important is through the support of biodiversity. In these respects, local authorities have a statutory duty to have regard to conserving biodiversity as part of policy or decision making (section 40 of the Natural Environment and Rural Communities Act 2006). Policy NE2 of the MDE DPD requires that the biodiversity of the Borough and in particular priority habitats, species and features, will be protected, conserved and enhanced.
- 6.11 Furthermore, policy NE3 states that development which would adversely affect biodiversity or the value of wildlife habitats across the Borough will only be permitted if appropriate mitigation and/or compensation measures are provided which would result in overall enhancement. It goes on to state that proposals for development must make provision for the retention of the habitat and protection of its wildlife links. Opportunities to maximise the creation of new corridors and improve permeability and ecological conservation value will be sought.

- 6.12 The adopted policy position in these respects is in broad conformity with the requirements of the restrictive policies of the Framework at paragraph 175 that sets out that development resulting in the loss or deterioration of irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused, unless there are wholly exceptional reasons.
- 6.13 Standing guidance from Natural England advises a 15m buffer between any development and Ancient Woodland. The proposal incorporates this buffer zone along the southern boundary of the site in order to avoid harmful impacts to the woodland. Furthermore an Arboricultural Impact Assessment has been provided confirming no loss of significant trees will occur, subject to the implementation of tree protection measures during the construction process. The buffer zone will be required to be maintained in a semi natural state woodland or a mix of scrub, grassland, heathland and wetland planting, in accordance with the standing advice. This would be dealt with under the future reserved matters application for details of the landscaping. Tree protection measures will be secured by condition to ensure that no storage of materials or parking of vehicles in this sensitive buffer zone occurs during the construction process.
- 6.14 Comments from the Woodland Trust are fully noted concerning the apparent provision of a SUDS system within the buffer zone. However it is important to note that there is no requirement for SUDs for a scheme to serve this number of units, and the pond shown within the landscaped buffer zone is only indicative. Because the landscaping details are indicative at this stage, when reserved matters are submitted it can be ensured that no pond is provided in this area, unless the applicants can demonstrate at this time that it would respect root protection areas and any change to the water table would not adversely affect ancient woodland or ancient and veteran trees, in accordance with Forestry Commission standing advice. A further condition in relation to landscaping will ensure the pond would not be provided, notwithstanding the indicative plan. Subject to this, no harm to the Ancient Woodland and biodiversity is considered to occur.

As a result of this, there is no clear reason to disbar the presumption as a result of the effects of the development on the Ancient Woodland, and it instead falls to consider whether granting outline permission would have a significant and demonstrable adverse impact due to the location of the development, or on neighbouring amenity, character and appearance, the viability of the adjacent business park, traffic and highways, or protected species when weighed against the benefits arising from granting planning permission.

Location of Development:

- 6.15 The site lies within open countryside where policy CP14 of the TMBCS seeks to strictly control new forms of development, of which residential dwellings is not one of the listed exceptions. However, following the recent appeal decision at Aylesford Lakes under reference TM/17/02971/OA, the Inspector considered that

policy CP14 was out of date for the purposes of determining that application, in light of the Council's lack of 5-year supply of deliverable housing sites, and the application of the tilted balance in favour of sustainable development. The inspector at paragraph 11 of his decision states quite simply *"In accordance with footnote 7 of the Framework, Policies CP13 and CP14 are out-of-date and this limits the weight that can be given to them."*

- 6.16 As a result of this decision and the Council's continued lack of 5 year housing supply, it is clear that a decision to refuse planning permission based on conflict with policy CP14 could not be sustained at appeal, regardless of it constituting development outside of any settlement confines.
- 6.17 In terms of the potential conflict with policy CP5 as identified in the initial comments by the Parish Council, as with policy CP14, policy CP5 is considered to be out of date given the age of the Core Strategy and the housing supply position and therefore not determinative.
- 6.18 It is acknowledged that the site is currently in use and provides a small amount of employment. However, as the site is not within a designated employment area, the protection afforded to policy CP21 would not apply and therefore objections to the loss of the site for employment could not be justified.
- 6.19 On this basis it is considered that no objections can be raised on the location of the development irrespective of policy CP5, CP14 and CP21.

Character and appearance:

- 6.20 Policy CP24 of the TMBCS and policy SQ1 of the MDE DPD require a high standard of design from all new developments that should respect the site and its surroundings, make a positive contribution towards the enhancement of the appearance of the area and reflect local distinctiveness. These policies are consistent with the NPPF, particularly Chapter 12 and paragraphs 124, 127 and 130 which explain that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Within the scope of this outline application consideration must be given to the impact on the character of the area as a result of the layout and scale, with final appearance of the dwellings and the landscaped reserved for future consideration.
- 6.21 Whilst the site is located adjacent to the business park, the wider area is open fields and countryside. Further south along Hermitage Lane is the outskirts of Maidstone, where significant new development is occurring alongside existing developments such as Maidstone Hospital. Nonetheless, the existing woodland serves to screen the development site and the character can generally be described as rural fringe.
- 6.22 The dwellings are proposed to be laid out around a single access road with front and rear gardens and off street parking. The use of the buffer zone is required in

order to comply with standing advice from the Forestry Commission that sets out that no development should be located within 15m from Ancient Woodland.

- 6.23 The dwellings range in height from two to two and a half storeys in scale with the detached dwellings being two and a half storeys, and the semis two storey. This is considered to be acceptable given the greater height of adjacent office blocks and the nearby Oast houses which would be taller still. Each dwelling would sit comfortably within its plot with adequate private amenity space and front garden area. Final details of the appearance of each dwelling would be dealt with in a future reserved matters application.
- 6.24 The adjacent business park contains a number of Oast Houses and, whilst the site is extensively developed with parking areas, it retains a semi-rural character and is not obtrusive within the wider landscape. The proposed development site would be effectively screened by the business park, obscuring its prominence from the wider countryside further west. It is not considered that any adverse impact would occur to the wider landscape or appearance of the area, which in any case has been significantly altered by recent new development. It is also noted that the existing site is developed and contains a collection of various buildings in use for the garden centre and these are not particularly attractive nor do they positively contribute to the wider landscape.
- 6.25 The scheme is considered to provide a well-designed layout, with the mix of dwellings and a siting reflective of the rural fringe character. The orientation of the dwellings towards the landscaped buffer will ensure oversight over this area and help ensure it does not become “dead space”, vulnerable to fly tipping or crime. Final appearance of the individual dwellings will be dealt with under a reserved matters application.
- 6.26 In terms of the remaining trees on the site (outside of the adjacent woodland) none of them are considered to offer sufficiently high amenity value to warrant retention. Details of landscaping are reserved for future consideration but new tree planting can be accommodated as part of this. Furthermore the revised scheme incorporates a continuous 15m buffer between the adjacent ancient woodland, in line with Natural England standing advice.
- 6.27 Overall it is considered no harm would arise to the character and appearance of the area.

Neighbouring amenity & amenity of future occupiers:

- 6.28 On most sides the site is separated from other residential dwellings, with the woodland to the south, the business park to the west, and to the east the road, with dwellings on that side considerably further away from the site. However, to the north is the dwelling known as The Hermitage, within the applicant's ownership. The proposed layout would see dwellings erected around 8m away from the boundary with that property's rear garden. The separation from the

houses to the dwelling itself would be in excess of 25m, meaning no loss of privacy would result within the dwelling itself. In terms of the separation distances from the garden area of this dwelling, the areas of garden closest to the new dwellings may experience some overlooking, but the garden is wide and the majority of the areas would be sufficiently far away from the new houses such that the perception of a degree of privacy would not be unduly compromised. Plots 1 and 2 would be orientated towards the outbuilding and would not compromise privacy.

- 6.29 Ultimately, due to the generous separation distances from the house itself, and the large extent of its garden, it is considered that the loss of privacy would not be significantly harmful as a whole, particularly since the areas immediately around the house in which expectations of privacy would be greatest would be a sufficient distance away to avoid severe perceptions of overlooking. The garden space to the side of the dwelling in between the road would also be far enough away to afford the owners sufficient privacy in this area.

Impact on adjacent Business Park:

- 6.30 Paragraph 121 of the NPPF explains that local planning authorities should take a positive approach to applications for alternative uses of land which are currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites. It is important therefore to consider the effect of developing the site on the adjacent business park, as a modest sized but nonetheless important employment site.
- 6.31 It is recognised that many employment uses will sit uncomfortably next to new residential developments. Inevitably complaints can arise from residents owing to noise or emissions from such sites, thereby impacting the viability of the site as an employment location. However, at the same time, many employment uses are entirely compatible with adjacent residential development. In this case, the business park is comprised of high end office accommodation. It is not considered that adjacent residential development would impact on the viability of this adjacent use that is unlikely to generate any significant noise or pollution levels. During weekends when future occupants of the dwellings are more likely to be at home, the business park would probably be closed and this would further indicate the compatibility of these two land uses. As such no objections are raised under paragraph 121 of the NPPF.

Traffic, Highways & Parking:

- 6.32 Policies CP2 of the TMBCS and SQ8 of the MDE DPD require development to not significantly harm highway safety, and demonstrate that traffic generated by the development can adequately be served by the highway network. This is consistent with the aims of the NPPF at chapter 9. Within this chapter, paragraph 109

explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.33 The existing use of the site as a Garden Centre continues at the time of reporting this application and there is no suggestion from the applicants that its closure is inevitable. As such, the lawful use already attracts a certain amount of vehicle movements that would cease upon the commencement of development. Now that the number of units has been reduced down to 9, it is likely that the number of vehicles accessing the site will decrease, although it is recognised that trips could occur at any time rather than just during the opening hours of the centre. The applicant has not provided exact figures for the number of trips generated by the existing Garden Centre business, but it comprises a cattery, café, and garden centre shop and each of these uses would attract vehicle movements throughout the day.
- 6.34 Furthermore, the submitted Transport statement confirms that no unacceptable or “severe” highways impacts would result, such that the development would conflict with paragraph 109 of the NPPF. Existing traffic problems to the north of the site at the junction with the A209 are noted but, given the reduction in trips, it is not considered that the development would exacerbate these issues. It is further noted that KCC Highways and Transportation have raised no objections to the scheme on highways safety or cumulative impacts.
- 6.35 Given the location of the site on the outskirts of Maidstone, it is considered that the site falls into the category of “suburban edge” for the purposes of considering parking requirements. The adopted Interim Guidance note on Parking (“IGN3”) requires 2 parking spaces for each unit. This would be provided, although it is noted that parking for the 3 bedroom semi-detached dwellings would be in a tandem format. Whilst this is not strictly in accordance with IGN3 and it is recognised that this is not the ideal design solution, but given the somewhat constrained extent of the site, it is considered that this arrangement strikes an appropriate balance between making effective use of space and meeting parking demands. Following comments from KCC Highways and Transportation, two vehicle spaces have also been added.
- 6.36 Finally, the applicant is understood to be entering into a Section S278 agreement with KCC Highways and Transportation to provide a new dropped kerb pedestrian crossing point on the existing western and eastern footway to improve access to and from the site for pedestrians.

Protected species:

- 6.37 Policy NE3 of the MDE DPD requires development to ensure no adverse impacts on biodiversity and wildlife habitats, including those of protected species. This is consistent with paragraph 175 of the NPPF to avoid harm to biodiversity and protected species.

- 6.38 Given the nature of the construction of the existing buildings, and proximity to woodland and fields, the applicants have supplied a Preliminary Ecology Survey and Bat Emergence Survey to ensure that the development would not impact protected species.
- 6.39 No birds, badgers, reptiles or amphibians were recorded on the site. However two of the buildings on site were identified as having low roost suitability. As such a further bat emergence survey was carried out. No bats were seen emerging from Building E or Building G. Only a low number of common pipistrelle bats were seen and heard commuting and foraging. It is thus concluded that the buildings are not used as bat roosts. Thus no mitigation or licences are expected to be needed.
- 6.40 Based on this information it is considered that the development would not result in the loss of protected species or their habitats. The Ecology Report makes a series of recommendations regarding biodiversity enhancements to ensure the scheme provides a net gain to ecology, and these can be secured by condition. Subject to this, the development would not result in harm to protected species.

Planning Obligations:

- 6.41 A planning obligation may only be sought as part of a planning application if it meets three test. Firstly, it must be necessary to make the development acceptable in planning terms; secondly, it must be directly related to the development; and lastly, it must be fairly and reasonably related in scale and kind to the development.
- 6.42 The site lies within a rural area for the purposes of policy CP17: Affordable housing. In rural areas the policy requires affordable housing provision on all sites of 5 dwellings or above, or 0.16ha or above, at a level of 40% of the number of dwellings in any scheme. However, this policy is now out of date and, in particular, conflicts with national policy and guidance that sets out that affordable housing contributions should only be sought on major development schemes (10+). As such, there is no requirement to provide affordable housing.
- 6.43 The site attracts an open space contribution, in accordance with policy OS3 of the MDE DPD. The policy expectation is that this will be provided on site first, with a contribution towards maintaining off site open space if this is not possible. In the circumstances of this site, given the constrained site size and proximity of Ancient Woodland, it would not be possible to provide an adequate area of open amenity space without encroaching into the buffer zone, that is required to be retained in a semi natural state (rather than laid to lawn to provide a useable amenity area).
- 6.44 KCC Economic Development have also requested contributions towards education and library book stock. This obligation is necessary to manage increased demand as a result of the new development. Without these contributions, the development would place unacceptable pressure on education and library facilities. It is therefore considered that these obligations meet the three tests.

6.45 Total contributions sought by the development therefore amount to:

- £41,015 towards open space contributions
- £29,916 towards Primary Education
- £37,035 towards Secondary Education
- £432.18 towards Library Bookstock

6.46 These can be secured by a Section 106 agreement if Members are minded to resolve to grant planning permission.

Conclusions:

6.47 The proposal would constitute the redevelopment of a brownfield site to provide much needed housing towards local shortfall. Whilst the location of the development would not accord with policy CP5 and CP14, Tonbridge and Malling Borough Council cannot currently demonstrate a 5 year housing supply. In such circumstances paragraph 11 of the NPPF sets out that the presumption in favour of sustainable development applies and the provision of new housing carries significant weight. This presumption is only disbarred if the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

6.48 Whilst the site does lay close to Ancient Woodland which would be considered an asset of particular importance, it is considered that with the provision of the 15m buffer zone, no harm to this woodland would arise, and so there is no clear reason to disbar the presumption. The impact of the development on highways, the character and appearance of the area, neighbouring amenity and protected species are all considered to be acceptable. Furthermore subject to a Section 106 agreement, contributions can be sought towards open space provision and education in order to mitigate the impacts of the development on community infrastructure. Accordingly it is recommended that outline planning permission is granted.

7. Recommendation:

7.1 **Grant outline planning permission** in accordance with the following submitted details: Location Plan KWTP.01.LP received 27.12.2018, Site Plan KWTP.03 PSP received 11.06.2019, Planning, Design And Access Statement received 07.05.2019, Arboricultural Assessment received 20.05.2019, Bat Survey received 20.05.2019, Report Ecology received 25.04.2019, Transport Statement received 25.04.2019, subject to the following:

- The applicant entering into planning obligation(s) under section 106 of the Town and Country planning Act 1990 (as amended) with the local planning

authority to make financial contributions towards the enhancement of community infrastructure, consisting of:

1. £41,015 towards open space contributions
2. £29,916 towards Primary Education
3. £37,035 towards Secondary Education
4. £432.18 towards Library Bookstock

• The following conditions:

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

- 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 Approval of details of the appearance of the development and the landscaping of the site (hereinafter called the “reserved matters”) shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

- 4 No building shall be occupied until the area shown on the submitted layout for vehicle parking spaces has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (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 garage or garages) or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure that parking is provided and maintained in accordance with the Council’s adopted standards.

- 5 The development shall be carried out in accordance with the recommendations set out in the Ecological dated 8th April 2019 Ref No 2019/03/17.

Reason: To ensure the development does not harm protected species and

provides biodiversity improvements.

- 6 The development shall be carried out in accordance with the recommendations set out in the Arboricultural Impact Assessment dated 14th May 2019 Ref No GRS/TS/TCP/AIA/TPP/32/19 and in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).

(b) No fires shall be lit within the spread of the branches of the trees.

(c) No materials or equipment shall be stored within the spread of the branches of the trees.

(d) Any damage to trees shall be made good with a coating of fungicidal sealant.

(e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.

(f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

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

- 7 (a) If during development work, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/ remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.

(b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.

(c) A closure report shall be submitted by the developer relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

- 8 Notwithstanding the indicative location of the SUDs pond on the submitted site plan, no pond shall be installed within the 15m buffer zone unless it can be demonstrated that it would respect root protection areas and any change to the

water table would not adversely affect ancient woodland or ancient and veteran trees.

Reason: To avoid harming the Ancient Woodland.

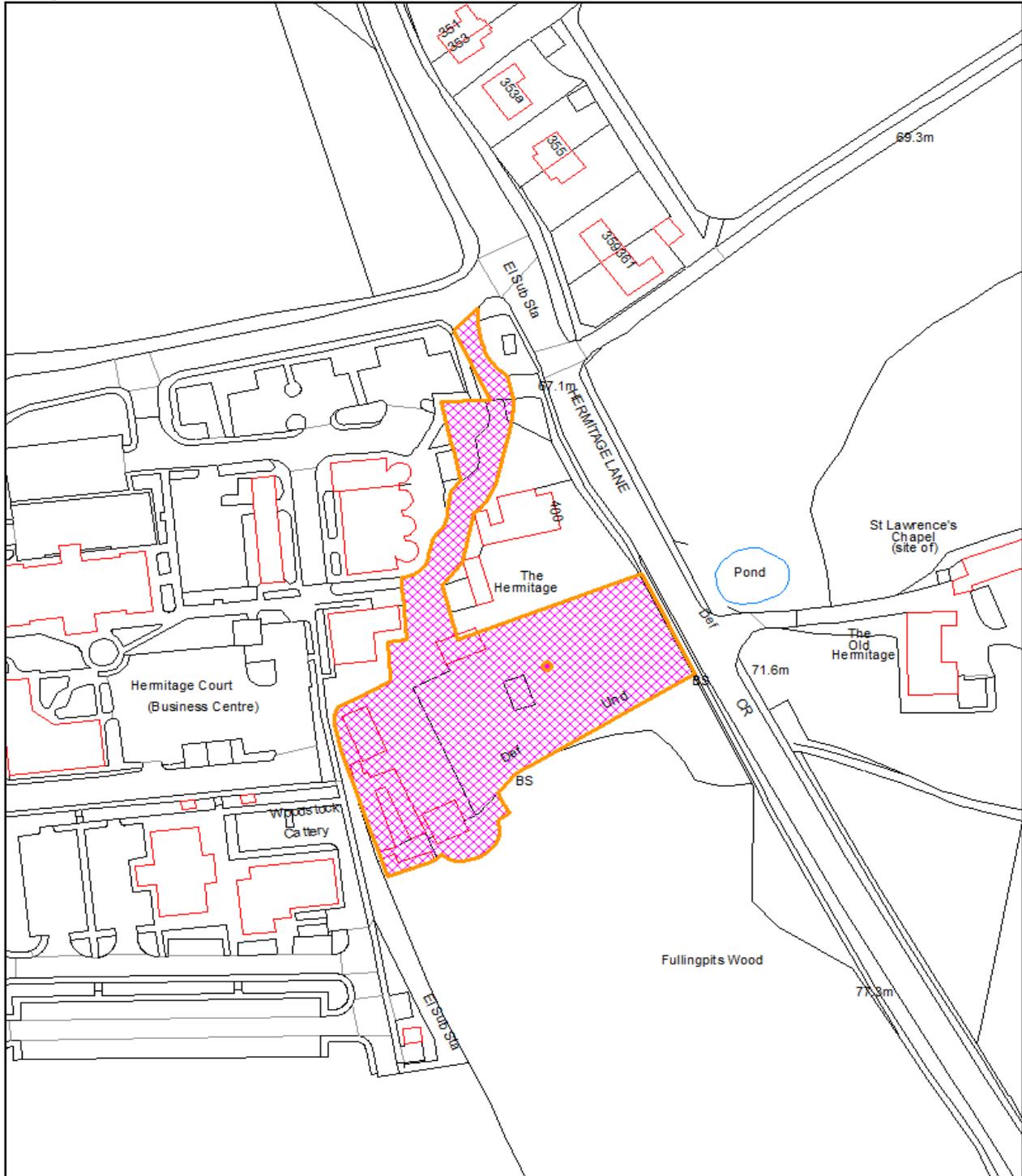
Contact: Adem Mehmet

TM/18/03048/OA

Garden Centre Rear Of 400 Hermitage Lane Maidstone Kent ME16 9NT

Outline Application: Redevelopment of existing garden furniture retail centre (with ancillary cafe) and commercial cattery and small pet boarding centre with 9 no. dwellings comprising 3 no. detached four bedroom houses and 6 no semidetached three bedroom houses with associated alterations to existing access road, new garaging and parking facilities and surface water run off pond

For reference purposes only. No further copies may be made. ©Crown copyright. All rights reserved. Tonbridge and Malling Borough Council Licence No. 100023300 2015.



This page is intentionally left blank

Agenda Item 8

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

This page is intentionally left blank