

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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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: Democratic Services
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22 September 2021

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 Council Chamber, Gibson Drive, Kings Hill on Thursday, 30th September, 2021 commencing at 6.30 pm.

Members of the Committee are required to attend in person. Other Members are encouraged to participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website. Deposited plans can be viewed online by using [Public Access](#).

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 - 6

To confirm as a correct record the Minutes of the meeting of Area 3 Planning Committee held on 8 July 2021.

4. Glossary and Supplementary Matters 7 - 14

Glossary of abbreviations used in reports to the Area Planning Committee (attached for information)

Any supplementary matters will be circulated via report in advance of the meeting and published to the website.

Decisions to be taken by the Committee

5. TM/21/02001/FL - Leybourne Lakes Country Park, Malling 15 - 34
Road, Larkfield

Erection of a new lakeside cafe and water sports building. Movement of two shipping containers on site that are to be clad to match the proposed building and the removal of a container currently used for WCs

6. TM/20/02749/OAEA - Land South of Barming Station and East 35 - 196
of Hermitage Lane, Aylesford

Outline Application: erection of up to 300 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

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 197 - 198

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 8th July, 2021

Present: Cllr D A S Davis (Chairman), Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr R W Dalton, Cllr S M Hammond, Cllr P M Hickmott, 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 and Cllr C J Williams.

(Note: As Councillor Mrs S Bell was unable to attend in person and participated via MS Teams, she was unable to vote on any matters)

Councillors N J Heslop and N G Stapleton participated via MS Teams and joined the discussion when invited to do so in accordance with Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs T Dean.

PART 1 - PUBLIC

AP3 21/13 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

AP3 21/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 18 March 2021 be approved as a correct record and signed by the Chairman.

AP3 21/15 GLOSSARY AND SUPPLEMENTARY MATTERS

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. There were no supplementary reports circulated in advance or tabled at the meeting.

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

AP3 21/16 TM/21/00864/FL - 4 AND 4A HIGH STREET, SNODLAND

Demolition of existing warehouse, former shop and 3 bedroom first floor flat and redevelopment of the site with a new building incorporating

14 apartments (4 no. 2 bedroom and 10 no. 1 bedroom flats), including the rebuilding of the Art-deco front section of the building, with associated cycle store, bin store, parking and turning at 4 and 4A High Street, Snodland.

RESOLVED: That the application be REFUSED for the following reasons:

1. The proposal by virtue of the overall size of the site combined with the total number of units, the consequential density of the development and its resultant layout, in particular the ability of the site to accommodate parking of a sufficient amount, layout and size to serve the development, would result in an unduly cramped form of development that would function poorly and which would not be of a sufficient quality overall. The proposal would therefore be contrary to the requirements of policies CP1 and CP24 of the Tonbridge and Malling Core Strategy 2007 and paragraphs 127 and 130 of the National Planning Policy Framework 2019.

AP3 21/17 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.22 pm

GLOSSARY of Abbreviations used in reports to Area Planning Committees

A

AAP	Area of Archaeological Potential
AGA	Prior Approval: Agriculture (application suffix)
AGN	Prior Notification: Agriculture (application suffix)
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
AT	Advertisement consent (application suffix)

B

BALI	British Association of Landscape Industries
BPN	Building Preservation Notice
BRE	Building Research Establishment

C

CA	Conservation Area (designated area)
CCEASC	KCC Screening Opinion (application suffix)
CCEASP	KCC Scoping Opinion (application suffix)
CCG	NHS Kent and Medway Group
CNA	Consultation by Neighbouring Authority (application suffix)
CPRE	Council for the Protection of Rural England
CR3	County Regulation 3 (application suffix – determined by KCC)
CR4	County Regulation 4 (application suffix – determined by KCC)
CTRL	Channel Tunnel Rail Link (application suffix)

D

DCLG	Department for Communities and Local Government
DCMS	Department for Culture, Media and Sport
DEEM	Deemed application (application suffix)
DEFRA	Department for the Environment, Food and Rural Affairs
DEPN	Prior Notification: Demolition (application suffix)
DfT	Department for Transport
DLADPD	Development Land Allocations Development Plan Document
DMPO	Development Management Procedure Order
DPD	Development Plan Document
DPHEH	Director of Planning, Housing & Environmental Health
DR3	District Regulation 3
DR4	District Regulation 4
DSSLT	Director of Street Scene, Leisure & Technical Services

E

EA	Environment Agency
EIA	Environmental Impact Assessment
EASC	Environmental Impact Assessment Screening request (application suffix)
EASP	Environmental Impact Assessment Scoping request (application suffix)
EH	English Heritage
EL	Electricity (application suffix)
ELB	Ecclesiastical Exemption Consultation (Listed Building)
EEO	Ecclesiastical Exemption Order
ELEX	Overhead Lines (Exemptions)
EMCG	East Malling Conservation Group
ES	Environmental Statement
EP	Environmental Protection

F

FRA	Flood Risk Assessment
FC	Felling Licence
FL	Full Application (planning application suffix)
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Impact Assessment

G

GDPO	Town & Country Planning (General Development Procedure) Order 2015
GOV	Consultation on Government Development
GPDO	Town & Country Planning (General Permitted Development) Order 2015 (as amended)

H

HE	Highways England
HSE	Health and Safety Executive
HN	Hedgerow Removal Notice (application suffix)
HWRC	Household Waste Recycling Centre

I

IDD	Internal Drainage District
IDB	Upper Medway Internal Drainage Board
IGN3	Kent Design Guide Review: Interim Guidance Note 3 Residential Parking

K

KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards: Supplementary Planning Guidance SPG 4
KDD	KCC Kent Design document

KFRS Kent Fire and Rescue Service
KGT Kent Garden Trust
KWT Kent Wildlife Trust

L

LB Listed Building Consent (application suffix)
LBX Listed Building Consent: Extension of Time
LDF Local Development Framework
LDLBP Lawful Development Proposed Listed Building (application suffix)
LEMP Landscape and Ecology Management Plan
LLFA Lead Local Flood Authority
LMIDB Lower Medway Internal Drainage Board
LPA Local Planning Authority
LWS Local Wildlife Site
LDE Lawful Development Certificate: Existing Use or Development (application suffix)
LDP Lawful Development Certificate: Proposed Use or Development (application suffix)
LP Local Plan
LRD Listed Building Consent Reserved Details (application suffix)

M

MBC Maidstone Borough Council
MC Medway Council (Medway Towns Unitary Authority)
MCA Mineral Consultation Area
MDE DPD Managing Development and the Environment Development Plan Document
MGB Metropolitan Green Belt
MHCL Ministry of Housing, Communities and Local Government
MIN Mineral Planning Application (application suffix, KCC determined)
MSI Member Site Inspection

MWLP Minerals & Waste Local Plan

N

NE Natural England

NMA Non Material Amendment (application suffix)

NPPF National Planning Policy Framework

O

OA Outline Application (application suffix)

OAEA Outline Application with Environment Impact Assessment (application suffix)

OAX Outline Application: Extension of Time

OB106D Details pursuant to S106 obligation (application suffix)

OB106M Modify S106 obligation by agreement (application suffix)

OB106V Vary S106 obligation (application suffix)

OB106X Discharge S106 obligation (application suffix)

P

PC Parish Council

PD Permitted Development

PD4D Permitted development - change of use flexible 2 year

PDL Previously Developed Land

PDRA Permitted development – change of use agricultural building to flexible use (application suffix)

PDV14J Permitted development - solar equipment on non-domestic premises (application suffix)

PDV18 Permitted development - miscellaneous development (application suffix)

PDVAF Permitted development – agricultural building to flexible use (application suffix)

PDVAR Permitted development - agricultural building to residential (application suffix)

PLVLR	Permitted development - larger residential extension (application suffix)
PDVOR	Permitted development - office to residential (application suffix)
PDVPRO	Permitted development - pub to retail and/or office (application suffix)
PDVSDR	Permitted development storage/distribution to residential (application suffix)
PDVSFR	Permitted development PD – shops and financial to restaurant (application suffix)
PDVSR	Permitted development PD – shop and sui generis to residential (application suffix)
POS	Public Open Space
PPG	Planning Practice Guidance
PWC	Prior Written Consent
PROW	Public Right Of Way

R

RD	Reserved Details (application suffix)
RM	Reserved Matters (application suffix)

S

SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (background for the emerging Local Plan)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SW	Southern Water

T

TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan

TCS Tonbridge Civic Society
TEPN56/TEN Prior Notification: Telecoms (application suffix)
TMBC Tonbridge & Malling Borough Council
TMBCS Tonbridge & Malling Borough Core Strategy 2007
TMBLP Tonbridge & Malling Borough Local Plan 1998
TNCA Notification: Trees in Conservation Areas (application suffix)
TPOC Trees subject to TPO (application suffix)
TRD Tree Consent Reserved Details (application suffix)
TRICS Trip Rate Information Computer System
TWBC Tunbridge Wells Borough Council

U

UCO Town and Country Planning Use Classes Order 1987 (as amended)
UMIDB Upper Medway Internal Drainage Board

W

WAS Waste Disposal Planning Application (KCC determined)
WTS Waste Transfer Station

(Version 2/2021)

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**East Malling And
Larkfield**
Larkfield North

19 July 2021

TM/21/02001/FL

Proposal: Erection of a new lakeside cafe and water sports building.
Movement of two shipping containers on site that are to be clad to match the proposed building and the removal of a container currently used for WCs

Location: Leybourne Lakes Country Park Malling Road Larkfield

Go to: [Recommendation](#)

1. Description:

- 1.1 Planning permission is sought for the construction of a single storey building (25.5m long by 12m wide (max) by 4.5m high (max)), to be used for a café (for approximately 40 covers) with a water sports facility and WC's. Two existing containers on the site will continue to be used for the storage of water sports equipment.
- 1.2 The application has been submitted with a Design and Access Statement, an Ecological Appraisal, a Biodiversity Net Gain Assessment, a Flood Risk Assessment, an Arboricultural Impact Assessment and a Noise Assessment.
- 1.3 The proposed building is simple in form, based on a portal frame structure to be clad in timber effect material with a (grey aluminium) mono pitched roof with an overhang to the south to allow for solar shading. The overhang on the roof is angled to meet the lake, giving the western end a higher ridge line than the eastern end of the roof.
- 1.4 Glazing and bi-fold doors are proposed to the south elevation which give vistas out across the lake. A serving hatch is to be located on the north elevation to serve passers-by. There is also glazing to the front of the building to allow for views across the lake from the café. The building runs along the lake and is set back from it to allow for a terrace facing the lake.
- 1.5 The WC container is proposed to be removed but the two containers to the north of the site will be retained and left painted green. On top of the retained containers, it is proposed to mount several PV panels. The proposed scheme includes a glazed elevation to the west, opening the building up to arrival from the carpark.
- 1.6 No additional car parking is proposed on the site as part of this scheme; there are currently 129 spaces available. There are currently 6no. Sheffield hoops located at the main entrance providing 12 cycle parking spots. This is to also remain unchanged.

- 1.7 Currently the bin store is located at the rear of the park management building. There is no plan to create a separate bin store for this building. Waste is collected from the main bin store on site. The proposed strategy is therefore based on the operator storing and moving their waste from the building to the existing bin store.
- 1.8 The building has been designed with sustainability at the core of the design principles. The passive design elements include thermal insulation, glazing specification to reduce solar gain whilst maximising natural light, natural ventilation and positioning to make the most of solar gains. The active design measures incorporated into the building include LED lighting, PV panels and a water source heat pump will be submerged in the lake to service the building.
- 1.9 There is limited landscaping proposed as part of the scheme, as the current site location is a mix of hard standing, gravel and compacted earth and is mostly underutilised space. It is proposed to remove one tree (ash) to accommodate the terrace and for two new trees (field maple or alders) to be planted as replacements. The remaining area around the new trees left over from the removed and moved containers will be reseeded with a wild grass mix.
- 1.10 Leybourne Lakes is currently under the management of the Council and is one of the key leisure and open spaces provided by the council to its constituents. The Council's aim is to provide a more enjoyable Park and a better service to its visitors. In proposing this development, the Council is seeking to pass the management of the park and building within it to TM Active, which is a charitable, not-for-profit organisation responsible for the delivery of sport and leisure facilities on behalf of the Council. These arrangements are described to provide overall context for the scheme but are not material in any way to the planning decision before Members.

2. Reason for reporting to Committee:

- 2.1 DPHEH considers that because the LLCP facility is a Council led project it would not be appropriate to exercise delegated powers in this case.

3. The Site:

- 3.1 The housing development of 'The Lakes in Leybourne' by Berkeley Homes, was created beside one of the disused gravel pits that has now been turned into a man-made lake. The remaining lakes were turned into a country park and nature reserve. The lakes and reserve were later handed over to Tonbridge and Malling Borough Council. Leybourne Lakes Country Park was then opened in 2004. The Park consists of 93 hectares (230 acres) of lakes which provide an important habitat for wildlife and birds, whilst also allowing water sports enthusiasts the opportunity to windsurf, canoe and kayak in the man-made lakes. Diving also takes place in one of the lakes. Around the lakes are a series

of woods and trails, popular with dog walkers and recreational walkers. As such, Leybourne Lakes has become a significant amenity for nearby residents.

- 3.2 The site proposed for the café and watersports building is on the northwest corner of Lake Ocean that is the largest lake associated with the landscaped and reclaimed gravel pits. The site sits to the southeast of the carpark associated with the lake. The containers currently on the site are the location for diving and watersports activities. A small food outlet is currently located in a painted container to the east of the site.
- 3.3 The site is accessed from the car park via a hard surfaced pedestrian path. A road runs from the south along the west of the site. The site has a gate that prevents vehicular access to site. There is a PROW that runs to the east of the site.

4. Planning History (relevant):

- 4.1 None relevant.

5. Consultees:

- 5.1 PC:

Original representations:

- 5.1.1 The Parish Council is pleased to see this planning application lodged as it has long supported the provision of a café which was envisaged when the country park was first agreed as part of the planning agreements with Berkeley Homes who acquired the land and laid it out as part of the development of housing on the adjacent housing area known as The Lakes. The Park was opened in 2003 and we are aware monies were provided and are held by the Borough Council for such a facility under a Legal Agreement.
- 5.1.2 However, the Parish Council is concerned about the details of the scheme put forward and further comments will follow. Initially though the Council is concerned that with regard to the WC that with new build the Borough Council has the opportunity to provide a Changing Places toilet making the facility accessible to a wider number of people with disabilities. The disabled WC as shown is to be 5metres squared whereas under Changing Places it should be 12metres squared. This could be achieved by losing one of the regular cubicles but a modification would send out the message that the Borough Council cares about disabled visitors. There is such a toilet across Leybourne Way at Tesco's but visitors to the country park should not, if they are aware of this, have to go across a busy road some distance away to use that and such a diversion might also divert customers away from the café in the park.

Additional representations:

- 5.1.3 There is a local view that as this is a country park based on its lakes there should be more glazing so that customers have a view of the lake to the south. It is a missed opportunity to have a building next to a lake and the main view is over the footpath to the car park. Due to the south facing nature of the building it should be possible to consider solar reflective glass. If security when the building is closed is an issue perhaps shutters could be considered. It is also considered with the right design the building would look better in this important location.
- 5.1.4 Sadly there are a number of factual errors in the submitted documents. Wealden Hall is in Larkfield not New Hythe. None of the lakes site is in Leybourne but mostly in Larkfield with part in Snodland. The directions for Larkfield, and East Malling seem incorrect and it is ventilation not “venterlation”. These examples do not go to the principle of a café here which we support but are an irritation.
- 5.1.5 It is noted the site is in the flood plain and the nearby stream has recently flooded Lunsford Lane after heavy rain. We cannot recall this site flooding, but we appreciate this is something to be considered.
- 5.1.6 It will be important that during construction an access route is agreed and that public access around the lake continues as well continuing with the mobile in a suitable site until the café opens. There should be suitable signage, and this is a reason why it is important that the site does not have a Leybourne identity. It is pointed out there is a ban on vehicles turning left into Lunsford Lane from the A228 layby.
- 5.2 Environmental Protection (TMBC)

Contaminated Land:

- 5.2.1 No comments to make

Noise:

- 5.2.2 The Applicant has submitted a Noise Assessment carried out by the consultant Atspace Ltd (their ref Q02743-ENV-JRH-230621-R0, dated 23 June 2021). The Assessment details measurements made of the ambient noise present at the site and has calculated the likely impact of the Inlet/Outlet fans and the Water Source Heat Pump proposed for this application. The Assessment concludes that, as the combined noise output from the 3 items of equipment is 10dB below the lowest background noise measurement taken, there will be no nett increase in noise levels. I agree with this conclusion.

Drainage:

- 5.2.3 The Applicant has indicated that a Package Treatment Plant is proposed to be installed for this development. There is a presumption that connection to the Public Sewer should be the first considered method of sewage disposal. If mains drainage is not to be used for this proposal, the applicant will need to demonstrate why this is not practicable in this specific case. The applicant may wish to know that there is a Southern Water sewer approximately 25m to the West of the site, although I would recommend that they check with Southern Water. If non-mains drainage is to be proposed, full details will be required, including size, location and maintenance regimes.
- 5.3 NE: No comments to make on this application.
- 5.4 EA: Objects pending further detail.
- 5.4.1 We are not objecting on the principle of a visitor centre at this location, but do have concerns with regards to the flood compensation measures required at the site. The Flood Risk Assessment (FRA) by ARK Ltd, dated June 2021 submitted with the proposal states that no flood compensation is considered necessary. Whilst we can agree the proposal is for a “less vulnerable” development, as the site is located within flood zone 3 we would usually expect some form of flood mitigation measures. These measures would compensate for the loss of flood storage and would avoid the impedance of flood flow. Has the applicant considered the use of void spacing within the development in order to compensate for loss of flood storage?
- 5.4.2 We would like to highlight that in addition to the flood resilience measures suggested within the FRA, we would suggest that the owner or applicant signs up to the EA flood warning service.
- 5.4.3 Finally, with regards to permitting, we would stress that development within the 8m margin of the main river on site is likely to need a Flood Risk Activity Permit (FRAP). We would advise the applicant to wait for planning permission to be approved before submitting an application for a FRAP.
- 5.5 KCC (PROW): No comments received
- 5.6 Kent Wildlife Trust: No comments received
- 5.7 KCC (Heritage): No comments received.
- 5.8 KCC (H+T): Comments awaited
- 5.9 Private Reps: 4 + press and site notices 0X/2R/1S.

Objections summarised as follows:

- Will ruin views of the lake and limit access to that area as priority will be given to customers of the café and those using the water sports

- Why is there no provision for a dedicated room or space for education activities – this was included in the description for a 'Visitor Centre' in the original outline planning application by Berkley Homes in 1999 (TM/99/0032/FL)
- The application includes some provision for accommodating water sports activities, but the two existing 20 ft. metal containers are not incorporated into the works. Who will be responsible for maintaining these containers?
- The two 40 ft. containers which are being incorporated into the new facility are also going to support new solar PV panels. Why are these panels being installed on a shipping container (a temporary structure) rather than on the roof of the new building? Should water sports activities on the lake cease, or change so that the container is no longer required then will the container not be removed? If so, then the PV panels will also need to be moved at additional expense. Has the installation of integrated PV panels into the new roof structure been considered (e.g Marley SolarTile or similar)?
- Please confirm that all the temporary containers shall be removed from the site if they are no longer required to support water sports activities
- Currently there are a number of benches on the construction area of the site. Please advise where these will be relocated to for the enjoyment of non-café users
- Provision should be made for secure cycle parking
- Are the existing toilets in the Rangers' building going to be retained? If not, will the toilets in this new building be freely available to non-café users at all times, including when the café is closed but the Country Park is open?
- Will the toilets be available to water sports users when the café is closed?
- A door providing direct access from the water sports area to the toilet area would prevent a lengthy walk for water sports users
- Will showers be available for water sports users? Are these not essential in a purpose-built facility?
- Will there be full DDA compliant toilet access (including motorised doors, Changing Spaces compliant etc.) to toilets at all times the country park is open?
- A noise assessment for the construction phase has been included in the application, as well as noise created by ventilation plans once the building is open. Will there be any conditions on noise pollution from activities within the

new facilities such as PA systems, loud music or motorised vehicles or craft?
Including conditions on noise levels and permitted hours.

Representations in support summarised as follows:

- Overall supportive but wishes to ensure that light pollution had been considered. There is currently an unspoilt view from the area opposite the proposed development - presume that there will be restrictions on lighting outside working hours and sympathetic lighting during working hours

6. Determining Issues:

Principle of development:

- 6.1 The site lies outside any defined settlement confines and therefore for the purposes of applying adopted policy, CP14 of the TMBCS falls to be applied. This policy states that development in the countryside is restricted to certain specified types, including (inter alia), predominately open recreation uses together with associated essential built infrastructure and any other development for which a rural location is essential.
- 6.2 The proposed development is intended to support the well-established facilities at the Country Park. Similarly, given that the facility occupies a rural location, and that this development is intended to support that use, it can be reasonably considered that a rural location for this development is essential. As such, the proposal meets the requirements of policy CP14 of the TMBCS.
- 6.3 More generally in respect of matters of principle, the NPPF offers support to the provision and expansion of sports facilities. Paragraph 84 requires planning policies and decisions to support a prosperous rural economy by supporting sustainable growth of rural businesses and section d) makes specific reference to sports venues and meeting places. Support for sports facilities and meeting places can again be found in paragraphs 92 and 93.
- 6.4 The site is also designated as an open space to be protected (policy OS1A of the MDE DPD). This policy states that:-
1. Development which would result in the loss of, or reduce the recreational, nature conservation, biodiversity, carbon sink, landscape, amenity and/or historic value of, existing open spaces listed in Policy Annexes OS1A & OS1B and identified on the Proposals Map, and any other open spaces that are provided during the lifetime of the LDF, will not be permitted unless a replacement site is provided which is equivalent or better in terms of quantity, quality and accessibility
- 6.5 Care has been taken to minimise the loss of open space through careful siting of the proposed building. The removal of a container at the site and one

catering container further along the lake will be removed to reduce the impact of this loss. The policy refers to proposals which result in the loss of or reduce the recreational, nature conservation, biodiversity, carbon sink, landscape, amenity and/or historic value will not be supported. It is considered that the proposal is of benefit to the recreational, nature conservation, biodiversity, carbon sink, landscape, amenity and/or historic value of the site. The scale of development proposes a loss of 328m² of area, it is considered that the small as a result of the development is significantly outweighed by the wider benefits arising.

- 6.6 In this respect, policy DC5 of the MDE DPD addresses proposals for new tourism and leisure facilities in rural areas and sets out criteria that need to be met to address when it can be allowed. Of relevance in this case, these include: in keeping with the character of the area, appropriately located and the reuse of existing buildings, good for the local economy, built development be associated with the main use, not impacting on biodiversity and minimal impact on the surrounding highway. It is considered that the building proposed has been designed to ensure that the natural setting is protected, there is an identified need for the building, it relates to the surrounding land use, and a clear case has been put forward to identify the need. Moreover, the proposal will not impact on the biodiversity in the area or the local highway infrastructure. On this basis it is considered that this proposal fully complies with this policy.
- 6.7 Policy SQ7 of the MDE DPD relates to health and well-being and this policy (inter alia) supports proposals that maximise opportunities for healthy living and healthy active lifestyle choices. This proposal assists in providing enhanced facilities and provides an environment which enables users of the park to meet and socialise before or after undertaking an activity; this proposal therefore complies with this policy.
- 6.8 Core Strategy Policy CP26 states that the Council will safeguard land required for the provision of services to meet existing and future community needs, as identified by service providers. There is an identified need for a building in this location and it is considered that this development will significantly enhance the setting of the park.

Design, character, appearance and landscaping:

- 6.9 Policy CP1 of the TMBCS requires all new development to result in a high quality sustainable environment. Policy CP24 of the TMBCS seeks to ensure that all development is well designed and respects the site and its surroundings. Policy SQ1 of the MDE DPD requires all development to reflect local distinctiveness and to protect, conserve and, where possible enhance the character of the area.
- 6.10 This aim is echoed in paragraph 130 of the NPPF which seeks to ensure that development will function well, be sympathetic to local character, establish a strong sense of place create attractive, safe places in which to live and work.

6.11 Paragraph 134 of the NPPF is also relevant and sets out that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

6.12 The proposed building is modest in size and scale and has been well designed to address the constraints on the site yet meet all the requirements set out by the Council. It is considered that the simple form of the building and materials to be used is entirely appropriate in this Country Park setting and is a visual betterment on the existing temporary buildings are currently used.

6.13 It is acknowledged that there is limited landscaping incorporated within the scheme and that it is proposed to remove a single (ash) tree. However, this is balanced against the new planting proposed across the area. Additionally, it is proposed to reseed the remaining area with a wild grass mix. Therefore, on this basis it is considered that the landscape proposals are entirely appropriate for this location and a condition is recommended to ensure that the scheme is implemented in accordance with the scheme.

6.14 I consider that, overall, the design, appearance and landscaping for the proposed development would be acceptable for the character of the area and meet the policy requirement of Policies CP1 and CP24 of the TMBCS, SQ1 of the MDE DPD and Paragraphs 130 and 134 of the NPPF

Amenity impacts

6.15 Paragraph 185 of the NPPF requires planning policies and decisions to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- 6.16 The submission is accompanied by a noise report which addresses plant noise: it concludes that the plant will not cause any increase to background noise levels in the vicinity of the proposed building. TMBC EP have advised in their representations that this is suitable to protect the aural environment in this location.
- 6.17 I do however appreciate that there are concerns that a PA system in connection with the building could contribute towards background noise. I would recommend that a condition be imposed to any planning permission granted that restricts the installation of such a system unless planning permission has first been granted. This will afford the LPA the opportunity to make a formal assessment as to the level of noise arising from such a source.
- 6.18 The submission indicates that external lighting is proposed to be installed, but no details have been submitted as to specifically where it will be sited, and the type of lighting proposed. I would recommend that in order to protect residential amenity and the ecology of the area, a further condition be imposed to require full details of any external lighting to be submitted for approval before installation to ensure it is acceptable to the locality.

Biodiversity and ecology:

- 6.19 Local planning 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).
- 6.20 This is an allocated Local Wildlife Site. Policy NE1 of the MDE DPD states that development that adversely affects either directly, indirectly or cumulatively a Local Wildlife Site (LWS) or Local Nature Reserve (LNR), as identified and on the Proposals Map and listed in Policy Annex NE1, will not be permitted unless it can be demonstrated that the benefits of the development override the need to safeguard the nature conservation value of the site and that adverse impacts can be adequately compensated. The site is within the annex as NE1(j) listed as a series of water-filled gravel pits, calcareous streams, dykes rough grassland, scrub and woodland. Important to a wide range of wildlife including 100 birds species and some uncommon animals e.g. water voles.
- 6.21 Policy NE2 of the MDE DPD seeks to protect, conserve and enhance the biodiversity of the Borough, whilst policy NE3 requires development that would

adversely affect biodiversity to only be permitted if appropriate mitigation measures are provided.

6.22 Paragraph 174 of the NPPF sets out that planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

6.23 Paragraph 180 of the NPPF requires that planning decisions be made following a number of principles designed to protect and enhance biodiversity and geodiversity.

6.24 The submitted Ecological Statement concludes that there is a low/minimal level of biodiversity interest associated with the proposal, and a similarly low/minimal significance of potential ecological impacts. The statement sets out that work should start outside of the nesting seasons and lighting precautions are recommended as they impact on foraging and commuting bats. Any minor impact can be minimised through appropriate mitigation measures which include bat boxes, vertical planting and the inclusion of native trees and shrubs on the site. On this basis, subject to appropriate conditions, I conclude that the proposal is acceptable in this regard, and it complies with the requirements of policies N1, N2 and N3 of the MDE DPD and paragraphs 174 and 180 of the NPPF.

Renewable technologies and climate change

- 6.25 Policy CP1 of the Core Strategy seeks for all proposals to result in high quality sustainable environment. Section 14 of the NPPF address the challenges of climate change with paragraphs 157 and 158 commenting the LPAs should assess new development to decentralise energy supply and minimise energy consumption. This is also at the heart of the Council's own climate change strategy which is a material planning consideration for decision making purposes.
- 6.26 The submission explains that the purpose of the design strategy has been to reduce the overall energy demand as far as possible with regards to the practicality and economic factors, by implementing energy efficient measures and introducing low carbon and renewable technologies. The building has been designed with sustainability at the core of the design principles. In the first instance the building shape, orientation, form, fabric and internal layouts have been assessed and modified to maximise the benefits available for passive design techniques, which is the basis of a good low energy design.
- 6.27 In addition, they are proposing the following active design measures to address:
- Low energy LED lighting with intelligent controls, including daylight dimming. Ensuring lighting is not operating when not required.
 - Demand controlled ventilation systems where possible.
 - PV Panels.
 - Water Heat Source Pump.
 - Low water use fittings for the sanitary appliances.
- 6.28 It is considered that this approach to sustainable design to the building ensures that the building energy demand has be minimised before consideration of the onsite renewable technologies. These aspects of the development are intended to be embedded within the construction and design of the scheme itself.

Highway safety and parking provision:

- 6.29 Policy CP2 of the Core Strategy comments that new development that is likely to generate a significant number of trips should be located relative to public transport and provide or make use of a choice of transport modes. Policy SQ8 of the MDE DPD states that development will only be permitted where there will be no significant harm to highway safety.
- 6.30 Section 9 of the NPPF considers sustainable transport, with paragraphs 110 to 113 address development in relation to highways matters. Paragraph 110 comments that sustainable transport modes should be promoted. Additionally,

paragraph 111 of the NPPF states that development should only be refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of the development would be severe.

- 6.31 It should be noted that the scale and nature of the proposal means that it falls outside the criteria for KCC (H+T) making representations. In any event, it is not considered that the proposed development would generate additional traffic movements in its own right because it would be serving existing visitors to the park. As such, the principal impact would arise through construction and, on this basis, it is reasonable to require a construction management plan to be submitted for approval prior to commencement of the development.

Flooding and drainage:

- 6.32 Policy CP10 of the TMBCS states that within the floodplain development should first seek to make use of areas at no or low risk to flooding before areas at higher risk are considered. Paragraphs 159 – 169 of the NPPF relate to planning and flood risk - the thrust of which is to restrict development in areas which are at risk from flooding.
- 6.33 The FRA submitted is considered inadequate by the Environment Agency, as the statutory consultee on matters of flood risk. Whilst they have indicated overtly that they are not objecting to the principle of the building at this location, they have raised concerns about the lack of flood compensation measures incorporated into the design and have sought clarification as to whether this has been considered as an option by the developer. In response to this, a further plan has been provided which shows further void spacing as part of the structure. The EA have been sent this plan and any further representations received in this respect will be reported as a supplementary matter. It is worth noting in this respect that the EA have indicated that they would “usually expect” flood storage measures to be incorporated into designs rather than it being an overt requirement in all instances.
- 6.34 In addition, Members will be aware that in September 2020, the Economic Regeneration Advisory Board endorsed a programme of initiatives to support the local economy using the Business Rates Retention Pilot reserve. Within this programme, an allocation of £20,000 was earmarked towards Natural Flood Management, with this site being a project that will benefit from £8,000 of this fund. The Country Park has been chosen after consulting both KCC and the EA.
- 6.35 Phase 1 of the scheme took place in 2019 and has helped to realign and naturalise an artificially straightened section of the stream to improve its biodiversity and to assist in alleviating flood risk in the local area. Phase 2 of the scheme is currently in development and will be downstream from Phase 1, with additional funding supporting the creation of two new wetland habitat features within the park. These new wetland areas will contribute towards creating valuable additional habitat for critically endangered species, such as water

voles and amphibians, whilst also providing approximately an additional 985 cubic metres of flood storage capacity. It is planned that the spoil from the excavation of the wetland areas will be used to create a serpent-shaped mound (sown with wildflower seed), which will provide additional wildlife habitat and an additional topographical feature for visitors to the park to enjoy. It is proposed that the wetland habitat features will be planted up with a range of low growing and less invasive taller species of marginal aquatic native plant plugs, including common comfrey, fool's watercress, water figwort, great yellowcress, water mint, meadowsweet and purple loosestrife.

6.36 With these factors taken in combination, I consider that the scheme is acceptable in terms of flood risk and storage and there is no justified basis to refuse the scheme on flood storage grounds.

6.37 With regard to drainage, a Package Treatment Plant is proposed for the development. It is noted that EP have commented that there is a presumption that connection to the Public Sewer should be the first considered method of sewage disposal. In this respect it is not a policy requirement to demonstrate why mains drainage is not to be used but a condition is imposed requiring details of foul water drainage to be submitted and approved as requested by EP.

Archaeology:

6.38 The site lies within an Area of Archaeological Potential. It is therefore necessary to ensure that any historic finds that may be discovered in the course of any works be suitably recorded. This can be ensured by planning condition.

Other matters raised during consultation:

6.39 I understand that some representations received request that the development proposed includes provision for a changing places toilet. Whilst the rationale behind this request is acknowledged, there is no basis in policy to require such provision to be incorporated into a development of this size. As such, there is no ability within the planning system to require this facility and no legitimate basis on which to refuse planning permission absent such a facility being provided.

6.40 It is also noted that much of the content of the [2] objections received centre on how the facility will be managed and how the wider operations of the Park will take place relative to this. Members will be aware that such matters are not material planning considerations other than to the extent they have the potential to cause harm to, for example, general amenity of the area. It is not possible for a planning permission to seek to control wider operational matters of the established use or to attempt to resist development in order to do so.

Conclusions:

- 6.41 There is clear policy support for the provision of meeting places and the expansion and support of sporting facilities in locations such as this. The contribution that such facilities can make towards health and well-being are recognised by both the development plan and national planning policy. The application, subject to planning conditions, will not result in any adverse impact in terms of general or residential amenity, the overall character of the area or ecology.
- 6.42 I therefore recommend that planning permission be granted subject to the imposition of conditions.

7. Recommendation:

- 7.1 **Grant planning permission** in accordance with the following submitted details: Site Layout 010 REV P8 Proposed dated 19.07.2021, Roof Plan 012 REV P3 dated 19.07.2021, Topographical Survey 101 REV P2 dated 19.07.2021, Topographical Survey 102 REV P2 dated 19.07.2021, Elevations 201 REV P8 dated 19.07.2021, Site Plan 510 REV P1 dated 19.07.2021, Drawing 511 REV P2 dated 19.07.2021, Site Layout 901 REV P3 Existing dated 19.07.2021, Location Plan 501 REV P1 dated 19.07.2021, Ecological Assessment dated 19.07.2021, Statement BIODIVERSITY NET GAIN dated 19.07.2021, Design and Access Statement dated 19.07.2021, Flood Risk Assessment dated 19.07.2021, Arboricultural Assessment dated 19.07.2021, Noise Assessment dated 19.07.2021, Section 1844-SBA-XX-XX-SHEET-A-121-P3 dated 10.09.2021, Email dated 10.09.2021, 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 building shall not be used or operated outside the hours of 08:00 to 20:00 on any day.

Reason: To protect the residential amenity and wildlife habitats in the area.
4. The recommendations of the Biodiversity Net Gain Statement (written by Adonis

Ecology Ltd) and received 19 July 2021, shall be carried out in conjunction with the development hereby approved and maintained and retained thereafter.

Reason: To ensure the protection of wildlife species.

5. If during construction works items or features of archaeological and historic importance are discovered, all development shall cease. It will then be necessary for the applicant, or their agents or successors in title, to secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be submitted to Local Planning Authority immediately on discovery of any historic item or feature.

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

6. No lighting shall be installed on the exterior of the building until full details of lighting and any necessary mitigation measures are submitted to the Local Planning Authority for approval. The lighting should be installed in strict accordance with these details.

Reason: In the interests of residential amenity and the character of the open countryside.

7. The proposal for landscaping shown on the submitted site layout plan referenced 1844-SBA -XX -00 -DR-A -010 submitted 19.07.21 shall be implemented by the end of the first planting season following first occupation of the building: 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: In the interests of visual amenity.

8. The use hereby permitted shall not commence until details of any proposed amplified music or public address system is submitted to and approval by the Local Planning Authority. The amplified music or public address system shall be used only in accordance with those approved details.

Reason: To protect the aural amenity of the area.

9. Prior to the first occupation of the building hereby approved, the two storage containers as shown on site layout plan drawing number 1844-SBA -XX -00 -DR-A -010 submitted 19.07.21 shall be removed and all arisings therefrom shall be removed from the site.

Reason: To protect the overall character of the area.

- 10 No development other than removal of hardstanding, ground investigations or site survey works, shall be commenced until details of the proposed means of foul sewerage have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: In the interests of ensuring that the development is served by satisfactory arrangements.

- 11 No development other than ground investigations or site survey works, shall be commenced until arrangements for the management of any and all demolition and/or construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;
- Procedures for notifying properties identified as likely to be affected as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination; and
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.
- The controls on noise and dust arising from the site with reference to current guidance.

The development shall be undertaken in full compliance with the approved details.

Reason: In the interests of general amenity and highway safety

Informatives

- 1 Artificial light can be considered under the Statutory Nuisances regime contained within the Environmental Protection Act 1990. It is thus in the applicants best interests to ensure that any lighting does not affect any nearby neighbours.
- 2 The Public Rights of Way that traverse and abut the site must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in further and no

furniture or fixtures may be erected on or across Public Rights of Way without consent.

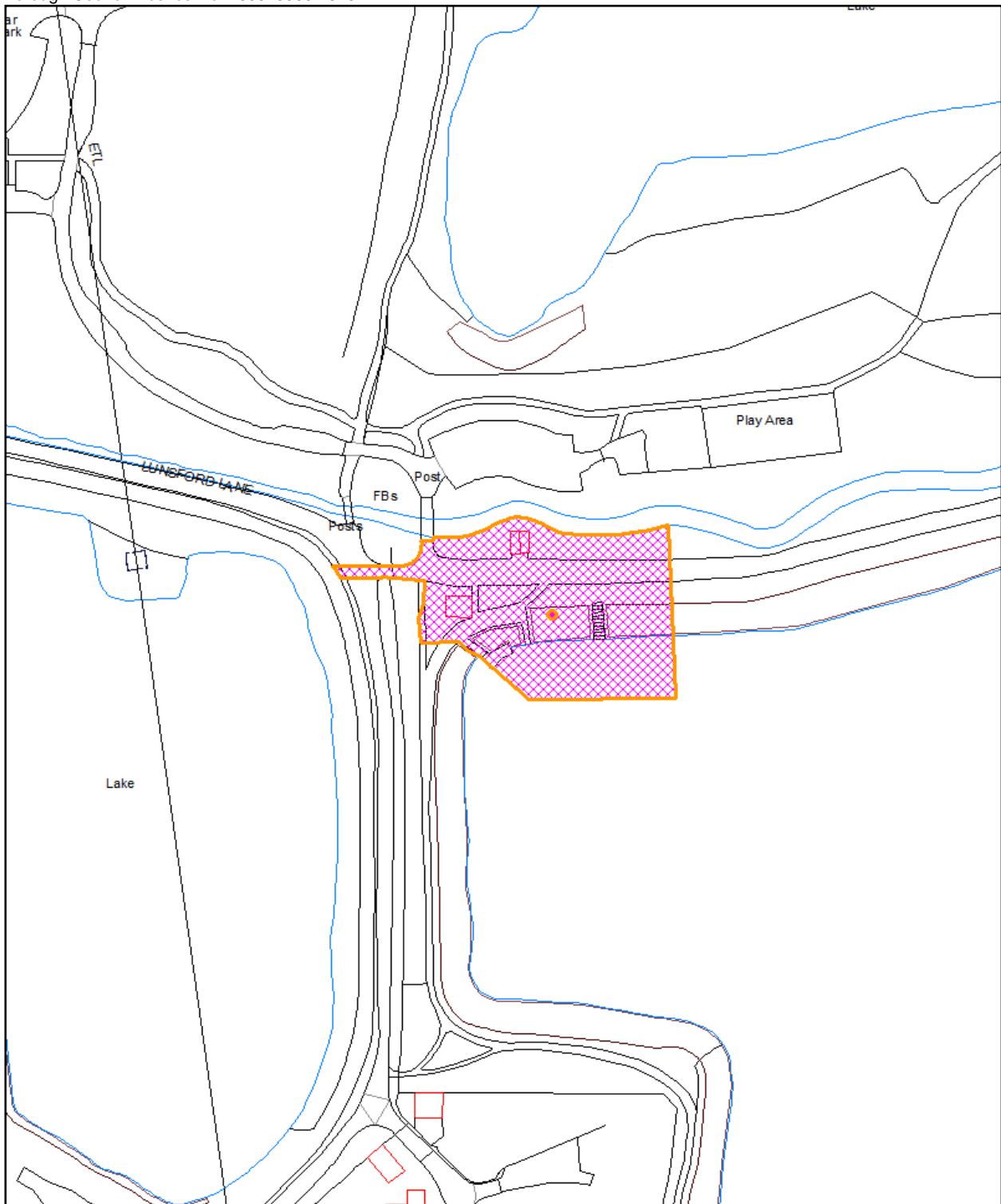
Contact: Rebecca Jarman

TM/21/02001/FL

Mobile Snack Bar Leybourne Lakes Country Park Malling Road Larkfield Aylesford Kent

Erection of a new lakeside cafe and water sports building. Movement of two shipping containers on site that are to be clad to match the proposed building and the removal of a container currently used for WCs

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Aylesford
Aylesford South

8 December 2020

TM/20/02749/OAEA

Proposal: Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Location: Land South Of Barming Station And East Of Hermitage Lane
Aylesford Kent

Go to: [Recommendation](#)

1. Description:

- 1.1 Outline planning permission is sought for a residential development of up to 330 dwellings on land currently used for agricultural purposes. Whilst the application is in outline form, access is a matter to be considered at this stage with all other matters reserved for future consideration. However, plans and documents have been submitted to illustrate how a development of this amount could be realised on site.
- 1.2 Access to the site would be taken from the north side of Chapelfield Way, with a secondary access (left in and out only) taken directly from Hermitage Lane, north of Chapelfield Way.
- 1.3 The residential development would be broadly arranged within three land parcels separated by landscaped areas including an existing shelter belt and a public open space that could also be used for surface water storage should the need arise (wetland corridor).
- 1.4 The submission indicates that the dwellings would consist of 2, 2 ½ and 3 storey buildings and provision would include detached, semi-detached and terraced dwellings as well as apartment buildings.
- 1.5 The development is proposed to include a 40% provision of affordable housing, and in terms of public open space, children's/young person's play areas, amenity green space and natural/semi-natural green space will be provided on site.

2. Reason for reporting to Committee:

- 2.1 Given the balance to be struck between diverging and significant material planning considerations.

3. The Site:

- 3.1 The site is approx. 14 hectares in area and comprises undulating agricultural land, mainly laid to pasture but with a smaller section of commercial orchard lying in the southeastern corner of the site.

- 3.2 The site contains two distinct shelter belts of poplar trees running in a northwest-southeast alignment across the site. One runs across the entire length of the site whilst the second, smaller one covers only the southwest corner of it. Both of these shelter belts bisect the orchards located within the southern east corner of the site.
- 3.3 The site lies immediately east of Hermitage Lane and is bound to the north by the railway line and Barming Station. To the south/south east lies the residential led development of Hermitage Park. To the north east, the site is bound by a field and the confines of Maidstone lie to the east.

4. **Planning History (relevant):**

TM/01/00203/OA	Non-determination appeal	18 October 2001
Outline application for residential development, creation of new vehicular accesses, provision of a local centre, community building, school site, public open space, informal parkland, greenways and landscaping		
TM/01/00270/A10	Non-determination appeal	18 October 2001
Article 10 consultation by Maidstone Borough Council for Outline Application residential development, creation of new vehicular access, provision of local centre, community building, school site, public open space, informal parkland, etc		
TM/01/02654/A10	Non-determination appeal	13 September 2001
Consultation under Article 10 by Maidstone Borough Council for O/A residential development, creation of new vehicular accesses, provision of local centre, community building, school site, p.o.s, informal parkland, greenways and landscaping		
TM/20/01656/EASP	EIA opinion scoping application	17 September 2020
Request for Scoping Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017: Proposed residential development of up to 350 dwellings		

5. **Consultees:**

- 5.1 Aylesford PC: The Aylesford Parish Council strongly objects to the above application on the following grounds:
- A. This site is not allocated to housing within the existing or draft Tonbridge and Malling Borough Council Local Plan and therefore should be refused on the grounds that it is not included in either of these local plans.
- B. There is a need to maintain and preserve what remains of the Mid Kent Strategic Gap separating the built-up areas of the Medway Gap and

Maidstone. This development destroys what is left of this very important green lung between these built-up areas. The retention of this gap is essential in order to prevent one extremely long urban sprawl.

C. Hermitage Lane with all the existing developments either built, in the process of being built or sites for which planning permission has been given means that Hermitage Lane is already completely over developed with new housing and is not capable of taking anymore new housing.

D. This development will only increase further the traffic movements along the already heavily congested Hermitage Lane and the already over capacity A20, both of which are not capable of taking the existing levels of traffic for those developments already completed. This position will already be made worse by the already approved developments such as the 890 dwelling development at the northern end of Hermitage Lane let alone this additional development. This means that this road will become a traffic congestion nightmare particularly as it acts as the main access point to Maidstone Hospital which has already seen difficulties for ambulances seeking to access Maidstone Hospital.

5.2 Ditton PC: Objects for the following reasons:

1. This site is not in the current or draft TMBC Local Plan.
2. TRAFFIC – the area is already heavily congested leading down to the A20 which is also heavily congested. The A20 is already going to be impacted by the approval of applications in Ditton for 300 new dwellings plus a new Lidl store. The area cannot cope with this amount of proposed development and the additional traffic.
3. Lack of infrastructure – local services are already at breaking point.
4. Sink Holes – there is great concern for safety in the Hermitage Lane area as many sinkholes have already been reported so it would seem dangerous to develop this area without further investigation into the causes.

5.2.1 Ditton Parish Council supports the objections raised by our neighbouring parishes of Aylesford and East Malling & Larkfield along with the concerns raised by Tracey Crouch MP.

5.3 East Malling and Larkfield PC: East Malling and Larkfield Parish Council make the following comments on the above application:-

1.This site, mainly in Tonbridge and Malling is not shown as for development in the existing Local Plan where it is part of the Strategic Gap between the Medway Gap and Maidstone.

2.It was a potential part of development for housing at an early stage of the draft Local Plan process but was not proceeded with due to concerns with

regard to the local highway network capacity and especially Hermitage Lane with a restricted junction within a residential area where it joins the A26. It would seem that any scheme to increase capacity here would require properties to be acquired and demolished. In effect in substitution sites at Parkside and Ditton Edge were included in the submitted draft Local Plan and those sites for around 400 houses have been passed by the Borough Council. However, at present the draft Local Plan is stalled following the Inspectors cancelling the November hearings with the issue for them being if the duty to consult with adjoining councils particularly Sevenoaks has been met.

3. Accordingly, the starting point is the site is not shown on the current existing Local Plan where it is a green field site which in fact is how it exists on the ground.

4. The history in respect of highways means that the impact of this site being permitted needs to be assessed on an up-to-date basis and taking into account that permission has been given for White Post Field for residential development on a conditional basis include a new road from Hermitage Lane to the roundabout at Poppyfields. That site too was included in the draft Local plan unlike this one and was considered by KCC Highways to be acceptable with the new link road. But presumably there is no definite timetable for that road to be produced on the ground so far as this application is concerned and it was not previously accepted further development was acceptable in highway terms just with that road when built and adopted for public use.

5. As an A20 parish with its residents using Maidstone as its major centre we are concerned that allowing this site would have an adverse effect on traffic flows and congestion along the A20 into and out of Maidstone. The KCC has a plan to change the junctions along the A20 but so far, the only change which has been implemented is at the New Hythe Lane junction in Larkfield. We therefore OBJECT on traffic grounds.

6. We note that the developers rely heavily on Tonbridge and Malling not having a 5-year land supply for residential development but given the borough councils evidence at the recent "Forty Acres" inquiry the position is not clear as it officers sought to show the number was nearing 5 years. It is considered the borough council need urgently to review the situation and produce up to-date figures rather than those for July 2019. It should not decide this or any similar applications without that exercise being carried out rather than using out of date statistics.

7. As mentioned about this is a green field site and can be viewed from Hermitage Lane and well used public footpath MR489 and K847. There is a good hedge along the northern boundary of this footpath which should in any event be retained as a landscape feature. There are trees and hedges with the site being in landscape terms more interesting than the site of flat White Post

Field. It provides some separation from the new houses to the east and from the footpath there are views across the site to the North Downs. There are trees and hedges, and it is considered the area is of local landscape value.

8. It is noted on the OS map that bronze age beakers were found to the south close to Old Hermitage farm which is also the site of an ancient chapel and therefore the possibility of finds may arise.

- 5.4 Teston PC: Our Parish is not within Tonbridge & Malling, but Hermitage Lane is a road used frequently by our residents and by others wishing to travel broadly north/south to/from the A20 and M20.
- 5.4.1 In the current absence of a valid Tonbridge & Malling Local Plan, NPPF's presumption in favour of sustainable development applies.
- 5.4.2 The proposed access is to/from Hermitage Lane, although the Croudace Design & Access Statement refers to "Further emergency access is provided via the permitted Croudace site". No doubt there would be a subsequent endeavour to expand emergency access to buses and then to general traffic. While that might siphon away some traffic from this proposed development accessing Hermitage Lane, it would open up Hermitage Lane to even more traffic related to the permitted development and beyond.
- 5.4.3 This proposal could easily generate 750-1,000 additional vehicle movements using Hermitage Lane at each rush hour and, despite the too-frequent apparent absence of KCC Highways in taking a stand on such matters, that must challenge the bounds of sustainability and cumulative "severity" of impact.
- 5.4.4 Hermitage Lane is already suffering from too much traffic derived from the cumulative effect of past planning permissions. As a viable route for traffic, it tests the boundaries of sustainability at rush-hours, even during the current pandemic. It therefore does not merit the NPPF's presumed acceptability.
- 5.4.5 An additional factor is that much of Hermitage Lane traffic transits the traffic lights at Watlingbury on the Tonbridge Road (A26). That is already one of the worst sites for air pollution, requiring mitigation, not additional adverse impacts.
- 5.4.6 We ask you, please, to recommend refusal of this application
- 5.4.7 Should this application go to Planning Committee, we request the opportunity to speak.
- 5.5 West Malling PC: West Malling Parish Council Planning Committee met on the 26th January 2021 to discuss this planning application and has decided that it objects to the application for the following reasons:

- This area was not earmarked for development in the Local Plan and is a green field site.
- The longstanding issues of traffic congestion on Hermitage Lane are both well-known and well evidenced. This not only impacts on entry and egress into Maidstone for communities along the A20, but also poses risks around the accessibility of the nearby hospital. An additional 330 homes would mean at least 396 extra vehicles becoming regular users of this stretch of highway, using the average car ownership level of 1.2 cars per home in the UK. This would place unacceptable additional pressure on the local road network.
- In West Malling, we have repeatedly made the argument about the importance of green space for peoples' wellbeing, but also to preserve the distinct identity of our and other nearby communities. The same argument stands in this case, with this vital green space between Maidstone and Barming providing a crucial resource for local residents and acting as a buffer against endless ribbon urbanisation.
- In taking into account the successful application for White Post Field which will erect a further 800 properties, the pressure on wider local services will be unsustainable. By adding a further 330 homes at this development, NHS services and schools will not be able to cope with the already significant demand placed on them, risking both the health and education of the communities which occupy both them and existing dwellings.

5.5.1 Please note: If this application is significantly amended subsequent to the Parish Council considering it, we would appreciate notification as this might affect our comments.

5.6 Maidstone Borough Council: Objections raised for the following reasons:

(1) Maidstone Borough Council notes that the site is not included within T&MBCs draft Local Plan and therefore it is assumed that the site is not required to meet projected local housing needs. On this basis, MBC objects to the principle of the development due to the wider adverse impacts.

(2) The proposals would be highly visible from Hermitage Lane and introduce significant development close to the road which is out of keeping with the character of this part of Hermitage Lane.

(3) The site together with the open fields to the south of Chapelfield Way provide an important open space between the Land East of Hermitage Lane development (site H1(2) in the Maidstone Local Plan) and the approved 'Whitepost Field' development to the north. This space would be eroded to the detriment of the character and appearance of the local area and the proposals will have the effect of consolidating the Maidstone urban area with the 'Whitepost Field' development and the 'South Aylesford' strategic housing

allocation in the emerging T&M Local Plan. The site is not a draft housing allocation and as such there is no justification for this harmful impact to the local area.

(4) The transport impacts of the development have not been adequately assessed as the junction capacity assessment for the Fountain Lane/A26/Farleigh Lane junction predicts impacts that are well below those provided within planning applications off Oakapple in both Maidstone and T&M (20/501733 & 20/502412) which KCC Highways have accepted.

(5) Maidstone Borough Council considers that proportionate financial contributions must be made to improvements to the Fountain Lane/A26/Farleigh Lane junction.

(6) Maidstone Borough Council considers that a direct connection from the site to the southern platform of Barming Train station should be explored as should upgrades to the station to promote public transport use.

Improvements and/or financial contributions should be secured for the following:

- Funding of the new shared cycle/footway from Maidstone Hospital to Barming Station.
- Upgrades where necessary and appropriate to public footpaths in the vicinity of the site to improve accessibility.
- The contributions requested by KCC towards local primary and secondary education, community learning, youth services, libraries, social care, and waste.
- The development will place additional pressure on public open space within Maidstone Borough and therefore the applicant should liaise with the MBC Parks department to agree an appropriate financial contribution to mitigate this additional pressure.

5.7 KCC (H&T): Reproduced in full at Annexes 1A-1E

5.8 Highways England: Reproduced in full at Annexes 2A-2E

5.9 EA: Reproduced in full at Annex 3

5.10 NHS (CCG): Reproduced in full at Annex 4

5.11 KCC (Economic Development): Reproduced in full at Annex 5

5.12 KCC (Ecology): Reproduced in full at Annex 6

5.13 KCC (Minerals): The application is supported by a Minerals Assessment which correctly identifies that the site is in conflict with an area of economic mineral which is safeguarded under Policy CSM 5 of the Kent Minerals and Waste Local Plan (KMWLP), the safeguarded mineral being Limestone Hythe Formation, (Kentish Ragstone). As such, it is necessary to demonstrate compliance with one of the exemption criterion of Policy DM7 of the KMWLP.

5.13.1 The County Council is in agreement with the conclusions made in the report that prior extraction of this material would be unviable given the location of the development and the nature of the material and associated means of extraction/processing. We therefore raise no objection on the basis of land-won mineral safeguarding.

5.14 KCC (SUDS): Kent County Council as Lead Local Flood Authority have the following comments:

5.14.1 The application is supported by Flood Risk Assessment and Outline Sustainable Drainage Strategy (Stantec, October 2020). We do not have any objection to the proposed drainage strategy. Should your local authority be minded to grant permission for this development, we would recommend the following conditions:

Condition:

5.14.2 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based on Flood Risk Assessment and Outline Sustainable Drainage Strategy prepared by Stantec (October 2020) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

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

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

The drainage scheme shall be implemented in accordance with the approved

details.

Reason

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

Condition

Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

Condition

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

Reason

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development

as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

Informative

An infiltration basin is proposed in the north of the site. Infiltration test undertaken in a trial pit located in the northern corner of the site (SA101) resulted in a failed test. This could suggest that infiltration suds are not feasible in this area. During detailed design, the applicant will need to demonstrate that infiltration is feasible in all locations of proposed infiltration suds.

The underlying strata of the site is the Hythe Formation in which there is a risk of encountering loosely infilled features known as 'gulls'. The installation of soakaways may lead to ground instability if these features are present and are inundated with water. For this reason, specific information will be required at the location of the proposed infiltration basin. This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

- 5.15 KCC (Archaeology): The proposed development lies in an area of potential for multi-period activity ranging from Early Prehistoric remains and evidence of Mesolithic communities to Iron Age and Romano- British settlement and burials and through to Post Medieval and Modern activity. Iron Age and Romano British settlements and burials are known to the south and an Early Medieval knife has been located on the site itself. The 19th century railway line and station lie to the north and there are known WWII pillboxes in the area.
- 5.15.1 I note this application is supported by a heritage assessment, including an Archaeological DBA by Orion, a Geophysical Survey and an Archaeological Evaluation Report by PCA. The DBA is fine and highlights the general archaeological background of this site. The geophysical survey has highlighted some anomalies which may be of archaeological interest. Of particular note is an enclosure within the centre of the site. In view of these anomalies, some targeted trenching took place and clarified that the enclosure is probably of Roman date and that other archaeology survives across the site including a trackway.
- 5.15.2 These preliminary archaeological assessments have confirmed the presence of archaeological remains some of which may be significant. However, on the basis of this fairly robust preliminary assessment, archaeological issues could be addressed through a multi-staged condition. I recommend the following conditions are placed on any forthcoming consent:
1. *Prior to commencement of development, the applicant, or their agents or*

successors in title, has secured the implementation of:

i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

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

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

2. Prior to occupation, the applicant, or their agents or successors in title, will secure the implementation and completion of a programme of archaeological post excavation, interpretation and publication work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that results of archaeological investigation are properly assessed and disseminated in accordance with NPPF section 16

5.16 Natural England: No comments to make. General information provided.

5.17 Network Rail: Thank you for consulting Network Rail on the above planning application. Following an internal consultation which included Southeastern Railways (who manage Barming Railway Station), Network Rail would like to make the following comments.

Barming Station contribution

5.17.1 The centre of the proposed development is 600m from Barming Railway Station and includes the erection of up to 330 dwellings. The site is therefore considered to be highly accessible to sustainable modes of travel and well placed to promote sustainable development. It can be expected that developments of this scale and nature (residential) within proximity to railway stations tend to generate a significant amount of railway trips. Without sight of any rail trip forecasts which would give Network Rail a better understanding of the impact on the station, Network Rail would expect contribution to provide new and improved facilities at Barming Station. The contribution would not only provide a better station for the future residents, but also the local community.

5.17.2 Network Rail Infrastructure Limited Registered Office: Network Rail, One Eversholt Street, London, NW1 2DN Registered in England and Wales No. 2904587 www.networkrail.co.uk

5.17.3 Network Rail welcome further discussions with applicant to identify a suitable contribution to improve the station facilities.

Asset Protection

5.17.4 Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant/developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionLondonSouthEast@networkrail.co.uk prior to works commencing. Our Asset Protection will ensure that the proposed development can be completed without any risk to the operational railway. The applicant/developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

5.17.5 As well as contacting Network Rail's ASPRO Team, the applicant/developer must also follow the attached Asset Protection Informatives found within the appendix of this letter (compliance with the Informatives does not remove the need to contact ASPRO).

5.18 Southern Water Services: Our investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

5.18.1 To make an application visit: developerservices.southernwater.co.uk and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

5.18.2 The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SuDS).

5.18.3 Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/

ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

- 5.18.4 Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.
- 5.18.5 Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
- Specify the responsibilities of each party for the implementation of the SuDS scheme.
 - Specify a timetable for implementation.
 - Provide a management and maintenance plan for the lifetime of the development.
- 5.18.6 This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 5.18.7 The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.
- 5.18.8 It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

5.19 EP (TMBC):

Contaminated land:

- 5.19.1 Based on the review of: Phase 1 Land Quality Desk Study (Stantec, October 2020)
- 5.19.2 The report presents the findings of a desk study and site walkover. It adequately reviews the history and environmental setting of the site. Widespread contamination is not expected; however, an area of potentially infilled land has been identified on the site which requires further investigation. I therefore recommend the following conditions:

- Standard Contamination 2 (no phasing) (Submission of Remediation Scheme & Implementation)

- Standard Contamination 3 (no phasing) (Verification)

Noise:

- 5.19.3 The Applicant has submitted a Noise Assessment carried out by their Consultant, Cole Jarman (their ref 20/0277/R01, dated 28 October 2020).
- 5.19.4 The Assessment details noise measurements taken at the site and uses these to predict likely noise levels across the site in order demonstrate the site's suitability for the proposed development from a noise perspective.
- 5.19.5 I am broadly in agreement with the Assessment, in that with suitable attenuation measures that satisfactory noise levels can be achieved both inside and outside the proposed dwellings. However, comments provided as follows:
- 5.19.6 At Section 6.2.2, the Assessment offers a glazing specification in terms of Rw to secure satisfactory internal noise levels with windows closed. This figure should cite in terms of Rw+Ctr to take account of the dominant noise being traffic related. The Rw+Ctr figure typically provides a lower level of attenuation than the Rw figure.
- 5.19.7 At Section 6.3.3, the Assessment states that the Noise Contour plan ref 20/0277/F1 shows that much of the site is below 50 dB LAeq,16h. However, this does not appear to be the case, as the boundary between the 45-50 and 50-55 contours appears to cut through the middle of the site. This would suggest that roughly 40-45% the site is above the desirable level (50dB, LAeq,T) and would indicate that some form of attenuation is required to achieve this level, albeit that this may be achieved in some areas by the proposed dwellings themselves.
- 5.19.8 The subsequent Section, 6.3.4, does acknowledge that screening will be required for those properties close to both Hermitage Lane and the Railway line.
- 5.19.9 In conclusion, I am content that the site is suitable on noise grounds with appropriate attenuation being put in place.
- 5.19.10 At Appendix L3, the Consultant provides an example of a Code of Construction Practice. It is difficult to comment upon this, as it is offered as an example and not what is proposed. However, I would invite the Applicant to compile a Code of Construction Practice, which I can then comment upon.

5.19.11 I would also invite the Applicant to discuss with the Environmental Protection team an application for a Prior Consent under Section 61 of the Control of Pollution Act 1974.

5.19.12 Informatives are recommended.

Air Quality:

5.19.13 Occupants in the new development themselves won't be affected by poor air quality from Hermitage Lane itself. Increase in traffic won't affect residents at the junction to the A20 at Hermitage Lane. The developing Royal Legion development near the retail park is from memory far enough away from the road and shouldn't be affected by traffic queuing there at junction to turn into McDonalds. New roundabout at A20, retail park and Hall Lane crossroads should help reduce traffic pollution here (although I have struggled to find the traffic predictions from the development that might be using the junction).

5.19.14 Before putting no comment, I was going put a comment that all houses are to be built with electric car charging facilities but thought you would already have a policy on that given that from 2030 only electric cars can be sold. What is the policy on electric car charging for any new developments?

5.20 TMBC Housing: 130 Affordable housing units representing 40% of the development is policy compliant.

5.20.1 In terms of the indicative mix, the number of flats needs to decrease and increase the number of houses. The number of 1bed units needs to be reduced and the number of 2, 3 and 4beds increased. As the development includes 5 bed houses, I'd expect to see provision of a 5bed unit as part of the affordable housing.

5.20.2 The intention to ensure design and delivery is tenure blind is noted however the number of flats indicated as part of the affordable housing provision is significantly higher than the number of private flats, with one block of private flats providing 8 2bed units and nine blocks delivery 78 flats for affordable housing. Along with the number of flats reducing, early engagement with Registered Providers is advised for their input on design and location of units to allow for effective management of them. Private outside space should also be provided to the flats.

5.20.3 Units will need to meet the size requirements outlined in the Affordable Housing SPD. 10% of the affordable provision needs to be wheelchair accessible.

5.20.4 The draft S106 heads of terms are noted, it would be helpful to have further information on the intended tenure split of the affordable housing provision; policy requires a 70/30 split, 70% affordable homes for rent and 30% intermediate tenure (including shared ownership). Reference to a Local

Lettings Plan relating to all the affordable housing units, to be agreed between TMBC and the Registered Provider, will also need to be included.

- 5.21 TMBC (Leisure): There is insufficient info on the application to provide detailed comments (application states unknown unit sizes). At 330 units I would expect LAPS, LEAP and you could argue for a NEAP. Further details on this would be needed as their map does not give specific detail. There appears to be no outdoor sport which we would expect onsite if not then a contribution would be sought. Amenity space appears to be provided on site but contributions for outdoor sport, parks, natural green spaces (possibly) may be sought.
- 5.21.1 I've attached the rough amount of contribution based on 330 3 bed houses which may help. My thoughts remain the same, for 330 houses guidance would say LAPS, LEAPS and MUGA and potentially a contribution to a NEAP. I do not know if the parish are putting in a MUGA or not but in any case, any provision being put in now is for the current population and may not cater for the increase in population. So, I would still suggest a NEAP instead of the MUGA. Again, outdoor sport we would expect on a development this size, if not a contribution may be sought. Their comment regarding the school pitches may not be available to the general public and most likely already in use.
- 5.21.2 Based on the current outline info I think there could be scope to change the LAP for a LEAP and the LEAP for a NEAP and no MUGA provision. It appears that amenity and natural green is provided on site, so parks and outdoor sport contribution may be sought. The applicant may also wish to consult with RoSPA regarding any water features on site and mitigation measure with the public.
- 5.22 TMBC (Waste services): Please see full comments in Appendix 7.
- 5.23 Private Reps (including responses to site and press notices): 2:/OX/OS/225R. The reasons for objecting to this application are:
- Traffic is already bad in the area and this will make things worse
 - Traffic already experiences problems accessing the hospital and the development could cause a risk to anyone who is trying to access it
 - The local infrastructure cannot cope with the additional houses proposed
 - Loss of important green space
 - The houses are not going to be affordable
 - There are numerous brown sites that could be built on instead.
 - Sink holes are common in this area

- Pollution along Hermitage Lane is already dreadful. This will make it worse
- Building on this land would ruin the aesthetics of the area
- Loss of trees and other wildlife habitats
- The development will cause increased levels of stress to commuters using Hermitage Lane as a result of the grid lock that will ensue.

6. **Determining Issues:**

Principle of development:

6.1 As Members are aware, the Council cannot currently demonstrate an up-to-date five-year supply of housing when measured against its objectively assessed need (OAN). This means that the presumption in favour of sustainable development as set out at paragraph 11 of the NPPF (July 2021) must be applied. For decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.2 In undertaking this exercise, it must be recognised that the adopted development plan remains the starting point for the determination of any planning application (as required by s.38 (6) of the Planning and Compulsory Purchase Act 2004) and which is reiterated at paragraph 12 of the NPPF. The consequence of this in these circumstances must be an exercise to establish conformity between the development plan and the policies contained within the Framework as a whole.

6.3 Members will be aware that Council has taken the decision to withdraw the previously submitted draft local plan. As such, the policies contained within this plan hold no weight for decision making purposes.

6.4 The adopted development plan therefore continues to consist of:

- Tonbridge and Malling Borough Core Strategy 2007 (TMBCS)
- Managing Development and the Environment Development Plan Document 2010 (MDE DPD)
- Development Land Allocation – Development Plan Document 2008 (DLA DPD)
- Tonbridge Central Area Action Plan 2008 (TCAAP)

6.5 In terms of the principles of the development, policy CP14 is the most important to the determination of this application, due to its specific locational characteristics outside, but close to, the Malling Gap urban area.

6.6 Policy CP 14 states that within the countryside development will be restricted to:

“a) Extensions to existing settlements in accordance with Policies CP11 or CP12; or

b) The 1 for 1 replacement, or appropriate extension, of an existing dwelling or conversion of an existing building for residential use; or

c) Development that is necessary for the purposes of agriculture or forestry including essential housing for farm or forestry workers; or

d) Development required for the limited expansion of an existing authorised employment use; or

e) Development that secures the viability of a farm, provided it forms part of a comprehensive farm diversification scheme supported by a business case; or

(f) redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability, or

g) affordable housing which is justified as an exception under Policy CP19; or

(h) predominantly open recreation uses together with associated essential built infrastructure; or

(i) any other development for which a rural location is essential.”

6.7 This policy seeks to limit development within the countryside including housing. As such the Borough Council has accepted on numerous occasions when dealing with other planning applications for residential developments

within the countryside that this policy is out of date with the NPPF and cannot, therefore, be attributed weight in the determination of this particular planning application.

- 6.8 The application site lies within the area designated on the proposals map accompanying the current Development Plan as the Strategic Gap to which to policy CP5 of TMBCS applies. This policy seeks to protect the strategic gap between the built-up areas of the Medway Gap and Maidstone. However, following the abolition of the Regional Spatial Strategies (which supported such policy) by central Government and the subsequent production of the NPPF, which no longer supports the strategic gap policy, policy CP5 is out of date and cannot be given any weight in the consideration of this application.
- 6.9 With regard to the application of the presumption in favour of sustainable development, regard must first be had for whether any restrictive policies within the Framework (paragraph 11 d (i), footnote 7) provide a clear reason for refusing the development proposed. In this case, none of the policies referred to in footnote 7 of the NPPF apply to the site the subject of this application. As such, as directed by paragraph 11(d) (ii) of the NPPF, permission should be granted for this development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when the proposal is assessed against the policies in the Framework taken as a whole. It is on this basis that the following assessment is made.

Locational characteristics and associated impacts:

- 6.10 Policy CP 6, which relates to the separate identity of settlements, does remain a key consideration as it continues to accord with policy set out within the NPPF. It states:
- “1. Development will not be permitted within the countryside or on the edge of a settlement where it might unduly erode the separate identity of settlements or harm the setting or character of a settlement when viewed from the countryside or from adjoining settlements.*
- 2. Any development that is considered acceptable in terms of this policy should maintain or enhance the setting and identity of the settlement, and in the countryside, be consistent with Policy CP14.”*
- 6.11 This policy does not seek to arbitrarily prevent development in out of settlement locations such as that the subject of this particular application. Rather it seeks to preserve the separate identity of different settlements and their particular character.
- 6.12 The site is such that it would adjoin a residential development which is currently under construction (Hermitage Park) in Maidstone BC’s area. The

eastern corner of the site also lies adjacent to the settlement confines of Maidstone (Corben Close). The railway embankment spatially and visually cuts off the site from the existing developed confines of Aylesford located further to the north and the submitted master plan which, although indicative only at this stage, shows a buffer approx. 35-40m in width between the developed section of the site and the railway embankment. A similar buffer to that approved for the Clarendon Homes development is located to the north east of the site and also lies between the Maidstone confines and the railway line. As such, it is my judgement that the proposed development would appear as an extension to the Hermitage Park development and by association Maidstone itself. Furthermore, whilst I acknowledge that the Whitepost Field site located north of the railway line and the application site would, when developed, infill the gap between Aylesford and the railway, again due to the railway embankment that separates the two and the proposed green buffer, both sites would be visually separated from one another. Consequently, the development would not be contrary to the requirements of policy CP 6 of the TMBCS.

- 6.13 Paragraph 79 of the NPPF advises that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.” Paragraph 80 provides further guidance by stating that “planning policies and decisions should avoid the development of isolated homes in the countryside”.
- 6.14 Given that the site lies within the countryside as designated – and notwithstanding my earlier comments concerning the application of policy CP14 of the TMBCS – an assessment of the development on this basis must take place.
- 6.15 The interpretation of isolated homes in the countryside has been clarified in the Court of Appeal judgment in Braintree DC v SSCLG [2018] EWCA Civ. 610. In this judgment, LJ Lindblom stated that when taken in its particular context within the policy “the word ‘isolated’ in the phrase ‘isolated homes in the countryside’ simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling that is, or is not, “isolated” in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand”. (para.31)
- 6.16 The site is immediately adjacent to the urban area of Maidstone and the development would provide a spatial expansion of this urban area. Furthermore, the site lies a very short distance away from Barming Railway Station which provides access to London, Kent towns and the coast. Bus routes travel along Hermitage Lane in both directions connecting Maidstone, and the Medway gap area. Taking these locational factors into account and given the scale of the development and its location, it would certainly not result in isolated dwellings being introduced within a rural area but would instead be

a highly sustainable location for new dwellings to be provided as a meaningful expansion of the existing urban area. The development would not, therefore, conflict with paragraph 80 of the NPPF.

- 6.17 As such, in locational (spatial planning) terms and having due regard to relevant case law and material planning considerations, I conclude that the development of this site for residential purposes in the manner proposed would not be harmful.

Character and pattern of development and impact upon landscape and visual amenities:

- 6.18 Policy CP24 of the TMBCS requires development to be of a high quality and be well designed to respect the site and its surroundings in terms of its scale, layout, siting, character and appearance. Policy SQ1 of the MDE DPD advises that new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area including its setting in relation to the pattern of the settlement, roads and surrounding landscape. These policies are broadly in conformity with those contained within the Framework which relate to quality of new developments.

- 6.19 In particular, paragraph 126 states:

“The creation of high quality, beautiful and sustainable 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.”

- 6.20 Paragraph 130 seeks to ensure that development will function well, be sympathetic to local character, establish a strong sense of place and create attractive, safe places in which to live, work and visit. Furthermore, paragraph 134 sets out that permission should be refused for development that is not well designed especially where it fails to reflect local design policies and government guidance on design. expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

- 6.21 Section 8 of the Environmental Statement submitted as part of this application concerns the landscape and the likely significant and visual effects of the proposed development upon it.

- 6.22 Given the characteristics of the site and its surroundings, the Council sought the advice of an independent expert consultant to advise on matters of landscape impact. The consultant advice focuses on:

- Whether the methodology used in the landscape and visual impact assessment was undertaken in a sound manner using best practice; and

- Whether the conclusions are sound and agreed with.

- 6.23 The advice is reproduced in full at Appendix 8 to this report and is referred to as necessary in the assessment below.
- 6.24 When undertaking a landscape and visual impact assessment (LVIA), a distinction is normally made between landscape effects (those effects on the character or quality of the landscape irrespective of whether there are any views of the landscape, or viewers to see them) and visual effects. These are the effects on people's views of the landscape, not just from public rights of way and areas with public access, but also private views from residential properties as well. Landscape quality is assessed using a subjective judgement, often informed by whether a site lies within a designation area (such as an AONB, Conservation Area), and taking into account what features within the site itself (such as woodlands, trees, landform) and how/where it is seen from outside. Context is also important consideration.
- 6.25 As has been stated above, the site is not the subject of a specific landscape designation. The built confines of Maidstone lie immediately to the east of the site and the existing Hermitage Park development lies to the south/southeast, which is already accessed by Chapelfield Way. To the north of the site lies the railway line, with Barming Station located just beyond the northwest corner.
- 6.26 Kent County Council has assessed the landscape of Kent and the site lies within an area known as "Greensand Fruit Belt - Malling". This assessment describes the landscape condition of the wider area as poor, noting detracting features such as the intrusive urban edge of new developments and the suburbanisation or rural lanes. The assessment also describes the sensitivity of the wider character area as very low and notes that the gently undulating landform (which is also present within the site) is unremarkable.
- 6.27 This context is a key consideration when assessing the impact of a development in landscape/visual terms. The key issues to consider are how the landscape itself will change under a proposed development and how people's view of the site will change as well.
- 6.28 Members will note that the Council's appointed consultant agrees with the applicant's assessment concerning the nature of the existing site commenting:
- "the site is reasonably well contained, by the railway line and the vegetation alongside it to the north (and also by the distribution centre to the north of the railway line), the tall poplar shelter belt along its northeastern boundary, the rising ground and Hermitage Park development to the south and Hermitage Lane and the trees alongside it to the west. As a result, most views of the site are from the areas immediately adjoining it. The tall poplar shelter belt within the site also provides some internal landscape structure and separates the two parts of the site."*

- 6.29 He also provides the following advice concerning the methodology of the applicant's assessment:

“my general view is that it is detailed, comprehensive and based upon an appropriate methodology, and is in general a fair assessment of the likely levels of landscape and visual effects which would result from the development.”

- 6.30 However, Members will note that he does raise some issues with the analysis undertaken by the applicant. For example, at paragraph 8.7.4 of the LVIA the applicant sets out that the completed development will result in a moderate adverse landscape effect on the character of the site and immediate surrounding area at year 1. Paragraph 8.10.2 goes on to state that the permanent loss of arable land and the commercial orchard trees within the site result in a permanent moderate adverse effect. Both of these effects are not considered by the applicant's assessment to be significant.

- 6.31 However, the Council's consultant advises that as the character of the site itself would change permanently, with the permanent loss of the agricultural fields and commercial orchard - to be replaced by a housing development - the effect of that change on the site would be significant in year 1. He also considers that the moderate adverse effects on the area around the site should also be regarded as significant to ensure they are given due weight in the overall planning balance.

- 6.32 In the context of the effects of the development upon the landscape within the site itself and its immediate vicinity, I concur with the Council's consultant that they will be significant both in terms of the loss of the existing agricultural land and by virtue of the undertaking of a housing development in its place. Whilst the retention of the existing structural landscaping within and around the site (which is planned to be the case) and the inclusion of a high-quality landscaping scheme as part of the development will help to diminish the significant impact of the built form in time, the change from an open, undeveloped agricultural site will be permanent and the initial impact of the development upon the site and its immediate environment should attract significant weight in the overall planning balance.

- 6.33 The applicant's assessment of the other landscape and visual impacts of the development (upon the wider landscape and views from further afield) is that they would be negligible to slight adverse. This assessment is considered to be sound and reasonable. However, they are still negative impacts of the development that need to be weighed in the overall planning balance.

Highway safety, capacity and parking provision:

- 6.34 Policy SQ8 of the MDE DPD sets out that before proposals for development are permitted, they will need to demonstrate that any necessary transport

infrastructure, the need for which arises wholly or substantially from the development, is in place or is certain to be provided.

- 6.35 It goes on to state 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.
- 6.36 Development will not be permitted which involves either the construction of a new access or the increased use of an existing access onto the primary or secondary road network (as defined by the Highway Authority) where a significantly increased risk of crashes or traffic delays would result. No new accesses onto the motorway or trunk road network will be permitted.
- 6.37 It goes on to state that where significant traffic effects on the highway network and/or the environment are identified, the development shall only be allowed with appropriate mitigation measures, and these must be provided before the development is used or occupied.
- 6.38 Concerning national planning policy, this has been updated in the latest iteration of the NPPF. Paragraph 110 states:

“ In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

- 6.39 Paragraph 111 states:

“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.”

- 6.40 Paragraph 112 goes on to state that within this context, applications for development should:

“a) give priority first to pedestrian and cycle movements, both within the

scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

- 6.41 When assessing whether a development of this nature and scale is acceptable in transportation terms different matters need to be considered: whether the existing highway network, (including key junctions) is capable of accommodating the additional traffic with or without mitigation, the accessibility of the site to public transport and whether any measures are proposed to help reduce the number of car journeys. The applicant has sought to address these matters in a Transport Assessment (TA), and subsequent documents including addendums and technical notes. The Highway authorities have both assessed the scheme reviewing all of the technical information and the Council has also appointed its own highway consultant to independently assess both the applicant's submission and the response from the local highway authority, given the significant committed developments already permitted for this part of Aylesford area.
- 6.42 It is apparent that the main areas of concern highlighted by all parties are the impacts of the development upon the junctions of London Road/Hermitage Lane and Fountain Lane/A26/Farleigh Road. Both junctions would be adversely affected by the development over and above that which would occur just with background growth and the traffic movements from committed developments.
- 6.43 Regarding the London Road/Hermitage Lane junction, the applicant is proposing a mitigation scheme that reduces the harm to a level accepted by the local highway authority and this will be secured by a s.278 agreement with the highway authority

- 6.44 The local highway authority has been developing a scheme for an improvement to the Fountain Lane/A26 junction for some time now. The applicant has agreed to make a financial contribution that will enable the junction improvement to now be delivered by the highway authority. The contribution will be secured through a s106 agreement prior to the commencement of the development.
- 6.45 Other key junctions are planned to be improved by the local highway authority (Coldharbour roundabout and the junction of Mills Road/Hall Road/London Road) which will again provide sufficient capacity to accommodate the traffic generated by the proposed development and committed schemes in the locality.
- 6.46 The highway impacts of a development are, of course, not just related to the impacts upon specific junctions and whether the local network can accommodate the anticipated level of additional traffic. Consideration must also be given to the sustainability of the development as well. The site, of course, is located right next to Barming Railway Station. Therefore, any residents of it will have easy access to it to travel to London, Maidstone or the Kent coast without needing to drive to the station. Hermitage Lane lies on several bus routes including a direct link from the Park and Ride at Beaver Road to Maidstone Hospital. Another route travels from Wrotham Heath to Maidstone Hospital and a further one links Kings Hill to Maidstone Hospital. These routes would run past the site and, like Barming Railway Station, offer opportunities to local residents to make use of transport modes other than the private motor car. In line with recent developments in the locality, the applicant has agreed to make contributions for the enhancement of bus services in the local area (£910 per dwelling).
- 6.47 The applicant will, under a s.278 agreement, upgrade the footpath on the east side of Hermitage Lane, between Barming Railway Station and the north side of Chapelfield Lane to accommodate a shared cycle lane/footpath. The applicant will also make contributions towards the enhancement of the footpath on the east side of Hermitage Lane, south of Chapelfield Way, a scheme that is currently being developed by KCC as local highway authority. These improvements when linked with that delivered by the Whitepost Field development to the north would provide improved cycle and pedestrian links along Hermitage Lane between the London Road in the north and Maidstone Hospital to the south.
- 6.48 The applicant has provided a Framework Travel Plan for the development (which is effectively an extension of the one that relates to the existing Croudace development at Hermitage Park). This seeks to encourage sustainable travel with potential measures and initiatives including the provision of resident travel information packs, cycle parking, bicycle discounts, promotion of public transport use and cycling/walking in the local area. The

applicant has also agreed to set up cycle hire facilities and a car club as part of the wider development. The full range of sustainable travel measures are being secured through a s.106 Agreement.

- 6.49 Given the significant amount of development that has been approved by the Council in this part of the Borough in recent months, the Council has taken the opportunity to engage independent consultants to review the transport evidence alongside the representations made by KCC (H+T). This advice is appended in full within Appendix 9 of this report. The summary of their assessment is set out in section 5 of their report, for Member's attention.
- 6.50 It is apparent, therefore, that the independent consultant appointed by the Council considers that the applicant's assessment of the likely transport impacts is sound and robust and the responses from the local highway authority are appropriate including the mitigation measures sought.
- 6.51 In conclusion, I am satisfied the adverse transport impacts of the development can be mitigated where necessary (the Fountain Lane junction and the junction of the A20 London Road with Hermitage Lane) and is acceptable in terms of other junctions and traffic flow more generally. Contributions for the enhancement of local bus services will be provided and the development will also result in a shared cycle lane/footpath along the east side of Hermitage between Barming Station and Maidstone Hospital (which of course will link into the cycle lane/footpath between Barming Station and London Road that is to be provided as a result of the Whitepost Field development). Being located next to Barming railway station, combined with the improved cycle lane/footpath, the inclusion of a cycle hire facility and a car club, will make this a highly sustainable form development. It will provide meaningful transport choices for its residents other than the private motor car. Consequently, the development accords with policy SQ 8 of the MDE DPD as well as paragraphs 110-112 of the NPPF.

Ecology:

- 6.52 The applicant's survey highlights that the greatest ecological interest is the well-established hedgerows that form the west and east boundaries to the site as well the trees that stand within the hedgerows. These are to be retained as part of the development. The shelter belts of trees that run across the site also considered to have local importance. The two main fields within the site are considered to be modified grassland in poor condition. These are not considered to be a priority habitat. The pear orchard in the southeast corner of the site is an intensively cultivated orchard, considered to be of a poor quality. Nonetheless it provides a biodiversity resource to be of local level importance.
- 6.53 The ecological surveys detail that the following species were recorded/likely to be present within the site:

- At least 8 species of bats
- At least 30 species of birds including those which are notable/conservation importance
- Common lizard and Slow worm
- Potential for hedgehogs

6.54 KCC Ecology agrees that the only habitat on site considered to be a priority are the traditional hedgerows, which are to be retained and enhanced under the development save to access arrangements. It is noted the loss of the modified grassland and part of the existing intensive orchard would result in the loss of habitat for birds within the site. However, it is proposed to enhance the landscaping around the site with new tree planting, wildflower meadows, amenity grassland and SUDS basins. Overall, the strategy to retain as much of the priority habitats as possible combined with the new landscaping strategy of the proposed planting around the site, the creation of wildflower meadows, new amenity grassland and enhancing the existing grassland with a wider range of species will mitigate the impacts of the development upon birds and bats. A sensitive lighting strategy will also be required (as recommended by the applicant's consultant) and a condition can be used to secure this. Due to the low populations of reptiles found on site it is proposed to relocate these to the site's margins when found. KCC ecology consider that there would be insufficient room within the site itself to do this but there is suitable land within the applicant's control (the combined red and blue land) to support the population of reptiles. Conditions are required to secure the mitigation measures, a site wide management plan, and bat sensitive lighting.

6.55 It is noted that the requirements of the Environmental Bill 2019, which will seek a 10% biodiversity net gain, have not yet come into effect. However, the applicant considers that net gain of 11% will be delivered by the development. This will be dependent on how the landscaped areas will be managed and so a condition will be required to ensure the mitigation measured are not only provided but long-term provision for the management is also put in place. Again, the applicant's consultant considers this to be necessary.

Best and most versatile agricultural land:

6.56 Policy CP9 of the TMBCS states that development of the best and most versatile land (DEFRA Grades 1, 2 and 3a) will not be proposed in the LDF unless there is an overriding need, and

(a) there is no suitable site in a sustainable location on land of poorer agricultural quality; or

(b) alternative sites have greater value for their landscape, biodiversity, amenity, heritage or natural resources or are subject to other constraints such as flooding.

- 6.57 Paragraph 174 of the NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment. In particular section b) requires the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services to be recognised – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 6.58 Whilst I appreciate that policy CP9 relates to the allocation of sites rather than decision making, this policy when considered in conjunction with paragraph 174 (b) of the NPPF makes it clear that there is a need to balance the need for additional housing with the loss of agricultural land.
- 6.59 The site is classified as grade 2 which is typical of the surrounding area. Grades 1, 2 and 3a are referred to as 'best and most versatile' land. It is recognised that the site comprises the best and most versatile agricultural land, although it is a relatively small area (approx. 14 ha) in size. It is confined on three sides by a railway line to the north, Hermitage Lane to the west and by residential development to the east/southeast. Only the land to the northeast lies open and this stands between the site and that of the residential development that Members have resolved to grant outline planning permission for under ref TM/19/00376/OAEA earlier this year.
- 6.60 Whilst it is recognised that best and most versatile agricultural land does have some economic benefits alongside its primary purpose of food production, it is considered that the loss of this relatively small parcel of agricultural land, which is constrained by man-made features on three sides, would have little tangible impact on agricultural yield.
- 6.61 Of course, the cumulative impacts of the loss of such agricultural land need to be considered. Last year the much larger Whitepost Field site (c.34ha) at the top end of Hermitage Lane which is grade 2-3 was granted planning permission to be developed. As part of the assessment of that application it was considered that the loss of the agricultural land was not sufficient to outweigh the benefits deriving from that scheme which included a substantial housing (including 40% affordable) provision at a time when the Council cannot demonstrate a 5-year supply of housing land in the Borough. More recently, Members of this committee resolved to grant permission in January for a development on land immediately to the east of the Whitepost Feld site for a development of up to 106 dwellings. That site measured less than 4ha and would have resulted in only a minor additional loss of additional agricultural land, which itself is considered to be of little effect in terms of food production and would be outweighed by the benefit of providing a significant

amount of additional housing within the Borough, including a policy compliant amount of affordable housing when there is a lack of a five-year housing land supply. Members have also resolved to grant permission for another residential development (known as the Oakapple Lane site) further south and on the west side of Hermitage Lane that would result in a further loss of 5.7ha of good quality agricultural land. However, the harm arising from this loss of agricultural land was considered to be outweighed by the benefit of boosting housing supply by a significant amount (and which includes a 40% provision of affordable housing).

- 6.62 The proposed development would result in a further loss of 14 ha of good quality agricultural land in the Aylesford area. However, this loss is considered to be outweighed by the social and economic benefits arising from the development which includes the benefit of boosting housing supply by a significant amount (and which includes a 40% provision of affordable housing).

Renewable technologies and climate change strategy:

- 6.63 The Council's climate change strategy covers the period 2020-2030 and applies to all aspects of the Council's business, not just planning. It states quite clearly that where the local plan is silent on a specific issue, the NPPF and the climate change strategy will remain material planning considerations to be considered when determining planning applications. Whilst the current adopted development plan policies relating to climate change and renewables are largely out of date now, the NPPF provides clear policy guidance.

- 6.64 Paragraph 154 states that new development should be planned for in ways that:

“can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.”

- 6.65 Paragraph 157 states:

“In determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”

- 6.66 The development will make contributions to improve the bus services in the locality and result in the enhancement of the cycle lane and footpath along Hermitage Lane. A car club and cycle hire facilities will also be set up as part of the travel plan. The development will, therefore, maximise opportunities for sustainable travel. EV charging points will be installed with all houses with independent car parking and provision will also be made for EV charging points where it is not.
- 6.67 As has been reported in the ecology section, the development is shown to deliver a bio-diversity net gain and create/improve the existing wildlife habitats within the site.
- 6.68 Matters such as passive solar gain and the use of renewable technology will be considered at the detailed design stage of the development. However, a condition can be used to ensure that such matters are submitted as part of those details and designed into the scheme from day one.
- 6.69 On this basis, I can conclude that the proposed development meets the national and Council requirements in terms of climate change and renewable technologies.

Minerals:

- 6.70 The development would be undertaken on land that is safeguarded within the Kent Mineral and Waste Local Plan OL7 for Kent Ragstone and Sandstone. Whilst the site's geology is consistent with the Hythe Formation (ragstone), it is considered too small to be commercially viable to extract. Furthermore, the last remaining company actively quarrying ragstone (Gallagher Group) operates two quarries locally with reserves until 2037 (Hermitage Quarry) and 2054 (Blaise Farm). As such the development of this site would not sterilise a commercially viable mineral deposit of which there is an adequate supply of in the local area. KCC concurs with this position. Accordingly, it is not considered that the development would fail to comply with policy OL7 of the KMWLP.

Potential land contamination:

- 6.71 Paragraph 183 of the NPPF states that planning policies and decisions should ensure that:

“a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental

Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

6.72 Paragraph 184 makes clear that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

6.73 In terms of land contamination, the submitted Geo-Environmental Report is considered to adequately review the history and environmental setting of the site. Widespread contamination is not expected but there is an area of potentially infilled land that requires further investigation. As such the Council's Contaminated Land Officer recommends that conditions be used to address potential contamination within the site.

Noise:

6.74 Paragraph 185 of the NPPF states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

6.75 A Noise Assessment has been submitted in support of the application. The report details the measurement of the noise climate present at the site, compares this with appropriate standards, and offers advice on the attenuation measures that could be implemented to secure an acceptable environment.

6.76 It is considered that appropriate internal and external noise levels can be achieved for the proposed development although some appropriate noise mitigation measures will be required but this will be dependent upon the final overall site layout. A condition can added to ensure that the necessary noise mitigation/attenuation measures are incorporated into the development. The proposal therefore accords with paragraph 180 of the NPPF.

Air quality:

6.77 Paragraph 186 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to

ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

- 6.78 The site lies outside of any AQMAs with the nearest ones (within TMBC) being approx. 3km to the north, along the A20 corridor at the top of Hermitage Lane and the other at Wateringbury crossroads located approx. 4km away.
- 6.79 An air quality assessment has been submitted which concludes that the proposed development would not result in any exceedances of the relevant Air Quality Standards at any of the receptors assessed which include within the AQMA. The Environmental Health section has reviewed the assessment and raises no objections. An emissions mitigation calculation has been used to quantify potential emissions from the development and provides a mitigation value for proportionate mitigations to be integrated into the development. These include a Travel Plan to include mechanisms for discouraging high emission vehicle use, encouraging the uptake of low emission fuels/technologies and the provision of EV charging points for houses with dedicated parking. These measures which are proportionate will be secured by condition.
- 6.80 In line with the conclusions of the submitted Air Quality Assessment and the assessment of the Council's own expert, I am satisfied that the air quality effects of the development would not be significant. The development therefore accords with paragraph 186 of the NPPF.

Flooding and surface water management:

- 6.81 KCC (Flood and Water Management) has advised that it has no objection in principle to the development. Due to the underlying conditions (the Hythe Formation), there is a risk of encountering loosely infilled features known as 'gulls' and the installation of large point infiltration areas or sources may lead to ground instability if these features are present and are inundated with water.
- 6.82 A detailed sustainable surface water drainage scheme has therefore been recommended that should also determine the potential instability risks associated with infiltration drainage into the mentioned deposits. Conditions have been advised which are entirely appropriate.
- 6.83 Southern Water has advised that it can accommodate the needs of the proposed development, without the development providing additional local infrastructure (in terms of foul waste). It advises that surface water should be dealt with by a SUDS scheme and not discharge to a public sewer.

Archaeology:

6.84 The submitted preliminary site assessments have confirmed the presence of archaeological remains, some of which may be significant, according to KCC (Heritage). Further investigation is recommended, but KCC (Heritage) considers that this does not have to be prior to the grant of a permission and has, instead, recommended conditions to be attached to a permission.

Planning obligations:

6.85 Regulation 122 of the CIL Regulations (2010) set out the statutory framework for seeking planning obligations and states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

6.86 Paragraph 57 of the NPPF reflects this statutory requirement.

6.87 The scheme proposes to provide 40% of the total number of dwellings (330) as affordable housing, which would be 132 residential units. The scheme therefore accords with Policy CP17 of the TMBCS. The approval of the specific size, type and tenure of affordable housing and implementation of the provision will be secured under a S106 agreement to ensure that the provision comes forward in a manner that reflects and meets local need.

6.88 Policy OS3 of the MDE DPD required all developments of 5 units or more (net) to provide an open space provision in line with Policy Annex OS3. The policy sets out that, where possible to do so, open space should be provided on-site. The indicative plans show that the development would incorporate children's play areas, amenity green space and areas of natural and semi-natural green space. After taking this on-site provision into account, a financial contribution of £402,471 is also being secured through a s.106 obligation for the enhancement of Leybourne Lakes Country Park. A further sum of £738,394 is also being sought for the enhancement of outdoor sports facilities in the locality as well.

6.89 The development generates a need for 91 additional primary school places that cannot be accommodated within existing local schools. A new 2FE primary school is to be provided as part of the development on the adjacent parcel of land (Whitepost Field) to the northwest of the application site. That school will contain capacity larger than that required to accommodate the number of pupils generated by the Whitepost Field development. As such, there will be capacity to accommodate the primary aged children that will live within the proposed development. A contribution of £6,800 per dwellings and

£1,700 per applicable flat will be secured by a s106 planning obligation from the applicant towards the cost of building the new school on the adjacent site. It will also be necessary for the applicant of this residential development to make a financial contribution of £3,208.18 per house and £802.05 per applicable flat for primary land provision as they will not need to find land within their site to accommodate a new primary school. This particular contribution will be returned to the developer/landowner of the Whitepost Field development to compensate them for providing all of the land necessary to accommodate a 2FE primary school.

6.90 With regard to secondary school provision, the development generates a need for 65 additional school places. KCC has advised that in this case, as no capacity currently exists in local schools, the only way to provide the necessary school places will be within the new school to be provided on the Broadwater Farm development. KCC is therefore seeking a maximum contribution of £5,176 per dwelling and £1,294 per applicable flat towards the cost of building the new school. KCC is also seeking a maximum financial contribution towards securing the land for this new school up to a maximum of £4,173.24 per house and £1,043.31 per applicable flat.

6.91 Officers have considered these requests in light of those put forward by KCC for the Whitepost Field development granted permission in August 2020 and the one for the Clarendon Homes residential scheme for up to 106 dwellings that Members resolved to grant permission earlier this year. In both those cases, the secondary school contributions were sought to expand existing facilities within the Malling and Maidstone selective and non-selective schools. The new secondary school planned as part of the Broadwater Farm development will provide the need for the northern part of the Borough going forward. However, that scheme is not the subject of a planning permission and a s106 agreement has not been agreed by relevant parties setting out the terms of the land transfer necessary for KCC to secure the site of the new school. As such, at this time officers are continuing to discuss the issue of contributions for secondary school places with colleagues at KCC. It is considered, however, that the development will generate a need for the 65 additional places that cannot currently be met within existing schools in the relevant catchment area. A contribution of up to the maximum amount specified for the build cost will still be sought from the applicant on behalf of KCC. However, the project(s) that this could be spent on will need to be agreed within a planning obligation (such as the range of schools specified within the committee reports for the Clarendon Homes scheme, for example).

6.92 KCC has also advised that to mitigate the additional impact that the development would have on delivery of its community services, the payment of appropriate financial contributions is required. This consists of contributions for £55.45 per applicable dwelling for enhancements and addition book stock for Larkfield library and £16.42 per applicable dwelling for additional equipment at

the adult education centre in Aylesford. Further contributions of £65.50 per dwelling for youth services, £146.88 for social care and £183.67 for the new waste transfer station are also being sought. As with all the other contributions, these are being secured by a s.106 planning obligation.

- 6.93 NHS CCG has advised that the proposal will generate approximately 780 new patient registrations based on an average of 2.34 per dwelling and that this would have implications on the delivery of general practice services in the Aylesford area. Therefore, mitigation is required, and this will be in the form of the payment of a financial contribution of £280,800 towards the refurbishment/reconfiguration or extension of Blackthorn Medical Centre, Bower Mount Medical Practice, The Vine Medical Centre and/or The Medical Centre Group. This is also being secured by the s106 planning obligation.
- 6.94 These obligations, along with that also required for highways and public transport improvements, would ensure that the effects of the development would be adequately mitigated, and that these would meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 6.95 Network Rail has requested contributions for new and improved facilities at Barming Station. However, it has not identified the amount of the contribution or what it should be used for. As such, this request does not meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Planning balance and overall conclusions:

- 6.96 The presumption in favour of sustainable development as set out at paragraph 11 (d) of the NPPF applies in this instance. The test in this case is whether or not there are any adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.97 I accept that the proposal would bring about significant benefits associated with the provision of 330 new dwellings including 40% affordable housing. In addition, the proposal would provide net gains to biodiversity providing the site is managed going forward.
- 6.98 Equally, I agree with the Council's consultant that the development would cause moderate adverse impacts in year 1 to the character of the site which should be attributed significant weight although this is tempered by the fact that the impact will reduce as the landscaping contained within the site matures. I also agree that the permanent loss of the open landscape and orchard should also be attributed significant weight as well in the overall planning balance.

6.99 On balance, it is my judgement that these adverse impacts do not significantly and demonstrably outweigh the benefits of granting planning permission on this occasion. It is therefore recommended that outline planning permission be granted subject to the finalisation of a legal agreement securing various planning obligations as set out throughout this report and various planning conditions to ensure that the development comes forward in an acceptable, high quality fashion.

7. **Recommendation:**

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

Report C _ A Standard Linsig dated 26.05.2021, Other Technical note 15 KCC Response dated 26.05.2021, Other Technical note Highways England Response dated 26.05.2021, Other Basic Traffic Flows Figure 4.30 dated 26.05.2021, Other Basic Traffic Flow 4.31 dated 26.05.2021, Other Technical note 17 dated 02.06.2021, Other Technical Note 18 dated 22.07.2021, Transport Assessment Addendum Figures 2 of 2 dated 22.04.2021, Transport Assessment Addendum Appendices dated 22.04.2021, Transport Assessment Addendum Drawings dated 22.04.2021, Transport Assessment Addendum Figures 1 of 2 dated 22.04.2021, Design and Access Statement 2951-A-4000-D dated 02.12.2020, Other Technical Note dated 01.06.2021, Transport Assessment Addendum dated 15.03.2021, Other Revised Technical note (18) Rev A dated 05.08.2021, Other PRELIMINARY MINERALS ASSESSMENT dated 02.12.2020, Location Plan 2951-A-1001-PL-A dated 02.12.2020, Other ECONOMIC BENEFITS OF DEVELOPMENT dated 02.12.2020, Statement Planning dated 02.12.2020, Other S106 DRAFT HEADS OF TERMS dated 02.12.2020, Transport Assessment VOLUME 3 OF 4 APPENDIX A E dated 02.12.2020, Transport Assessment VOLUME 4 OF 4 APPENDIX F U dated 02.12.2020, Other INFOGRAPH dated 08.12.2020, Report BIODIVERSITY NET GAIN ASSESSMENT dated 08.12.2020, Travel Plan 14 REV A dated 08.12.2020, Report 1_APPENDIX D dated 02.12.2020, Report 2_APPENDIX D dated 02.12.2020, Report 1_APPENDIX H dated 02.12.2020, Report 1_APPENDIX N dated 02.12.2020, Report 1_PHASE 1 LAND QUALITY DESK dated 02.12.2020, Report 2_APPENDIX H dated 02.12.2020, Report 2_APPENDIX N dated 02.12.2020, Report 2_PHASE 1 LAND QUALITY DESK dated 02.12.2020, Report 3_APPENDIX D dated 02.12.2020, Report 3_APPENDIX H dated 02.12.2020, Report 2_APPENDIX N dated 02.12.2020, Report 2_PHASE 1 LAND QUALITY DESK dated 02.12.2020, Report 3_APPENDIX D dated 02.12.2020, Report 3_APPENDIX H dated 02.12.2020, Report 3_PHASE 1 LAND QUALITY DESK dated 02.12.2020, Habitat Survey Report 3604_11 dated 02.12.2020, Report BIODIVERSITY NET GAIN ASSESSMENT dated 02.12.2020, Report 4_APPENDIX H dated 02.12.2020, Report 4_PHASE 1 LAND QUALITY DESK dated 02.12.2020, Report 5_PHASE 1 LAND

QUALITY DESK dated 02.12.2020, Report 6_PHASE 1 LAND QUALITY DESK dated 02.12.2020, Report APPENDIX A dated 02.12.2020, Report APPENDIX B dated 02.12.2020, Report APPENDIX C dated 02.12.2020, Report APPENDIX E dated 02.12.2020, Report APPENDIX F dated 02.12.2020, Report APPENDIX G dated 02.12.2020, Report APPENDIX I dated 02.12.2020, Report APPENDIX J dated 02.12.2020, Report APPENDIX K dated 02.12.2020, Report APPENDIX L dated 02.12.2020, Report APPENDIX M dated 02.12.2020, Arboricultural Assessment dated 02.12.2020, Ecological Assessment dated 02.12.2020, Flood Risk Assessment dated 02.12.2020, Travel Plan dated 02.12.2020, Statement COMMUNITY INVOLVEMENT dated 02.12.2020, Environmental Statement VOLUME 1 dated 02.12.2020, Environmental Statement VOLUME 2 dated 02.12.2020, Environmental Statement VOLUME 3 dated 02.12.2020, Transport Assessment VOLUME 1 OF 4 ISSUE 02 dated 02.12.2020, Transport Assessment VOLUME 2 OF 4 dated 02.12.2020, Master Plan 2951-C-1005-SK-H dated 24.06.2021,

subject to:

- The applicant entering into a planning obligation with the Borough Council to provide on-site affordable housing and financial contributions towards public open space provision and enhancement and health provision; and
- The applicant entering into a planning obligation with Kent County Council to make financial contributions towards off-site highway junction improvements, bus service improvements, secure a Travel Plan and make a financial contribution towards its implementation and make financial contributions to the provision of education facilities and community services

It is expected that the section 106 agreement should be agreed in principle within 3 months and the legalities completed within 6 months of the committee resolution unless there are good reasons for the delay. Should the agreement under Section 106 of the Act not be completed and signed by all relevant parties by 30 March 2022, a report back to the Area 3 Planning Committee will be made either updating on progress and making a further recommendation or in the alternative the application may be refused under powers delegated to the Director of Planning, Housing and Environmental Health who will determine the specific reasons for refusal in consultation with the Chairman and Ward Members.

- The following conditions:

Conditions

Development principles and phasing:

- 1 Approval of details of the layout and appearance of the development, access to and within the site, the landscaping of the site, and the scale of the development (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

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

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

- 3 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.

- 4 Applications for the approval of the reserved matters shall be in general conformity with the design principles described in the Design and Access Statement and the following plans:

- Illustrative Masterplan- Drawing no. 2951-C-1005-SK-C
- Landscape Strategy Plan– CSA/3604/112-A
- Secondary Access – Drawing No. 5407.003 Rev D

- 5 Prior to or as part of the first submission pursuant to condition 1, a scheme detailing the phasing of the construction of the development including the means of access, layout of buildings, car parking and servicing arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the details approved.

Reason: In the interests of highway safety and the amenity of the locality.

- 6 No development shall commence in any phase until a Construction Environmental Management Plan detailing how the woodland, habitats and hedgerows within and surrounding the site will be protected during the construction phase. This shall also include details of appropriate fencing to restrict access into key ecological areas, information on any timing restrictions and measures to prevent damage to sensitive ecological habitats. The development shall be carried out in accordance with the approved Management Plan.

Reason: To safeguard protected species and protect the biodiversity of the local area.

- 7 Prior to the commencement of the development in any phase hereby approved, arrangements for the management of all construction works for that particular phase shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:
- The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;
 - Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;
 - Procedures for notifying local residents as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination; and
 - The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.

The development shall be undertaken in full compliance with the approved details.

Reason: in order that the development is managed in a way to minimise harm to the amenities of local residents.

Highway/Parking/Transportation:

- 8 None of the dwellings within any phase of the development shall be occupied until the works to improve the following road junctions have been completed by the local highway authority.
- Coldharbour roundabout on the A20 London Road (the junction with the spur road to junction 5 of the M20)

Reason: In order to ensure the local highway network can adequately accommodate the traffic generated by the development hereby approved.

9 None of the dwellings within any phase of the development shall be occupied until the following works have been undertaken under a s278 agreement between the developer and the local highway authority:

- Footway/cycleway along the eastern side of Hermitage Lane between Barming Station and Chapelfield Way and to include a link to the public right of way adjacent to Hermitage Quarry including a pedestrian crossing facility on Hermitage Lane as shown in principle on Drawing 5407.003 rev D.
- Improvement scheme for the junction of the A20/Hermitage Lane as shown in principle on Drawing 004-SK-004 Rev A
- Primary access to be provided as shown in principle on drawing number 5407.005 Rev C.
- Secondary access to be a left in - left out only design as shown in principle on Drawing number 5407.003 Rev D but to include running lanes of 3.5m minimum width each side of the proposed central island.

Reason: In order to ensure the local highway network can adequately accommodate the traffic generated by the development hereby approved.

10 The details submitted in pursuance of Condition 1 shall show land, reserved for parking. None of the buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to reserved vehicle parking area.

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

11 None of the dwellings shall be occupied until details of a scheme to install electric vehicle charging points within the development has been submitted to and approved by the Local Planning Authority. The work shall be carried out in strict accordance with those details prior to the occupation of any of the dwellings within the site.

Reason: In order to encourage the occupation of the dwellings by people using electric vehicles to help reduce vehicle emissions in the interests of air quality and in accordance with paragraph 112 of the National Planning Policy Framework 2021.

- 12 No dwellings shall be occupied until details of secure cycle storage provision for all of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to the occupation of the dwellings they would serve and retained at all times thereafter.

Reason: In order to facilitate sustainable transport choices for the residents of the development, in the interests of highway safety and in accordance with paragraph 112 of the National Planning Policy Framework 2021.

- 13 Prior to or as part of the first submission pursuant to condition 1, a scheme detailing the layout of roads, footpaths, other means of access, communal car parking, the lighting and the drainage of those areas shall be submitted to and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the details approved.

Reason: In the interests of highway safety and the amenity of the locality.

Drainage/ground contamination:

- 14 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 183 of the National Planning Policy Framework.

- 15 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 183 of the National Planning Policy Framework.

- 16 Development shall not commence in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based on Flood Risk Assessment and Outline Sustainable Drainage Strategy prepared by Stantec (October 2020) and shall demonstrate that the surface water

generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

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

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

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

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

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 167 of the National Planning Policy Framework.

- 18 Prior to the commencement of the development in any phase details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority and the development will be undertaken in accordance with the approved details.

Reason: The National Planning Policy Framework paragraph 183 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

- 19 No development of any phase of the development (or part thereof) 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 particular phase of development (or part thereof) 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 particular phase of development (or part thereof) 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 each phase of the development (or part thereof) 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 of works.

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

- 20 Following completion of the approved remediation method statement for each phase of the development (or part thereof), and prior to the first occupation of the relevant phase a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground 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 those 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 within any phase of the development (or part thereof) 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.

Ecological/environmental matters:

21 No development above slab level shall take place until a "bat sensitive lighting plan" for the site has been submitted to and approved in writing by the local planning authority. The lighting plan shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

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

Reason: To safeguard protected species and protect the biodiversity of the local area.

22 Notwithstanding the information submitted as part of the planning application, no development shall commence above ground level until further details of reptile mitigation have been submitted to and approved by the Local Planning Authority and the development shall be undertaken in accordance with the approved details.

Reason: To safeguard protected species and protect the biodiversity of the local area.

23 No dwelling within any phase of the development shall be occupied until a Landscape and Ecology Management Plan (LEMP) has been submitted to and

approved by the Local Planning Authority. The LEMP will detail the establishment and long term management of retained and newly created habitats and the development shall be undertaken in accordance with the details of the approved LEMP.

Reason: To safeguard protected species and protect the biodiversity of the local area.

- 24 No dwellings shall be occupied until full details of the open space to be provided on site (including amenity space, children's play areas and natural green spaces) within the development along with a timetable for provision and a scheme for future management of the spaces have been submitted to and approved in writing by the Local Planning Authority. The details shall include any fencing and equipment to be installed. The approved scheme shall be fully implemented in accordance with the timescale approved and shall be maintained and retained at all times thereafter.

Reason: To ensure that the development is appropriately served by open space in accordance with the requirements of policy OS3 of the Tonbridge and Malling Borough Managing Development and the Environment DPD 2010.

- 25 None of the dwellings within any phase of the development shall be occupied until the necessary noise mitigation measures have been incorporated into those dwellings, their curtilages or the wider site, the details of which have first been submitted to and approved by the Local planning Authority.

Reason: In order to provide an acceptable aural environment for the residential properties.

- 26 No development on any new building shall commence until detailed topographical plans and cross-section drawings of the site showing the proposed changes to the ground levels within the site in relation to the existing levels of the site and adjoining land have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area or visual amenity of the locality.

- 27 No development above the ground shall take place until a plan showing the proposed finished floor level of the new dwellings in relation to the ground levels and finished ground levels of the site in relation to the existing levels of the site and adjoining land have been submitted for the written approval of the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area or visual amenity of the locality.

- 28 No development shall take place above ground on any of the dwellings hereby approved until details of all materials to be used externally have been approved by the Local Planning Authority. In order to seek such approval, written details and photographs of the materials (preferably in digital format) shall be submitted to the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality in accordance with policy CP 24 of the Tonbridge and Malling Core Strategy 2007.

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

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

- 30 No works shall commence above ground on any dwelling until a scheme that demonstrates how the dwellings will be designed to reduce energy demands and which shows where renewable technologies will be employed within the development have first been submitted to and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the approved details.

Reason: In the interest of reducing the energy demands of the development in accordance with paragraphs 112, 154 and 157 of the National Planning Policy Framework 2021 and the Borough Council's Climate Change Strategy.

- 31 No above ground development shall take place within any phase until details of the refuse storage facilities for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the development does not harm the character and

appearance of the existing building or the visual amenity of the locality in accordance with policy CP 24 of the Tonbridge and Malling Core Strategy 2007.

- 32 Prior to commencement of development, the applicant, or their agents or successors in title, has secured the implementation of:

i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

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

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

- 33 Prior to occupation of any dwellings, the applicant, or their agents or successors in title, will secure the implementation and completion of a programme of archaeological post excavation, interpretation and publication work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that results of archaeological investigation are properly assessed and disseminated in accordance with NPPF section 16

Informatives

- 1 Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.
- 2 The majority of this site is located on the Hythe Beds. The use of soakaways in the Hythe Beds are not recommended as they can promote instability of the geology via washout of the sandier horizons, leading to the opening and enlargement of fissures and subsequent collapse.

- 3 Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with our guidance document “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73”.
- 4 The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
 - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
 - some naturally occurring clean material can be transferred directly between sites.
- 5 Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
- 6 The Environment Agency recommends that developers should refer to:
 - The Position statement on the Definition of Waste: Development Industry Code of Practice and;
 - The Environmental regulations page on GOV.UK
- 7 We note there are several invasive non-native species recorded as being on the development site. The Developer should refer to guidance and follow the rules to prevent their spread. The latest guidance can be found on .GOV.UK

<https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales>
- 8 Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority’s satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability

- 9 An infiltration basin is proposed in the north of the site. Infiltration test undertaken in a trial pit located in the northern corner of the site (SA101) resulted in a failed test. This could suggest that infiltration suds are not feasible in this area. During detailed design, the applicant will need to demonstrate that infiltration is feasible in all locations of proposed infiltration suds. The underlying strata of the site is the Hythe Formation in which there is a risk of encountering loosely infilled features known as 'gulls'. The installation of soakaways may lead to ground instability if these features are present and are inundated with water. For this reason specific information will be required at the location of the proposed infiltration basin.

Contact: Matthew Broome



Tonbridge & Malling Borough Council

Development Control
Gibson Building
Gibson Drive
Kings Hill
West Malling, Kent
ME19 4LZ

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181
Date: 11 February 2021

Application - TM/20/02749/OA

Location - Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent

Proposal - Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Dear Matthew

Thank you for consulting me on this application. I have reviewed the Transport Assessment prepared by Stuart Michael Associates Limited dated November 2020 and I have the following comments to make on highway matters:

Access

Pedestrians and Cyclists

A review of the existing pedestrian and cycle infrastructure is provided in Appendix B and summarised on drawing 5407.006. Improved footway/cycleways are proposed by the Whitepost Field developer (application TM/17/01595 which will provide a new footway/ cycleway along the eastern side of Hermitage Lane between the A20 and Barming Station. To the south of Barming Station there is an existing footway but there are missing cycleway links. The applicant proposes improvements to the existing footway along the eastern side of Hermitage Lane between the new secondary access and Chapelfield Way to allow 3m shared footway/cycleway which would connect into that existing along Chapelfield Way. KCC Highways have a proposed scheme for a footway/cycleway between Barming Station and the hospital and this includes a reduction of the speed limit from 40mph to 30mph. Contributions towards this scheme will be required should permission be granted for this development.

In addition to the improvements along Hermitage Lane, links should also be provided within the site so that connections can be made for pedestrians and cyclists to Corben Way and the community hall on the existing Croudace site. Also a link to the Public Right of Way adjacent to Hermitage Quarry with a crossing facility on Hermitage Lane to ensure pedestrian safety.

Public Transport

Bus stops and Barming Station are within walking distance. The permitted Croudace site is required to fund bus services to allow a half hourly service linking the site to the hospital and

Maidstone town centre with new bus stops provided along Chapelfield Way. Additional contributions to fund enhancements to bus services/bus journey times are to be provided should planning permission be granted.

Consultation is required with Network Rail/Southeastern to ascertain whether improvements are required at Barming station

Travel Plan

In accordance with the aims and objectives of the National Planning Policy Framework (paragraph 111), all developments which generate significant amounts of transport movement are required to provide a travel plan.

Technical Note 14 outlines the Residential Travel Plan.

A Residential Travel Plan has already been prepared and is active for the adjacent Hermitage Park development which is also a Croudace site. It is intended that the same travel plan be used across both sites.

The travel plan aims to encourage residents to make sustainable travel choices to reduce the level of car use. The target seeks to reduce the mode share for single occupancy vehicles by 6% by 2024.

A single travel plan for the combined developments is reasonable and acceptable but this should be updated and enhanced. It is considered that a more ambitious target should be set with an aim of reducing these trips by at least 10%. The travel plan should be monitored annually and the life of the travel plan should be extended to 5 years from 1st occupation of the current application site or until the target is achieved, whichever is the longer.

Whilst the travel plan includes initiatives to encourage sustainable travel which include a welcome pack, travel information, cycle parking, it is considered that with such a large combined site (circa 880 homes) there is definitely scope for improvement. I would expect the applicant to put forward measures and incentives to help to achieve a significant reduction in car trips. The site is in a sustainable location and cycle improvements are to be provided so a cycle hub/cycle hire scheme would seem appropriate. The development is ideally located for public transport use and so a car club on site may reduce the need for car ownership as this could be used for those trips not possible or convenient by rail/bus. These suggestions are not exhaustive and I would welcome other ideas/ initiatives from the applicant.

The Travel Plan is to be monitored and a monitoring fee of £1422 is required, prior to first occupation of the development, to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinator to achieve the objectives.

Vehicle Access

Primary Access

Primary access to the site is proposed from Chapelfield Way with 5.5m access and 2m wide footways into the development from a priority junction. Visibility splays are 2.4m x 43m which is appropriate for a 30mph speed limit. Tracking is provided and acceptable. The access arrangements are shown on Drawing number 5407.005 Rev B. A stage 1 safety audit has been completed and subject to the provision of dropped kerb crossings at the access there are no issues.

Secondary Access

The secondary access is a left in - left out only design as shown on Drawing number 5407.003 Rev A. Right turn movements are physically prevented by the central island of 14.9m x 1.2m on Hermitage Lane. Visibility splays of 2.4m x 120m are available from the access. This is appropriate for the existing 40mph speed limit. The creation of the secondary access will entail the realignment of the existing carriageway, which serves several properties, to connect with the new access. This will require a stopping up order for the short section of the existing carriageway that becomes redundant which should be pursued by the applicant through the planning process under the Town & Country Planning Act. A safety audit has been completed and concerns are raised regarding the width of the traffic island. Revised plans are required showing the traffic island with a minimum width of 1.6m to accommodate the signing with a minimum clearance distance of 500mm. The plans should also take into account the proposed footway/cycleway as shown on KCC drawing S106-MA-1104/1100/001 (attached). This will require widening of Hermitage Lane. Please arrange for the amended plans to be reaudited and include the topographical survey information to ensure that the highway works can be delivered safely. A Traffic Regulation Order to introduce 'No Right Turns' is required and this should be pursued by the applicant through the 3rd party TRO process.

Emergency Access /buses access

Links to the adjoining Croudace site will allow access through Howard Drive to Allington for buses, emergency services, pedestrians and cyclists. The Howard Drive link will not be available for other traffic.

Site Layout

The site layout is shown on Drawings 5407.007 and 5407.009. The scale of the drawings is not sufficient to be able to accurately review the layout. Whilst it is appreciated that this application is in outline, there appears to be areas within the layout where additional road space is needed to avoid conflict. Parking is required in accordance with IGN3 and safe secure cycle parking in accordance with SPG4. All homes with off street parking should be supplied with electric charging facilities and all communal parking areas should provide a minimum of 10% EV charging with an additional 10% passive provision.

Crashes

Crash details have been provided for the 5 year period to 31.12.19 and this should be updated to include the latest crash data. Details are included in Appendix C of the TA. There are clusters at the A20/Hermitage Lane junction and at the access to Barming Station and an analysis of these areas is needed in order to assess whether the proposed development will add to the problems.

Transport Impact

Trip generation

The site is expected to generate 147 two- way vehicle trips during the AM peak and 133 during the PM peak. Trip generation has been calculated using trip rates used for the Local Plan assessment. This has been agreed following a comparison with trip rates derived from TRICs and finding both results were similar.

Trip Assignment

Census data from 2011 has been used to determine trip assignment. Trips are then assigned to the highway network from the site, based on the most likely route used. This results in 73% of traffic distributed to/from Hermitage Lane north and 27% to/from Hermitage lane south. The

methodology is acceptable. The assignment of traffic to the highway network includes the Whitepost Field link road.

Figures 4.1 and 4.2 show the distribution of 2016 flows on the network in the AM peak and figs 4.3 and 4.4 show the redistribution including the Whitepost Field link road. Please check the labelling of the diagrams and the flows in figs 4.3 and 4.4 as the redistribution of flows allowing for the Whitepost Field link road don't tally with the turning proportions shown in Table 4.4.

Figures 4.5 and 4.6 show the distribution of the committed development traffic, please provide similar diagrams for each of the committed developments. The flows in figs 4.5/4.6 when added to the flows in figs 4.3/4.4 should equate to the same flows as shown in figs 4.7/4.8 however there are discrepancies for instance at the A20 Hermitage Lane junction. Please check the distribution diagrams, make corrections where necessary and follow through to the modelling input if discrepancies are found.

Traffic Surveys

Survey data has been sourced from the Local Plan evidence A20 Route Study and the Tonbridge and Malling Local Plan Transport Assessment. This includes survey data from 2016 and 2018 and the flows have been combined to provide a baseline traffic flow. The data has been validated against more recent 2019 surveys presented in a recent planning application in this locality. Please provide the distribution diagram from application MA/20/501773 Oakapple Lane that was used for the comparison.

Impact

The impact of the development is assessed for the future year of 2025. Committed development in the area has been included in the assessment. M20 junction 5 has been assessed for the date of application + 10 years as is required by Highways England.

Junction capacity assessments have been completed for the following junctions:

1. A20/Hall Road/Mills Road
2. A20/Hermitage Lane
3. Coldharbour Roundabout
4. M20 Junction 5
5. Poppyfields Roundabout
6. Hermitage Lane/Retail Park
7. Hermitage Lane/Whitepost field Link
8. Hermitage Lane /secondary access
9. Hermitage Lane/Chapelfield Way
10. Fullingpits Avenue/Hermitage lane/Tarragon Road
11. Heath Road/Hermitage Lane/St Andrews Road
12. Fountain Lane/A26/Farleigh Lane
13. A26/Red Hill/Bow road – Waterringbury Crossroads

Capacity assessments are made for AM and PM peaks using the 2025 base flows with and without development using industry standard software; Junctions 9 for priority and roundabout junctions and LINSIG for signalised junctions.

Results of Capacity Assessments

1. A20/Hall Road/Mills Road

The junction has been modelled to include the planned junction improvement soon to be delivered by KCC Highways. The improved roundabout junction operates within capacity in all scenarios.

2. A20/Hermitage Lane

The results indicate that the junction is over practical capacity (**Note 1**) but within theoretical capacity (**Note 1**) using the 2025 base flows. The addition of the development traffic will worsen the situation. An improvement scheme is referred to in the TA, however details of what the scheme entails are not included. The scheme has been modelled and the results indicate that with the mitigation measures the junction would operate within capacity. Further details of the proposed improvement scheme are required this should include a drawing and stRSA1.

The TA has not accounted for a scenario whereby the Whitepost Field link road is not provided. The planning consent for application TM/17/01595 requires the developer to provide the link road prior to the occupation of 175 dwellings or within 5 years, whichever is earlier. Any assessment of a scenario without the link road should therefore include the traffic associated with 175 dwellings. Without an assessment of this scenario any permission granted for the current application should be conditioned so that no occupation is permitted until the link road is open to traffic.

Coldharbour Roundabout

The 2025 future year assessment is based upon the improvement scheme that is due to be implemented by KCC Highways later this year. The modelling indicates that with the improvement scheme in place the roundabout would operate within capacity in all scenarios. However, a check of the geometric parameters in the Junctions 9 assessment has identified some irregularities as shown in figure 1 and figure 2 below:

Arms

Arm	Name	Description
A	Coldharbour Lane	
B	A20 London Road (east)	
C	A20 London Road (west)	

Roundabout Geometry

Arm	V - Approach road half-width (m)	E - Entry width (m)	Γ - Effective flare length (m)	R - Entry radius (m)	D - Inscribed circle diameter (m)	PHI - Conflict (entry) angle (deg)	Exit only
A	9.90	15.50	27.1	57.1	100.0	33.0	
B	7.50	10.20	92.1	30.1	100.0	42.0	
C	7.10	12.00	82.7	40.0	100.0	31.0	

FIGURE 1: Geometric parameters included for current application TM/20/02749

Arm	V-Approach road-half width	E-Entry width	I-effective flare length	R-Entry Radius	D-Inscribed circle diameter	PHI-Conflict/Entry Angle
A	9.9	15.5	27.2	57.2	100.2	29
B	8.4	10.4	86.4	30.1	100.2	25
C	6.8	12.3	57.1	40	100.2	42

FIGURE 2: Geometric parameters from approved drawing provided by Major Projects

This will impact on the accuracy of the model and requires correction as the error is repeated in all modelled scenarios.

Whilst the results indicate all scenarios operate within capacity and with a level of service (LOS) of A (**Note 2**) the modelling should be amended to reflect the approved geometry.

M20 Junction 5

The junction has been modelled for 2031 and including the Tonbridge and Malling draft local plan development strategy. The development flows have been added to the 2031 Do Something flows. The results show M20 East being over practical capacity in the 2031 base year with an RFC of 0.946 (**Note 1**) and queue length of 14 PCUs (**Note 3**) in the AM peak. With development the RFC is 0.954 and the queue length is 16 PCUs.

The junction is known to be affected by congestion at the Coldharbour Roundabout. It will therefore benefit from the planned improvement of the Coldharbour Roundabout that are programmed to commence this year.

Poppyfields Roundabout

Results indicate the junction operates within capacity in all scenarios. The modelling assumes the roundabout improvement scheme and Whitepost Field link road are in place.

The TA has not accounted for a scenario whereby the Whitepost Field link road and improvements to Poppyfields Roundabout are not provided. Without an assessment of this scenario any permission granted for the current application should be conditioned so that no occupation is permitted until the link road is open to traffic.

Hermitage Lane/Retail Park

Results indicate the junction operates within capacity in all scenarios. The modelling assumes the Whitepost Field link road is in place.

Hermitage Lane/Whitepost field Link

Results indicate the junction operates within capacity in all scenarios.

Chapelfield Way/Site Access

Results indicate the junction operates within capacity in all scenarios.

Hermitage Lane /secondary access

Results indicate the junction operates within capacity in all scenarios.

Hermitage Lane/Chapelfield Way

Results indicate the junction operates within capacity in all scenarios.

Fullingpits Avenue/Hermitage Lane/Tarragon Road

Results indicate the junction operates within capacity in all scenarios.

Heath Road/Hermitage Lane/St Andrews Road

The junction is expected to operate within theoretical capacity but over practical capacity in the 'with development' scenario in the AM peak. The degree of saturation increasing from 90.7% to 92.3%, the queue length increasing from 29.4 pcu's to 31.7 and the delay from 37.4 seconds per pcu to 40.2 on the worst arm, this being Hermitage Lane southbound approach. The results for the PM peak show no capacity issues.

It should be noted that the modelling cannot replicate the way in which this junction is routinely affected by southbound queuing on Fountain Lane from the junction with Tonbridge Road. The results therefore have to be viewed in the context of this inter-dependency.

It should also be borne in mind that KCC Highways is planning to implement pedestrian crossing facilities at this junction, which will have a further bearing on traffic conditions.

Fountain Lane/A26/Farleigh Lane

The junction is over capacity in the 2025 base flows and this becomes worse with the addition of the development traffic. The applicant has offered to contribute towards a strategic mitigation scheme. The preferred option being explored and progressed by KCC Highways takes the form of a dual roundabout scheme which incorporates four signalised pedestrian crossings. The scheme requires third party land which has not yet been acquired. The junction improvement has been modelled by KCC Highways taking account of all projected traffic growth from the Maidstone and Maidstone Local Plans and found to operate within capacity with a Degree of Saturation below 75% on all arms and minimal queue lengths.

An assessment of the junction improvement scheme with the traffic generated by the application site has not been included in the TA and this is needed.

The applicant has included alternative schemes in their TA which have previously been put forward as options by KCC Highways but which are not being pursued due to safety concerns. The applicant has assessed these options which comprise of a gyratory system incorporating the junctions of A26/Fountain Lane and Fountain Lane/Heath Road/Hermitage Lane/St Andrews Road with Queens Road/A26/Fant Lane by opening up the eastern end of St Andrews Road to through traffic. The results indicate improvements to capacity, however these schemes are not being taken forward.

A26/Red Hill/Bow Road – Watringbury Crossroads

The development is expected to generate up to 28 two way trips towards this junction in the peak hours. This will add to the congestion already experienced and thereby strengthen the need for the junction improvement scheme that KCC Highways is seeking to bring forward.

In order to mitigate this impact by helping to facilitate delivery of the scheme, the applicant should be required to provide a financial contribution via a Section 106 Agreement.

Conclusion

Additional information is required as outlined above and summarised as follows:

3. Revised plans are required showing the secondary access proposal but amended to include a traffic island on Hermitage Lane with a minimum width of 1.6m to accommodate the signing with a minimum clearance distance of 500mm. The drawing should also include an extended footway/cycleway from Barming Station to the junction with Chapelfield Way. A RSA1 is required for the scheme.
4. Further details of the proposed improvement scheme for the A20/Hermitage Lane junction including a drawing with dimensions provided and RSA1.
5. A capacity assessment of the proposed improvement scheme currently being pursued by KCC Highways for the A26/Fountain Lane junction in order to assess the impact of the development is required.
6. Crash details for the most recent 5 year period and an analysis of those areas showing clusters.
7. Clarification on the impact of the proposed development on capacity at the Poppy Fields and A20 London Road/Hermitage Lane/Preston Hall junctions in the event that the

Hermitage Lane to Poppy Fields Roundabout link road is provided on a condition to restrict development until the link road is open to traffic.

8. Further clarification of the traffic distribution diagrams and traffic survey validation as outlined in the foregoing review.

Once this information is provided I will issue additional comments, however if in the meantime, the Local Planning Authority be minded to grant permission I would recommend that following conditions be included:

No development prior to the completion of the following highway works:

- A20/Hall Road/Mills Road improvements scheme
- A20/Coldharbour Lane Roundabout improvement scheme
- Whitepost Field link road between Hermitage Lane and Poppyfields Roundabout on the A20
- A26/Fountain Lane/Farleigh Lane improvement scheme (KCC scheme)

- Footway/cycleway along the eastern side of Hermitage Lane between Barming Station and Chapelfield Way and to include a link to the Public Right of Way adjacent to Hermitage Quarry including a pedestrian crossing facility on Hermitage Lane. This to be provided by the developer by way of S278 agreement.

S106 financial contributions are required towards the following:

- The KCC Footway/cycleway improvement scheme and speed limit reduction along Hermitage Lane between Chapelfield Way and Maidstone hospital.
- Enhancements to bus services/bus journey times.
- Travel Plan monitoring fee of £1422 to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinator to achieve the objectives.
- A26/Fountain Lane/Farleigh Lane improvement scheme (KCC scheme)
- A26 / Bow Road /Red Hill Wateringbury Crossroads junction improvement scheme

Primary access to be provided as shown in principle on drawing number 5407.005 Rev B and to include safety auditor's comments.

Secondary access to be a left in - left out only design as shown in principle on Drawing number 5407.003 Rev A but to include a central island on Hermitage Lane to physically prevent the right turn movements with a minimum width of 1.6m.

The applicant is required to pursue a stopping up order under the Town & Country Planning Act in respect of the short section of the existing carriageway that becomes redundant due to the new secondary access.

The applicant is required to pursue a Traffic Regulation Order (TRO) to introduce 'No Right Turns' at the junction of the secondary access through the 3rd party TRO process.

Footway and cycle links are required within the site so that connections can be made for pedestrians and cyclists to Corben Way and the community hall on the existing Croudace site.

Prior to commencement of development the applicant shall submit for written approval of the Local Planning Authority a revised Travel Plan for the combined Croudace developments and register the plan with KCC Jambusters website (www.jambusterstpms.co.uk). The applicant shall implement and monitor the approved travel plan, and for each subsequent occupation of the development thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

Monitoring requirements should only cease when there is sufficient evidence for all parties to be sure that the travel patterns of the development are in line with the objectives of the travel plan. Completed post occupation survey forms from all new dwellings/occupants on the site will be required to be submitted on the final monitoring period. A fee of £1,422 is required, prior to first occupation of the development, to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinators to achieve the objectives.

Parking is required in accordance with IGN3 and safe secure cycle parking in accordance with SPG4. All homes with off street parking should be supplied with electric charging facilities and all communal parking areas should provide a minimum of 10% EV charging with an additional 10% passive provision.

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

Notes

- (1) A measure of the overall performance of a junction, where the degree of saturation (DoS) is at 90% in the case of traffic signalled junctions and the ratio of flow to capacity (RFC) is 85% in the case of priority junctions and roundabouts.
It is normally accepted that an RFC of 1.000, or a degree of saturation of 100%, indicates that the junction is typically operating at maximum theoretical capacity. Due to the inherent day-to-day variability of traffic flows a RFC value of 0.85 or a Degree of Saturation of 90% are seen as acceptable and practical in operational terms for development impact assessments.
- (2) LOS - Level of service is a qualitative measure used to relate the quality of motor vehicle traffic service. A level of service of 'A' would describe perfect free-flowing traffic conditions, while higher letter grades such as 'E' and 'F' describe constrained, unstable and overcapacity traffic conditions.
- (3) Passenger Car Units (PCUs) are a means of translating all types of vehicle into a common traffic 'currency'.

INFORMATIVE: It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours sincerely

Louise Rowlands
Principal Transport & Development Planner



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Development Control
Gibson Building
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ME19 4LZ

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 12 April 2021

Application - TM/20/02749/OAEA

Location - Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent

Proposal - Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Dear Matthew

Thank you for re-consulting me on the application by Croudace for 330 homes on land South Of Barming Station And East Of Hermitage Lane, Aylesford. I am reviewing the Transport Assessment Addendum which is included on the planning portal of the TMBC website and unfortunately the appendices are missing. Please could you arrange for this information to be provided in order that I can review the application fully.

In light of this please could you allow me additional time to consider the application once the appendices are received.

Kind Regards

Louise Rowlands
Principal Transport & Development Planner



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Highways and Transportation

Ashford Highway Depot
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TN24 8AD

Tel: 03000 418181

Date: 26 April 2021

Application - TM/20/02749/OAEA

Location - Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent

Proposal - Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Dear Matthew

Thank you for consulting on the additional information received in respect of this application. I have reviewed the Transport Assessment Addendum (TAA) which seeks to address the comments raised by KCC and HE dated 11.2.21 and 9.2.21 respectively.

The list of appendices given in the TAA is not correct. Appendix A is a Sketch Layout, Appendix B includes the A20/Hermitage Lane improvement, Appendix C is the crash plot and crash details, Appendix D and E is the A20/Hermitage Lane Linsig, Appendix F Poppyfields Roundabout assessment and G is the Coldharbour Roundabout assessment. There is no Appendix H provided.

Pedestrians/Cyclists/Buses

The applicant has agreed to include a footway/cycleway along the eastern side of Hermitage Lane between Barming Station and Chapelfield Way, including a pedestrian refuge on Hermitage Lane just north of the Hermitage Quarry access and the reduction of the speed limit along this section of Hermitage Lane from 40mph to 30mph. The scheme is integrated into the proposed secondary access drawing number 5407.003 rev B. I would add that the footway/cycleway should be extended into the secondary access at least as far as the 1st dwelling. This scheme constitutes part of the KCC scheme which also includes a continuation of the route to the hospital. The KCC scheme is not currently programmed as there is a funding gap. The applicant is requested to provide a contribution towards the cost of extending the route to the hospital or alternatively to complete those works via a S278 agreement.

As previously requested links for pedestrians and cyclists are required to Corben Close, the community hall on the existing Croudace site, KB47 and the Public Right of Way adjacent to Hermitage Quarry MR102 with a crossing facility on Hermitage Lane to ensure pedestrian safety.

The applicant has agreed to contributions towards bus service/bus journey time, this is planned to be in the same proportion as provided by other developers in this vicinity and along the A20 corridor which is £910 per dwelling, £300,300 in total.

Travel Plan

The applicant has agreed to review the targets of the travel plan to reduce the mode share for single occupancy vehicles by 10%. As advised previously, the travel plan should be monitored annually and the life of the travel plan should be extended to 5 years from 1st occupation of the current application site or until the target is achieved, whichever is the longer.

Whilst the travel plan includes initiatives to encourage sustainable travel which include a welcome pack, travel information, cycle parking, it is considered that with such a large combined site (circa 880 homes) there is definitely scope for improvement. I would expect the applicant to put forward measures and incentives to help to achieve a significant reduction in car trips. The site is in a sustainable location and cycle improvements are to be provided so a cycle hub/cycle hire scheme would seem appropriate. The development is ideally located for public transport use and so a car club on site may reduce the need for car ownership as this could be used for those trips not possible or convenient by rail/bus. These suggestions are not exhaustive and I would welcome other ideas/ initiatives from the applicant.

The Travel Plan is to be monitored and a monitoring fee of £1422 is required, prior to first occupation of the development, to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinator to achieve the objectives.

Vehicle Access

Primary access to the site is via a priority junction from Chapelfield Way as shown on Drawing 5407.005 Rev C. the junction is expected to operate within capacity in the future year with development. A safety has been provided and the comments addressed. The layout appears to involve the removal of trees in the highway, please provide a drawing of the trees to be removed in order that I can consult with our landscaping team.

The secondary access drawing has been amended to include a wider traffic island on Hermitage Lane preventing the right turn in/right turn out manoeuvres and allowing space for traffic signs as previously requested. This and the realignment of the residential road from which the secondary access is taken, will require Traffic Regulation Orders which should be pursued via the 3rd party process. The stopping up order of the redundant carriageway should be pursued by the applicant through the Town and Country Planning Act through an application by the developer to the Department for Transport. I have consulted the KCC Schemes, Delivery, Planning team and I am advised that a running lane of 3.5m is required each side of the traffic island due to the amount and type of traffic on Hermitage Lane and to allow sufficient space for maintenance of the new traffic island. Maintenance of the island requires 3.5m (3m lanes and a 0.5m safety zone). A narrowing of the lane widths to 3m as proposed is not acceptable.

A revised road safety audit has been completed on the secondary access drawing which now includes the footway/cycleway along Hermitage Lane and a pedestrian refuge on Hermitage Lane just south of the access to Hermitage Quarry as shown on drawing number 5407.003 Rev B.

The safety audit includes comments which are not adequately addressed in the Designer's Response, namely 3.11 which states:

3.1.1 PROBLEM

Location: B - Hermitage Lane – secondary access road

Summary: Refuse Vehicle may have to stop suddenly to give way to approaching vehicle resulting in rear end shunts at the junction.

The Auto tracking provided details that a refuse vehicle is required to use a significant amount of the opposite lane to manoeuvre into the junction. If the refuse vehicle enters the junction and another vehicle is approaching from inside the development or there is a queue of traffic waiting to exit the junction conflict may occur due to sudden braking to avoid queuing traffic resulting in obstruction to Hermitage Lane and potential rear end shunts or equally side swipe type collisions if the refuse driver attempts to continue into the junction hitting a stationary vehicle.

RECOMMENDATION

It is recommended that forward visibility splays are introduced, and measures introduced to provide an approaching driver adequate vision before entering the junction.

The safety auditors' comments were made in reference to drawings, traffic flows and a site visit and there is no revised plans or evidence to support the designer's response. It can be seen from the Google extract below that a HGV or refuse vehicle which is unable to fully turn into the access due to opposing traffic, will either overhang the junction or be unseen seen by subsequent left turning traffic from Hermitage Lane, leading to potential collisions. It is considered that additional space is needed on the left turn in.

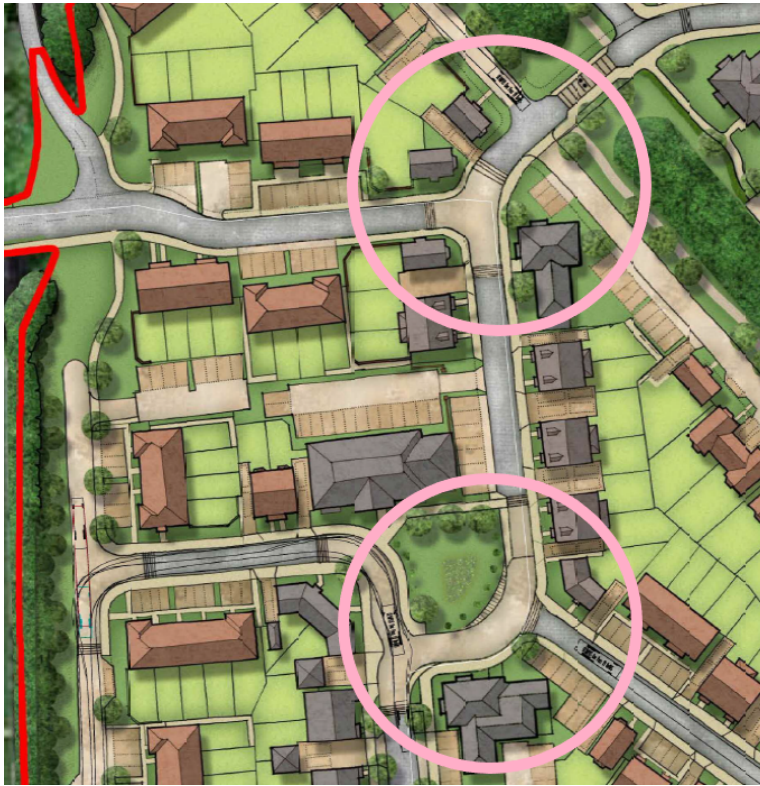


Please provide a revised drawing showing the visibility required for pedestrians and the extent of the vegetation that needs to be removed to address comment 3.2.1 and also the footway along the south side of the access road to address point 3.2.2.

Other comments raised in the safety audit can be visited at the detailed design stage.

Site Layout

Revised drawings including tracking are provided at Appendix A on drawings 5407.007 Rev A and 5407.009 Rev A. Please extend the tracking to cover the junctions shown below:



Additional space is needed on the southern junction shown in the extract above. Whilst the layout needs to be constrained and convoluted to deter through trips, the current proposed layout may lead to conflict.

Crash Details

Revised up to date crash data is provided. This covers the latest 5 year period. A check on the details suggests that the improvements proposed for pedestrians and cyclists will be advantageous. KCC schemes, Delivery, Planning team have not raised any issues and have no crash remedial schemes programmed within the study area.

Trip Generation

The trip generation methodology has been accepted and the site is expected to generate 147 two-way vehicle trips in the AM peak and 133 in the PM peak.

Distribution and Trip Assignment

The use of census to establish trip assignment and the proportional split north/south is accepted. Additional distribution diagrams have been provided seeking to clarify previous queries raised. Fig 2.1 presents the 2016 survey data for the AM and PM peaks both with and without the redistribution arising from the Whitepost Field link road. The without link flows have been amended. There are significant differences in the flows between A20/Hermitage Land and Coldharbour Roundabout and also between Coldharbour Roundabout and Poppyfields Roundabout which is difficult to explain as there are no other turnings between the junctions. Please could this be checked.

The explanation of the turning proportions shown in the TA Fig. 4.3 and 4.4 is very helpful and this concern is now fully addressed.

Assignment diagrams in respect of committed development have been provided as requested.

Impact

A20/ Hermitage Lane

In my previous comments I noted that the junction is over practical capacity but within theoretical capacity using the 2025 base flows and including committed development and the Whitepost Field link road. The addition of the development traffic worsens the situation. An improvement scheme was referred to in the TA, however details of what the scheme entails were not included. The scheme has been modelled and the results indicate that with the mitigation measures the junction would operate within capacity.

The drawing referred to in the TA for a mitigation scheme has been provided in Appendix B of the TAA along with the road safety audit. The Drawing at Appendix B is 004-SK-004 Rev A. The Drawing number referred to in the RSA1 is 003-SK-004 Rev A. I am assuming that this is a typo as the drawing appended to the audit is 004-SK-004 Rev A. Please could the auditor confirm that the correct drawing has been audited.

I have consulted our traffic signals engineer who has stated that reversing the stagger leaves very little room to get the necessary traffic signal equipment on the corner radii, the crossing width needs to be 3.2m and the stopline located 3m from the edge of the tactile paving. Also, the revised signals would need to be linked to the nearby Preston Hall lights and the ducting extended as a result. The new crossing would need to be near-sided puffin type, as would the others which would necessitate a complete site refurbishment.

The assessment in the TA includes the Whitepost Field development (TM/17/01595) and the Whitepost Field link road in the impact assessments. Although this development and the link road are committed, an assessment has been requested for a scenario whereby the Whitepost Field link road is not provided. The planning consent for application TM/17/01595 requires the developer to provide the link road prior to the occupation of 175 dwellings or within 5 years, whichever is earlier. The assessment of a scenario without the link road should therefore include the traffic associated with 175 dwellings.

The TAA provides an impact assessment with 175 dwellings on the Whitepost Field site and without the link road for both the A20/Hermitage Lane and Poppyfields roundabout.

the results indicate that the **A20/Hermitage Lane** junction is expected to operate over capacity with the 2025 base flows without the Whitepost Field link provided. The addition of the development traffic adds to the delays and queue lengths. In particular the A20 London Road East left/ahead movement, the queue length is predicted to increase from 230 pcu's in the 2025 base scenario to 256 in the with development scenario with the degree of saturation (DoS) increasing from 136.8% to 140.4% in the AM peak. Also, the Hermitage Lane right turn movement is predicted a queue length of 17.8 pcu's in the 2025 base scenario AM peak and this is expected to increase to 33.8 pcu's in the 'with development' scenario with the DoS increasing from 93.6% to 102.2%. The outcome of this additional queueing is likely to cause blocking back across adjacent junctions.

The proposed mitigation scheme as shown on Drwg 004-SK-004 Rev A provides relief to some arms of the junction but the A20 London Road East /ahead movement and the Hermitage Lane right turn movement show excessive capacity issues in the AM peak which are worse than the 'without development' scenario. The results provided indicate that additional mitigation is needed if the development is occupied prior to the delivery of the Whitepost Field link road.

Poppyfields Roundabout

The results of the assessment of the roundabout without the Whitepost Field link road indicate that the roundabout would operate within capacity with development.

Coldharbour Roundabout

The roundabout has been remodelled following queries raised regarding the geometric parameters used previously. The results indicate the roundabout will operate satisfactorily within capacity with development and assuming the full occupation of 840 homes on the Whitepost Field site and the link road in place.

Fountain Lane/A26/Farleigh Lane

As noted in my previous comments the junction is over capacity in the 2025 base scenario and this becomes worse with the addition of the development traffic. The applicant has offered to contribute towards a strategic mitigation scheme.

KCC Highways are developing a strategic improvement scheme for this junction and currently a dual roundabout scheme has been designed, however this is still in early stages. Land acquisition is required, there is a funding gap and the design requires modifications to improve pedestrian connectivity and also to improve capacity. Clearly there is still a significant amount of work to be done and at the present time the delivery of a scheme at the junction is not programmed and there is no certainty when this will happen without the funding in place.

The applicant has included alternative schemes in their TA which are similar to those previously put forward as options by KCC Highways. These comprise of a gyratory including the A26/Fountain Lane/Heath Road Hermitage Lane junctions and also Queens Road/A26/Fant Lane. The applicant proposes 2 options for a gyratory system to improve capacity these are:

1. Full one-way gyratory as shown on drawing 003-SK-001 Rev B at Appendix U of the TA. This proposes one-way traffic along St Andrews Road to a new junction onto A26/Queens Road, one-way south west bound on Tonbridge Road and northbound on fountain Lane to its junction with Hermitage Lane/Heath Road/St Andrews Road.
2. Gyratory with A26 remaining two way. The drawing of this proposal is not included at Appendix U please could this be provided.

The modelling results for Option 1 (full one-way gyratory) do show all arms to operate within desirable capacity in 2031 with development, however the results for Option 2 indicate several arms over desirable capacity and in particular the Queens Road junction would operate over theoretical capacity in 2031 both with and without the development.

The introduction of a gyratory system has been considered previously by KCC and discounted. Whilst under consideration it was found to be unpopular with local residents and members. The proposals would significantly increase traffic flows along St Andrews Road and parking restrictions would be required. The implementation of a one-way Order and parking restrictions would be subject to consultation and given the likely objections such a scheme cannot be guaranteed delivery.

Improvements to the A26/Fountain Lane/Farleigh Lane are necessary to mitigate the impact of this development, however delivery of the one way working gyratory scheme, as proposed by the applicant, has a high level of uncertainty. The KCC proposed improvement scheme is still in early stages. A contribution to this would seem appropriate, and the funding gap is approximately £2.5m. This amount could be reduced subject to alternative funding sources. Such a contribution would be welcome and would allow the scheme to come forward with

delivery possible in 2023/24, however it would be necessary for the improvement scheme to be delivered prior to occupation.

Conclusion

Additional information is required as outlined above and summarised as follows:

1. Please extend the cycleway as shown on the secondary access drawing number 5407.003 Rev B. into the secondary access.
2. Revised plans are required showing the secondary access proposal but amended to allow a running lane of 3.5m each side of the traffic island due to the amount and type of traffic on Hermitage Lane and to allow an adequate safety zone for maintenance purposes.
3. The safety audit of drawing 5407.003 Rev B of the secondary access includes comments which are not adequately addressed in the Designer's Response.
4. Site layout drawings to be amended to show additional space and tracking at internal junctions as described in the foregoing report.
5. There are significant differences in the flows between A20/Hermitage Lane and Coldharbour Roundabout and also between Coldharbour Roundabout and Poppyfields Roundabout which is difficult to explain as there are no other turnings between the junctions. Please could this be checked.
6. The proposed mitigation scheme for the A20/Hermitage Lane junction as shown on Drwg 004-SK-004 Rev A provides relief to some arms of the junction but the A20 London Road East ahead movement and the Hermitage Lane right turn movement show excessive capacity issues in the AM peak without Whitepost Field link road, which are worse than the 'without development' scenario. Additional mitigation is needed if the development is occupied prior to the delivery of the Whitepost Field link road.
7. Further clarification of the traffic distribution diagrams and traffic survey validation as outlined in the foregoing review.
8. A suitable improvement scheme is required to mitigate the impact of the development at the A26/Fountain Lane/Farleigh Lane junction the most appropriate solution would be to provide funding to allow the delivery of the proposed KCC dual roundabout scheme. The funding gap currently stands at circa £2.5m

Once this information is provided I will issue additional comments, however I recommend a holding objection until this information is provided and reviewed.

If in the meantime, the Local Planning Authority are minded to grant permission I would recommend that following S106 requirements and conditions be included:

Part 1

No development prior to the completion of the following highway works:

- A20/Hall Road/Mills Road improvements scheme
- A20/Coldharbour Lane Roundabout improvement scheme

Part 2

No occupation of the development prior to the completion of the following highway works:

- Whitepost Field link road between Hermitage Lane and Poppyfields Roundabout on the A20
- A26/Fountain Lane/Farleigh Lane improvement scheme (KCC scheme)

Part 3

S106 financial contributions are required towards the following:

- A contribution of £255,000 towards the KCC Footway/cycleway improvement scheme and speed limit reduction along Hermitage Lane between Chapelfield Way and Maidstone hospital.
- An amount of £2.5m to facilitate the delivery of the A26/Fountain Lane/Farleigh Lane improvement scheme (KCC scheme). This amount could be reduced should alternative funding come forward.
- An amount of £910 per dwelling (£300,300 total) towards enhancements to bus services/bus journey times.
- Travel Plan monitoring fee of £1422 to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinator to achieve the objectives.
- Contribution of £15,000 to fund design and consultation for a scheme to address congestion and pollution issues at the junction of A26 / Bow Road /Red Hill Wateringbury, subject to the Joint Transportation Board.

Part 4

The following S278 works are required prior to occupation of the development:

- Footway/cycleway along the eastern side of Hermitage Lane between Barming Station and Chapelfield Way and to include a link to the public right of way adjacent to Hermitage Quarry including a pedestrian crossing facility on Hermitage Lane.
- Prior to occupation an improvement scheme for the junction of the A20/Hermitage Lane as shown in principle on Drawing 004-SK-004 Rev A but amended to include the comments from the KCC traffic signals engineer who has stated that reversing the stagger leaves very little room to get the necessary traffic signal equipment on the corner radii, the crossing width needs to be 3.2m and the stopline located 3m from the edge of the tactile paving. Also, the revised signals would need to be linked to the nearby Preston Hall lights and the ducting extended as a result. The new crossing would need to be near-sided puffin type, as would the others which would necessitate a complete site refurbishment.

Should permission be granted allowing occupation prior to the opening of the Whitepost Field link road additional mitigation will be required.

- Primary access to be provided as shown in principle on drawing number 5407.005 Rev C.
- Secondary access to be a left in - left out only design as shown in principle on Drawing number 5407.003 Rev A but to include running lanes of 3.5m minimum width each side of the proposed central island.

Part 5

The following additional conditions are required:

- Links for pedestrians and cyclists are required to Corben Close and the community hall on the existing Croudace site,
- The applicant is required to pursue a stopping up order under the Town & Country Planning Act in respect of the short section of the existing carriageway that becomes redundant due to the new secondary access.
- The applicant is required to pursue a Traffic Regulation Order (TRO) to introduce 'No Right Turns at the junction of the secondary access through the 3rd party TRO process and to pursue a 30mph speed limit along Hermitage Lane.
- Prior to commencement of development the applicant shall submit for written approval of the Local Planning Authority a revised Travel Plan for the combined Croudace developments and register the plan with KCC Jambusters website (www.jambusterstmps.co.uk). The applicant shall implement and monitor the approved travel plan, and for each subsequent occupation of the development thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

Monitoring requirements should only cease when there is sufficient evidence for all parties to be sure that the travel patterns of the development are in line with the objectives of the travel plan. Completed post occupation survey forms from all new dwellings/occupants on the site will be required to be submitted on the final monitoring period. A fee of £1,422 is required, prior to first occupation of the development, to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinators to achieve the objectives.

- A car club is required with free membership provided for resident of the development for a period of 2 years post occupation.
- A cycle hub on site with a bike hire scheme.
- Parking is required in accordance with IGN3 and safe secure cycle parking in accordance with SPG4. All homes with off street parking should be supplied with electric charging facilities and all communal parking areas should provide a minimum of 10% EV charging with an additional 10% passive provision.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- 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

INFORMATIVE: It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours sincerely

Louise Rowlands
Principal Transport & Development Planner



Tonbridge & Malling Borough Council
 Development Control
 Gibson Building
 Gibson Drive
 Kings Hill
 West Malling, Kent
 ME19 4LZ

Highways and Transportation

Ashford Highway Depot
 4 Javelin Way
 Ashford
 TN24 8AD

Tel: 03000 418181
Date: 16 June 2021

Application - TM/20/02749/OAEA

Location - Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent

Proposal - Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Dear Matthew

Thank you for consulting me on Technical Notes 15, 16 and 17 which have been provided by Stuart Michael Associates in response to my previous consultation responses dated 11th February 2021 and 26th April 2021 and also to comments raised by Highways England. Previous transport related documents submitted with this application include the Transport Assessment (TA) dated November 2020 and the Transport Assessment Addendum (TAA) dated 11.2.21.

I have reviewed the Technical Note and I have the following comments:

1. Secondary Access

Drawing 5407.003 Rev D has been provided and this includes a footway/cycleway on each side of the secondary access into the development site with crossing facilities included, wider 3.5m running lanes on Hermitage Lane as previously requested and additional space for vehicles turning into the secondary access from Hermitage Lane north. Previous concerns relating to these points are adequately addressed.

2. Internal Layout

Drawing 5407.007 Rev B has been provided. It is noted that the layout is indicative due to the application being outline. Further comments indicating any adjustments necessary can be provided at the detailed stage however a layout which is constrained and convoluted to deter unnecessary through trips will be an important requirement of the detailed application.

3. Traffic Flows

Traffic survey data has been sourced from the A20 Corridor Route Study and the 2018 TMBC District TA. Both these documents form part of the evidence for the draft TMBC Local Plan. Additionally, surveys included in the 2019 Oakapple Lane Transport

Assessments have been used which were prepared for planning application TM/20/01218 and MA/20/501773. These different sources have been used in order that impact assessments could be completed given that surveys would not be representative at the present time due to Covid. Under the current circumstances this is found to be acceptable.

I have revisited fig 2.1 which is a distribution diagram comparing the 2016 survey data with and without the Whitepost Field link Road. I have checked the flows presented for the A20/Hermitage Lane junction against the flows included in the A20 Corridor Route Study and found that the discrepancy is the right turn from Arm A A20 East to Arm D Preston Hall which is shown as 177 in fig 2.3 and 50 in the Route Study. This explains the differences in traffic flows between the A20/Hermitage Lane and Coldharbour Roundabout. I have also checked the Linsig details for the corresponding scenario and found that the correct number (50) pcu's has been entered.

A further planning application has received permission recently which will add to the traffic flows on the A20/Hermitage Lane junction and the A20/Coldharbour Road junction. The application is TM/20/01820 for the redevelopment of the Aylesford Newsprint site. The applicant has provided **Technical Note 17** which includes additional modelling to account for the traffic associated with the redevelopment of the Newsprint site.

4. A20/Hermitage Lane – Capacity without Whitepost Link Road

The junction improvement scheme proposed by the applicant improves capacity such that the junction would operate within capacity in 2025 when modelled with the Whitepost Field development (TM/17/01595) and the Whitepost Field link road and including the traffic generated by the current Croudace planning application. Concerns were raised however that without the Whitepost Field link road the A20/Hermitage Lane junction would be over capacity even with the implementation of the junction improvement scheme put forward by the applicant.

Analysis of the modelling results show that whilst there is some additional queueing on some arms of the junction other arms see significant improvements. Overall, the Practical Reserve Capacity at the junction is improved by 22.6% in the AM peak and by 6.7% in the PM peak when comparing the 2025 base, no Whitepost Field link and no development with the same scenario but with development and with mitigation. Also, total delays at the junction are significantly reduced in the 'with development, with mitigation' scenario. For these reasons I am of the view that with the mitigation scheme in place there would be no severe impact at this junction both with and without the delivery of the Whitepost Field link road.

The proposed mitigation scheme is shown on Drawing 004-SK-004 Rev A and has the benefit of a safety audit. The KCC Traffic Signals engineer has stated that detailed design features of the junction improvement scheme can be addressed at the detailed design stage and this will include the linking of the signals to the nearby Preston Hall lights, extending the ducting and provision of a near-sided puffin type crossing together with some site refurbishment. This work would be delivered by the applicant via a S278 Agreement.

5. A26/Fountain Lane/Farleigh Lane Junction Improvement

I note the applicant's concern regarding the previously recommended contribution towards the A26/Fountain Lane improvement scheme. I have taken advice from TMBC and we agree that any contribution should be fair and proportionate.

I therefore propose two alternative options, both of which are considered to be fair, reasonable and necessary for the development:

- The applicant has put forward options to improve capacity to mitigate their impact and these comprise of gyratory schemes as previously proposed by KCC Highways. KCC Highways do not intend to progress these schemes and it is highly uncertain that the schemes could be delivered by the developer. It would therefore seem reasonable for the applicant to contribute the cost of the schemes towards KCC's junction improvement scheme.
- The S106 Agreement in respect of the Whitepost Field development TM/17/01595 requires the developer to provide a contribution of £1.3m towards highway improvements to the proposed new roundabout at the A20/Mills Road/Hall Road junction and/or junction improvements to the A26/Fountain lane junction. This being the case, a contribution of £1.2m from the Croudace site would bridge the funding gap and allow the necessary junction improvements to be delivered.

6. Travel Plan

Details of car club and cycle hire schemes have been included as requested and will be secured through the Travel Plan at the detailed stage.

7. Footway Link to Corben Close and Hermitage Quarry PRow

I note a traffic island on Hermitage Lane is included in the drawings and this will provide a pedestrian connection to the PRow adjacent to Hermitage Quarry as requested.

I look forward to the receipt of details of the links to Corben Close and along the western site boundary to the northern boundary to allow connections for pedestrians and cyclists.

8. Removal of trees

I have consulted the KCC Landscaping Team and I am advised that each tree to be removed has a value which needs to be paid to KCC Highways Landscaping team.

Conclusion

No objection subject to the following conditions:

Part 1

No development prior to the completion of the following highway works:

A20/Coldharbour Lane Roundabout improvement scheme

Part 2

No occupation of the development prior to the completion of the following highway works:

A26/Fountain Lane/Farleigh Lane improvement scheme (KCC scheme)

Part 3

S106 financial contributions are required towards the following:

1. A contribution of £262,036 towards the KCC Footway/cycleway improvement scheme and speed limit reduction along Hermitage Lane between Chapelfield Way and Maidstone Hospital.
2. A contribution of £1.2m towards the delivery of the A26/Fountain Lane/Farleigh Lane improvement scheme (KCC scheme).
3. An amount of £910 per dwelling (£300,300 total) towards enhancements to bus services/bus journey times.
4. Travel Plan monitoring fee of £1422 to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinator to achieve the objectives.
5. Contribution of £15,000 to fund design and consultation for a scheme to address congestion and pollution issues at the junction of A26 / Bow Road /Red Hill Wateringbury, subject to the Joint Transportation Board.
6. Prior to commencement of development the applicant shall submit for written approval of the Local Planning Authority a revised Travel Plan for the combined Croudace developments and register the plan with KCC Jambusters website (www.jambusterstpms.co.uk). The applicant shall implement and monitor the approved travel plan, and for each subsequent occupation of the development thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

Monitoring requirements should only cease when there is sufficient evidence for all parties to be sure that the travel patterns of the development are in line with the objectives of the travel plan. Completed post occupation survey forms from all new dwellings/occupants on the site will be required to be submitted on the final monitoring period. A fee of £1,422 is required, prior to first occupation of the development, to fund KCC's Travel Plan Advisor to review monitoring reports and work with the Travel Plan Coordinators to achieve the objectives.

7. A car club is required with free membership provided for resident of the development for a period of 2 years post occupation.
8. A cycle hub on site with a bike hire scheme.

Part 4

The following S278 works are required prior to occupation of the development:

- Footway/cycleway along the eastern side of Hermitage Lane between Barming Station and Chapelfield Way and to include a link to the public right of way adjacent to Hermitage Quarry including a pedestrian crossing facility on Hermitage Lane as shown in principle on Drawing 5407.003 rev D.
- Improvement scheme for the junction of the A20/Hermitage Lane as shown in principle on Drawing 004-SK-004 Rev A but amended to include the comments from the KCC traffic signals engineer who has stated that reversing the stagger leaves very little room to get the necessary traffic signal equipment on the corner radii, the crossing width needs to be 3.2m and the stopline located 3m from the edge of the tactile paving. Also, the revised signals would need to be linked to the nearby Preston Hall lights and the ducting extended as a result. The new crossing would need to be near-sided puffin type, as would the others which would necessitate a complete site refurbishment.
- Primary access to be provided as shown in principle on drawing number 5407.005 Rev C.
- Secondary access to be a left in - left out only design as shown in principle on Drawing number 5407.003 Rev D but to include running lanes of 3.5m minimum width each side of the proposed central island.
- The internal access arrangements to be provided as indicated in principle on Drawing 5407.007 Rev B. Further comments indicating any adjustments necessary can be provided at the detailed stage however a layout which is constrained and convoluted to deter unnecessary through trips will be an important requirement of the detailed application.
- The applicant is required to pursue a Traffic Regulation Order (TRO) to introduce 'No Right Turns at the junction of the secondary access through the 3rd party TRO process and to pursue a 30mph speed limit along Hermitage Lane.
- Links for pedestrians and cyclists are required to Corben Close, the community hall on the existing Croudace site and along the western boundary to the northern site boundary.
- KCC Landscaping Team require appropriate funding for each tree in the Highway to be removed.

Part 5

The following additional conditions are required:

- The applicant is required to pursue a stopping up order under the Town & Country Planning Act in respect of the short section of the existing carriageway that becomes redundant due to the new secondary access.

- Parking is required in accordance with IGN3 and safe secure cycle parking in accordance with SPG4. All homes with off street parking should be supplied with electric vehicle charging facilities and all communal parking areas should provide a minimum of 10% EV charging with an additional 10% passive provision.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- 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
- Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:
 - (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).
- The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

INFORMATIVE: It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is

therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours sincerely

Louise Rowlands
Principal Transport & Development Planner

From: Louise.Gordon@kent.gov.uk
To: [Matthew Broome](#)
Subject: TM/20/02749/OAEA - Croudace application, Hermitage Lane
Date: 15 September 2021 12:31:22

Hi Matt

Following our discussion yesterday I have taken your advice and I understand that the conditions attached to any planning consent need to be fair and reasonable so the condition in respect of the Coldharbour Roundabout could be amended to pre occupation instead of pre commencement as you suggest. With regard to the A26/Fountain Lane junction I can agree that a condition to secure the £1.2m for the improvement work prior to commencement and remove the condition re no development prior to occupation.

I hope that helps.

Kind Regards

Louise Gordon | Principal Transportation & Development Planner | Kent County Council |
Highways, Transportation and Waste | Ashford Highway Depot | Henwood Industrial Estate,
Javelin Way, Ashford, TN24 8AD | External: 03000 418181 | www.kent.gov.uk |

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From: [Bown, Kevin](#)
To: [Planning Applications](#)
Cc: [Planning SE](#)
Subject: FAO Case Officer Matthew Broome: Highways England initial response (our ref 90295#12393) re application TM/20/02749/OAEA Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent
Date: 08 February 2021 18:13:28

For attention of:	Matthew Broome
Site:	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent
Proposal:	Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)
Your Reference:	TM/20/02749/OAEA
Highways England's Reference:	90295#12393

Dear Mr Broome

Thank you for your email dated 18 January consulting Highways England on the above application, seeking a response no later than 8 February 2021.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case, particularly the M20, within the vicinity of Junctions 4 to 6.

Unfortunately due to IT issues that affected all HE systems for much of last week, we are a little behind in our case work. We are rapidly catching up and would hope to be able to provide our response on this application to you in the next couple of days.

Please accept my apologies for any inconvenience this may cause.

Regards

Kevin Bown BSc(Hons) MPhil CMS MRTPI Spatial (Town) Planning Manager
Spatial Planning Team, South East Region Operations Directorate
 Highways England | Bridge House | 1 Walnut Tree Close | Guildford | GU1 4LZ
Tel: 0300 470 1046 (all calls to this number will also patch through to my mobile)
Web: <http://www.highways.co.uk>

Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or TEAMS. We will continue to seek to work to our statutory and other deadlines. In case of IT or other issues, please copy all emails to PlanningSE@highwaysengland.co.uk . Thank you.

We are mindful that:

- People's physical, mental and emotional health are of utmost importance
- People are not 'working from home', they are 'at their home during a pandemic trying to work'
- People might be working different hours, but they should not be working excessive hours
- People should be gentle on themselves and others, not judging based on how they/ others are coping
- Individual and team success is not to be based on 'normal times' expectations

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Highways England Company Limited | General enquiries: 0300 123 5000
| National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park,
Birmingham B32 1AF | <https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk

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1 Walnut Tree Close, Guildford, Surrey GU1 4LZ*

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From: [Bown, Kevin](#)
To: [Planning Applications; randerson@iceniprojects.com](#)
Subject: FAO Case Officer Matthew Broome: Highways England response (our ref 90295 #12393#12864) re Transport Assessment Addendum received 15.3.2021 TM/20/02749/OAEA Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent ME20 7NU
Date: 29 March 2021 16:05:57

For attention of:	Matthew Broome
Site:	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent ME20 7NU
Proposal:	Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access) Transport Assessment Addendum received 15.3.2021
Your Reference:	TM/20/02749/OAEA
Highways England's Reference:	90295 #12393#12864

Dear Mr Broome

Thank you for your letter dated 15 March 2021 notifying Highways England of the submission of a Transport Assessment Addendum (dated 15 March), and seeking a response no later than 29 March.

I am writing to notify you that in order to assess the latest information we have obtained transport modelling which now has to be separately assessed.

We hope to have completed the assessment within the next 10 days and will write again with our comments at that point.

In the meantime, we request that the Council continue to refrain from determining the application (other than a refusal if it so wishes). If the council wishes to determine the application before this point, please contact us and we will provide our formal recommendations as they stand at that point.

We have copied our response to the applicant's agent, Iceni, and look forward to receiving their response in due course.

In the meantime, if you, or they, have any questions, please contact us at planningse@highwaysengland.co.uk .

Regards,

Kevin Bown BSc(Hons) MPhil CMS MRTPI Spatial (Town) Planning Manager
Spatial Planning Team, South East Region Operations Directorate
Highways England | Bridge House | 1 Walnut Tree Close | Guildford | GU1 4LZ
Tel: 0300 470 1046 (all calls to this number will also patch through to my mobile)
Web: <http://www.highways.co.uk>

Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or TEAMS. We will continue to seek to work to our statutory and other deadlines. In case of IT or other issues, please copy all emails to PlanningSE@highwaysengland.co.uk . Thank you.

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- **People's physical, mental and emotional health are of utmost importance**
- **People are not 'working from home', they are 'at their home during a pandemic trying to work'**
- **People might be working different hours, but they should not be working excessive hours**
- **People should be gentle on themselves and others, not judging based on how they/ others are coping**
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Birmingham B32 1AF | <https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk

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From: [Bown, Kevin](#)
To: [Planning Applications; "randerson@iceniprojects.com"](#)
Cc: [Planning SE](#)
Subject: FAO Case Officer Matthew Broome: Highways England updated response (our ref 90295#12393 #13192) re application TM/20/02749/OAEA Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent
Date: 13 May 2021 19:40:26
Attachments: [20210513_5165058_804 HE TN_20-02749-OAEA Land S of BarmingStation_ModellingReview.pdf](#)

For attention of:	Matthew Broome
Site:	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent ME20 7NU
Proposal:	Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)
Your Reference:	TM/20/02749/OAEA
Highways England's Reference:	90295 #12393 #13192

Dear Mr Broome

Thank you for consulting Highways England on 29 April 2021 regarding various updates and further submitted evidence in support of the above applicaiton, seeking a response no later than 13 May 2021.

You will recall that Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case, particularly the M20 J5 within vicinity of the A20/Aylesford Interchange.

With this in mind, please find attached a Technical Note providing our assessment of the latest submitted transport related evidence.

You will note we have copied this email to the applicants agent and await their response in due course.

In the meantime if you or they have any queries, please contact us via planningse@highwaysengland.co.uk.

Regards

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We are mindful that:

- **People's physical, mental and emotional health are of utmost importance**
- **People are not 'working from home', they are 'at their home during a pandemic trying to work'**
- **People might be working different hours, but they should not be working excessive hours**
- **People should be gentle on themselves and others, not judging based on how they/ others are coping**
- **Individual and team success is not to be based on 'normal times' expectations**

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Highways England Spatial Planning

Land South Of Barming Station And East Of
Hermitage Lane Aylesford Kent ME20 7NU

13 May 2021

Tonbridge & Malling Borough Council Ref: TM/20/02749/OAEA

HE Ref: 90295#13192

Atkins Ref: 5165058.804 Barming Station Modelling Review

Notice

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This document has 15 pages including the cover.

Document history

Document title: Highways England position statement relating to Barming Station (20/02749/OAEA)

Document reference: 5165058.804 Barming Station Modelling Review

Revision	Purpose description	Originated	Checked	Reviewed	Authorised	Date
Rev 1.0	Highways England Modelling Review	TM/LB	TM/LB	ND/AB	AB	16/04/2021
Rev 2.0	Highways England – Comments	TM/LB	TM/LB	AB	ND	11/05/2021

Client signoff

Client	
Project	Highways England Spatial Planning
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Contents

Contents

1.	Introduction	4
2.	Transport Assessment Addendum Review	5
	Sustainable Transport	5
	Access Arrangements	5
	Accident Data	6
	Traffic Distribution	7
	Hermitage Quarry	8
3.	Modelling Assessment	8
	M20 Junction 5 (Aylesford Interchange)	8
	Coldharbour Lane / A20 London Road roundabout	9
	Poppy Fields / A20 London Road roundabout	10
	Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad	11
4.	Way Forward / Summary	12

1. Introduction

- 1.1. Atkins has been instructed to provide a technical review of the submitted modelling files and associated technical reports for the outline application at Land South of Barming Station and East of Hermitage Lane, Maidstone (TM/20/02749/OAEA), on behalf of Highways England. The proposed development at the site is for up to 330 residential dwellings and could have a traffic impact upon the M20 J5 within the vicinity of the A20/Aylesford Interchange.
- 1.2. On 09 February 2020, Highways England provided initial comments to the Tonbridge and Malling Borough Council (TMBC) case officer, and the applicant, via their transport consultants Stuart Michael Associates (SMA). Highways England requested further information with regards to the following items:
 - **Committed Development**, including the adjacent Hermitage Quarry.
 - **Trip Generation** was stated as 147 AM and 133 PM (two-way) peak hour trips and had been accepted by both TMBC and Kent County Council (KCC) during previous discussions. The trip generation was also established as those identified within the TMBC Local Plan Traffic Model. Highways England was not party to this discussion and has not formally agreed these trip rates.
 - **Trip Distribution**, clarification around the trip distribution numbers especially with regards to the Whitepost Field Link Road, proposed within the application.
 - **Traffic Flows**, clarification around base and forecasted traffic flows with additional narrative to explain 'lost' trips within the system, given a number of baseline sources being used over traffic surveys.
 - **Traffic Modelling**, files were to be provided to assess appropriateness of the models (base and proposed) in terms of calibration/validation for base models and outputs in relation to impact on the network.
- 1.3. SMA provided updated files and a Transport Assessment Addendum (TAA) to Highways England on 18 March 2021 for review. These included the following files:
 - Transport Assessment Addendum (March 2021, 5407/ATA).
 - Transport Assessment (November 2020, Issue 02, 5407/TA).
 - Transport Assessment Volume 2 of 4 (Drawings) (November 2020, Issue 02, 4407/TA).
 - A20_Corridor_Forecast_Junction_Assessments_March2018.pdf.
 - F1 London Road Aylesford.pdf.
 - TRA 037 (A) M20 Junction Assessments (November 2016).
 - 1. A20 London Road_Hermitage Lane_Preston Hall (No Link Road).lsg3x.
 - 1. A20 London Rd_HermLn_Preston Hall + Mitt (No Link Road).lsg3x.
 - 9. Coldharbour Rdbt.j9.
 - 9. Coldharbour Rdbt - Revised Geometry.j9.
 - 10. Poppy Fields Roundabout.j9.
 - 10. Poppy Fields Roundabout (No Link Road).j9.
 - 16. M20 Junction5 2031 Base & 2031 Base + Dev.j9
- 1.4. Previous modelling files utilised in the original TA were also provided, to ensure that the modelling team had a comparison upon which to base the original assessment and the revised modelling.
- 1.5. Tonbridge & Malling Borough Council also notified Highways England of these and other updates on 29 April 2021 seeking a response no later than 13 May 2021.
- 1.6. A key consideration for this application is the potential implications of the proposed Whitefield Post Link Road, which connects Hermitage Lane and Poppy Fields roundabout. The modelling for application TM/20/02749/OAEA has been assessed both with and without the proposed link

road in order to understand the impacts upon both the Local Road Network (LRN) and the Strategic Road Network (SRN).

- 1.7. Atkins has been requested to assess the above modelling files and TAA in terms of the likely traffic impact upon the reliability, safety and operation of the SRN in line with the tests set out in MHCLG NPPF 2019 Para 108-11 & DfT Circ 02/13 Para 8-11 in this location and its vicinity.

2. Transport Assessment Addendum Review

- 2.1. The TAA considers the responses received from both Highways England and KCC upon the initial outline application assessment and responds to the initial questions raised. While the issues raised by KCC focus on the LRN, it is important to consider them as part of an overall response in order to ensure that all aspects of the application that may affect the SRN are addressed. Any TA should look at the LRN and the SRN separately and then the interplay between the two for a holistic assessment. These issues have been assessed using the TAA format and naming regime.

Sustainable Transport

- 2.2. As the site is relatively remote from Maidstone town centre, being located on the outskirts of residential suburbs and semi-rural greenfield land, KCC requested that “*contributions / improvements were undertaken with regards to a bicycle / pedestrian link between the site and the hospital, including a speed reduction from 40mph to 30mph along Hermitage Lane*” (Para 2.1, TAA). The developer has agreed to a financial contribution on this scheme with regards to the foot and cycleway improvements between Barming Station and the Hospital (Para 2.2, TAA). The TAA does not state as to whether KCC has garnered the support of Kent Police with regards to the speed reduction or whether there would be any further impact in terms of traffic re-routing.
- 2.3. The adjacent Croudace site (13/1749, APP/UA2235/A/14/3336326), directly adjacent to the south and permitted development for up to 500 dwellings, is funding a half-hourly service between the site, the hospital and Maidstone town centre with new bus stops on Chapelfield Way. The developer of the current application (TM/20/02749/OA), has accepted to provide a contribution towards enhancements of the bus services should they be reasonable and appropriate as per Community Infrastructure Levy (CIL).
- 2.4. KCC has also requested that Network Rail are consulted to ensure that any required Barming Station improvements are considered. The Applicant has indicated that improving connectivity between the site and the station would be covered within reserved matters applications (see Para 2.6, TAA).
- 2.5. KCC has requested that the initial 6% reduction in single vehicle occupancy related to the site should be raised to 10% by 2024 and the Applicant is currently reviewing this request.

ACTION: Updates should be provided regarding the proposed speed limit reduction, Network Rail consultation and single occupancy reduction

Access Arrangements

- 2.6. The primary vehicular access is proposed to be onto Chapelfield Way, with the secondary (Left-In, Left-Out – LILO) access onto Hermitage Way, as can be seen in Figure 2-1.



Figure 2-1: Illustrative Masterplan of site and both access points (Taken from submitted application information, TM/20/02749/OA)

- 2.7. We note it is suggested that the Hermitage Lane LILO will have a beneficial impact upon the traffic flows along Hermitage Lane, given the proximity of the site to the Hermitage Quarry. Most traffic is likely to use the Chapelfield Way priority junction access to both enter and exit the site, unless heading southbound along Hermitage Quarry from the SRN to the site. However, historically routes heading south have not been popular given the known local congestion issues at various junctions along the LRN in this location. Therefore, it is likely that traffic may still seek to head north to the SRN thereby altering trip flows and trip generation.
- 2.8. The formation of the LILO would also require a Stopping Up Order in order to realign the carriageway and the proposed 'no right turn' into the site from Hermitage Lane. There is likely to be some small traffic impacts associated with the works along Hermitage Lane during construction which may then impact the traffic flows along the A20 / Coldharbour Lane that will need to be considered closer to the construction period with a Traffic Management Plan.

ACTION: The TAA should clarify how it has assessed current and likely future LRN circumstances and hence likely routing to/ use of the SRN even for local journeys (say from the site to Maidstone town centre).

ACTION: In accordance with our normal practice, we will require a Construction Management Plan to be provided covering both the construction of the LILO on Hermitage Lane and the wider site. The CMP should include details (text, maps and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include, but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site; travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

Accident Data

- 2.9. Atkins notes that further information has been provided with regards to Accident Data, indicating that there were 30 accidents occurring between 1 October 2015 and 30 September 2019. Of these, 27 were slight and 3 were serious. Accidents were clustered at the A20 / Hermitage Lane junction (14 accidents) and at the Barming Station/Hermitage Lane Junction (6 accidents). The remainder of the accidents were dispersed along the LRN, with the serious accidents occurring at A20 / Hermitage Lane (1 in total), A20 / Hermitage Lane / Retail Park Junction (1 in total) and

South of Chapelfield Way / Hermitage Lane Junction (1 in total). Of the accidents recorded as serious, these were related to driver error.

- 2.10. No accidents were obviously directly attributable to highway design or highway failure. As such, Atkins has no further comments to make with regards to accident data.

Traffic Distribution

- 2.11. In an email dated 09 February 2021, Highways England requested that the traffic diagrams and flows should be reassessed to ensure that the flows tally along the turning proportions. Highways England noted that a number of trips were 'lost' in the network (i.e. they started but didn't make it to the end of the route – disappearing from the network). KCC also requested this action and noted that vehicles could not be traced through the network.
- 2.12. The TAA notes that within the original TA, the opposing movements generated from the trip rates utilised with the Oakapple Lane Transport Assessment Addendum (July 2020) were not included. These trip rates were agreed with KCC as an acceptable source of data to use for trip generation given the inability to undertake surveys due to COVID-19 in 2020. For the revised TAA, the distribution has been reproduced including the opposing traffic flows (TAA, Para 2.42).
- 2.13. Having reviewed the figures provided, the reassignment of traffic indicates that the turning proportions generated from Hermitage Lane / Whitepost Field Link Road roundabout are 53% utilising the Link Road and 47% using the original Hermitage Lane / A20 junction in both the AM and PM Peak period movements.
- 2.14. The proposed route of the Whitepost Field Link Road is indicated below, and stems from the Outline Application for up to 840 dwellings at Land South of London Road (17/01595/OAEA):



Figure 2-1 - Whitepost Field Link Road proposed route (17/01595/OAEA)

- 2.15. Confirmation should be obtained from KCC Highways as to the likelihood of the Whitepost Link Field Road coming forward as part of the proposed development and in what timeframe it is likely to be open. Furthermore, as indicated below, narrative should be provided regarding the impact on traffic and routing in the area and up to the M20 if the Link Road is delayed or not delivered..
- 2.16. Conditions included within the Whitepost Field Link Road application for the opening of the Link Road are as follows:
- Improvements to the existing Poppy Fields roundabout at the eastern end.
 - Construction of the link road from east to west.
 - Construction of a new roundabout at the western end onto Hermitage Lane.
 - Construction of 175 residential units (maximum).
- 2.17. As such, modelling would need to consider the above parameters of the site both with the Link Road and without to fully assess the impact of the proposed development at Barming Station upon the SRN. This is covered within the Modelling Assessment (see Section 3 below).

- 2.18. The reassignment of traffic via the Link Road will decrease movement through the M20J5 and the A20 / Hermitage Lane / Coldharbour Lane junction. The TAA indicates that during the AM period 377 vehicles would utilise the link road leaving a remainder of 335 vehicles to continue to the A20 / Hermitage Lane / Coldharbour Lane junction. In the PM period, 457 vehicles are likely to undertake the reverse movement and exit from Whitepost Field Link Road, leaving 390 vehicles using the A20 / Hermitage Lane / Coldharbour Lane junction (Para 2.45 and 2.46).
- 2.19. The TAA notes that during the reassessment, the amount of traffic assigned to the Whitepost Field Link Road in the PM scenario was more than had been removed off the network in the original TA (Para 2.48). Through reassessment, it was noted that this quantum (overestimation of 12 vehicles) would not impact modelling or the significance of traffic upon the SRN but does indicate that a worst-case scenario has been tested through.
- 2.20. **ACTION: Further narrative and modelling of the Whitepost Field Link Road to be provided and evidence regarding the implications for the SRN of any delay or non-delivery of the Link road.**

Hermitage Quarry

- 2.21. In an email dated 09 February 2021, Highways England requested that the Hermitage Quarry traffic be assessed as part of the cumulative development upon the network in order to fully assess the detail and impact, given that Hermitage Quarry has exceeded their planning permission for quantum of movements permissible in the AM / PM peak hours.
- 2.22. SMA note in the TAA that the additional trips have been accounted for in their modelling work currently being assessed (reviewed in Section 3 below) based on the fact that the baseline data for A20 / A26 between 2016 and 2017 was taken from KCC's own data and traffic flows along Hermitage Lane were taken from the 2018 Oakapple Lane Transport Assessment (TAA, Para 3.4).
- 2.23. A recent application at Hermitage Quarry (KCC/TM/02089/2020) to vary condition 9 and 10 of Annex A2 of planning permission TM/10/2029, to amend the number and timing of HGV movements associated with ongoing operations at the quarry, providing background data of trip generation and vehicle movement for the past three years. The applicant has chosen not to utilise this data within their assessment of trip flows onto Hermitage Lane, instead preferring to utilise data taken from the Oakapple Lane Transport Assessment and KCC traffic data. While the Hermitage Quarry data is likely to be more reflective of larger movements onto Hermitage Lane, it would only account for the quarry traffic and not all movements on the LRN. Accordingly, there are no further comments regarding Hermitage Quarry.

3. Modelling Assessment

- 3.1. This review focuses only on the SRN junctions, and any LRN junctions that could impact in terms of queuing back to slip roads. Therefore, the following four key junctions have been reviewed, with each discussed separately below:
- M20 Junction 5 (Aylesford Interchange).
 - Coldharbour Lane / A20 London Road roundabout.
 - Poppy Fields / A20 London Road roundabout.
 - Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad.

M20 Junction 5 (Aylesford Interchange)

- 3.2. The Junctions 9 (ARCADY) modelling for the M20 Junction 5 (Aylesford Interchange) undertaken as part of the original November 2020 TA has been reviewed. This model file was named:
- 16. M20 Junction5 2031 Base & 2031 Base + Dev.j9

- 3.3. It appears that no validated base modelling has been undertaken as only future year scenarios have been tested. Evidence of a validated model should be provided, or justification of any alternative approach, in order to establish an accurate representation of the existing junction performance prior to the testing of any future year scenarios. This is to ensure confidence in the assessment of future junction performance and that mitigation proposed is appropriate.

ACTION: Calibrated and validated base model evidence to be provided.

- 3.4. The model assesses four 2031 scenarios (i.e. AM and PM peak with and without development), but it is not clear if any proposed mitigation has been included in these four scenarios as no proposed drawing has been provided as part of this review. A cursory check of the geometry using aerial photography has indicated that there are a number of discrepancies mostly in terms of Approach Road Half-Widths, Effective Flare Lengths and Entry Radii. Therefore, we request that the proposed M20 Junction 5 geometric take off drawing is provided for a more thorough review.

ACTION: Proposed M20 J5 geometric take off drawing to be provided for review.

- 3.5. Section 5.23 of the original November 2020 TA states that the base flows were sourced from the 'A20 Corridor Junction Assessments – Do Something Reg 19 Scenario' document, produced by C&A in 2019 (doc ref: 18-044-02 Rev D). The assessments within that document used the KCC VISUM model to assess the A20 network in the 2031 future year. Therefore, we request a copy of this document to check that its flows have been applied correctly to the ARCADY modelling.

ACTION: 'A20 Corridor Junction Assessments – Do Something Reg 19 Scenario' document to be provided in order to check the flows applied to ARCADY modelling.

- 3.6. The Arm 1 RFC is 0.56 in the *PM2031 + DEV* scenario, but in Table 5.5 of the November 2020 TA this has been incorrectly stated as an RFC of 0.26. This typing error should be corrected but does not affect the overall outcome of the modelling assessment.

ACTION: Correct Arm 1 RFC within Table 5.5 of the November 2020 TA.

- 3.7. The current model results indicate that Arm 1 – M20 East has an RFC of 0.95 in each of the AM peak scenarios which is above the recommended 0.85 RFC threshold. All other arms in the four scenarios currently indicate RFCs within the recommended 0.85 threshold.

Coldharbour Lane / A20 London Road roundabout

- 3.8. The Junctions 9 (ARCADY) modelling for the Coldharbour Lane / A20 London Road roundabout undertaken as part of the original TA and the TAA have been reviewed. These models were named:
- 9. Coldharbour Rdbt.j9 (November 2020): and
 - 9. Coldharbour Rdbt - Revised Geometry.j9 (March 2021).
- 3.9. Currently the junction operates as a signalised roundabout but a proposed un-signalised scheme is being implemented by KCC this year. It is this proposed scheme which has been modelled in ARCADY and no validated base modelling of the current signalised junction has been undertaken. Normally, it would be recommended that the current signalised junction is modelled in LinSig to have a sufficient baseline scenario to compare against the proposed scheme. However, in this instance the new un-signalised scheme design is being implemented imminently and so it would not be worth developing a validated base model at this stage. The more important goal at this stage is to ensure that the proposed un-signalised junction has sufficient capacity that causes no impact on the SRN.
- 3.10. The initial proposed model developed as part of the November 2020 TA has been previously reviewed by KCC who requested that the geometry be amended in line with the approved drawing provided by their Major Projects department. Our review of this model has also indicated some minor discrepancies in the flows for the two PM scenarios (Arm C to Arm B flows used in the ARCADY matrix were slightly different to those in the November 2020 TA traffic flow diagrams Figure 4.8 and Figure 4.12).
- 3.11. The revised geometry model was subsequently developed by SMA as part of the March 2021 TAA which has also been reviewed. The amended geometry provided by KCC has been used,

but Atkins has noted that the four scenarios (i.e. AM and PM peak with and without development) have traffic flows which do not correlate with Figure 4.7 – 4.8 and Figure 4.11 – 4.12 of the November 2020 TA. Therefore, clarification is required on the use of revised flows in the four scenarios and that traffic flow diagrams illustrating these revised flows should also be provided.

ACTION: Clarification required on revised flows used in the four scenarios and traffic flow diagrams illustrating these revised flows should be provided.

- 3.12. The forecast turning flows at the roundabout indicates that the A20 London Road East and West arms could potentially have unequal lane usage. Due to the potential unequal lane usage on Arm B and Arm C (A20 London Road east & west) it is recommended that the ARCADY model is tested using Lane Simulation to examine the likelihood of potential queuing issues at the proposed junction.

ACTION: Retest model using Lane Simulation for queue issues.

- 3.13. The current model results indicate that all arms in the four scenarios have RFCs within the recommended 0.85 threshold. However, due to the unequal lane usage at this junction it is anticipated that a re-run of the ARCADY using Lane Simulation would indicate more lengthy queues that may impact the operation of the SRN.

Poppy Fields / A20 London Road roundabout

- 3.14. The Junctions 9 (ARCADY) modelling for the Poppy Fields / A20 London Road roundabout undertaken as part of the original November 2020 TA and the March 2021 TAA have been reviewed. These models were:

- 10. Poppy Fields Roundabout.j9 (November 2020); and
- 10. Poppy Fields Roundabout (No Link Road).j9 (March 2021).

- 3.15. Again, no validated base modelling has been undertaken as just future year scenarios have been tested. We would strongly recommend that a validated base model is developed initially prior to the testing of any future year scenarios.

ACTION: Calibrated and validated base model evidence to be provided.

- 3.16. The November 2020 model assessed four 2025 scenarios (i.e. AM and PM peak with and without development) but it is not clear if any proposed mitigation (other than the Link Road) has been included as no proposed drawing has been provided as part of this review. Once again, a cursory check of the geometry using aerial photography has indicated that there are discrepancies. Therefore, we request that the proposed Poppy Fields roundabout geometric take-off drawing is provided to enable a more thorough review.

ACTION: Poppy Fields roundabout geometric take off drawing to be provided.

- 3.17. The roundabout arms appear to be labelled incorrectly. They should be named Arm A - A20 east, Arm B - New Link Rd, Arm C - A20 west, Arm D – Poppy Fields. This would correlate with the flows in the traffic flow diagrams contained within the November 2020 TA.

ACTION: Rename roundabout arms correctly as above.

- 3.18. A check of the model matrices has indicated two minor discrepancies in the flows for the two PM scenarios (Arm B to Arm A and Arm C to Arm A flows used in the ARCADY matrices were slightly different to those in the Figure 4.8 and Figure 4.12 traffic flow diagrams of the November 2020 TA). These errors do not affect the overall outcome of the modelling assessment.

- 3.19. For the March 2021 model (No Link Road) the same geometry discrepancies are also present so once again we request that the proposed Poppy Fields roundabout geometric take-off drawing is provided. Likewise, the naming of the junction arms should also be corrected.

ACTION: Rename roundabout arms correctly as above.

- 3.20. The March 2021 TAA does not include the traffic flow diagrams for the 2025 + DEV (No Link Road) AM and PM scenarios. The traffic flow diagrams for this junction should be provided to enable checking against the matrices used in the ARCADY (No Link Road) modelling.

ACTION: Provide traffic flow diagrams for the 2025 + DEV (No Link Road) AM and PM scenarios.

- 3.21. The current model results indicate that all arms in the tested scenarios have RFCs within the recommended 0.85 threshold.

Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad

- 3.22. The LinSig modelling for the Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroads undertaken as part of the TAA have been reviewed. These models were:
- 1. A20 London Road_Hermitage Lane_Preston Hall (No Link Road); and
 - 1. A20 London Rd_HermLn_Preston Hall + Mitt (No Link Road).
- 3.23. No validated base modelling was submitted for review (only future year scenarios). We would strongly recommend that a validated base model is developed initially prior to the testing of any future year scenarios.

ACTION: Calibrated and validated base model evidence to be provided.

- 3.24. The construction of both LinSig models is very similar with the notable difference being the left turn from the A20 London Road to Hermitage Lane where this movement is coded as a give-way in the original model and subsequently coded as a signal controlled turn in the + *Mitt* model. Therefore, the following comments relate to both LinSig models. The following comments are based on the existing site layout as it does not appear there are any differences in the modelled layout and neither has a proposed mitigation drawing been provided.
- i. Lane 1/1 has a length of 63.3 metres, this could be increased to approximately 100 metres as observed from online aerial imagery unless there is a reason for using this lane length.
 - ii. Lane 2/2 should be amended to a length of approximately 80 metres.
 - iii. Lane 6/1 and Lane 6/2 should be amended to a length of approximately 50 metres.
 - iv. Directly entered Saturation Flows have been used. Justification should be provided and / or a copy of the saturation flow surveys that were undertaken.
 - v. The Signal Timing Sheet / Controller Specification Document used to develop the modelling should be provided to complete the review.
 - vi. On initial inspection of the pedestrian phases:
 - a. Phase F minimum should be 9 secs and not 6 secs
 - b. Phase H minimum should be 6 secs and not 10 secs
 - c. Phase I minimum should be 9 secs and not 6 secs
 - i. However, this would be confirmed when the Timing Sheet is provided for review.
 - vii. Lane 6/3 and Lane 8/3 are each modelled as signal controlled right turns with give-ways. These are actually signal controlled movements only, with no give-way turns allowed, and therefore this should be corrected in the modelling.
 - viii. On initial inspection of the Intergreens:
 - a. Intergreen I to J should be 11 secs and not 10 secs
 - b. Intergreen M to H should be 5 secs and not 4 secs
 - i. However, this would be confirmed when the Timing Sheet is provided for review.
 - ix. The LinSig traffic flow inputs cannot be checked as there does not appear to be any traffic flow diagrams for the 2025 + DEV (No Link Road) AM and PM scenarios. These do not appear to have been included in the March 2021 TAA. The traffic flow diagrams for this junction should be provided to check against the matrices used in the LinSig modelling.

ACTION: Please note the key comments identified in para 3.24 for all changes and information required in this section with regards to the Hermitage Lane / A20 London Road modelling.

- 3.25. Whilst the + *Mitt* model does provide some improvement in terms of junction capacity the two modelled scenarios within it still have three arms for which Degree of Saturation values exceed the recommended 90% threshold and in some cases 100% capacity. It is also noted that during the AM peak + *Mitt* model that the mean max queue would be 81.6 PCU which would extend back to the Coldharbour roundabout which could then begin to affect the operation of the SRN.

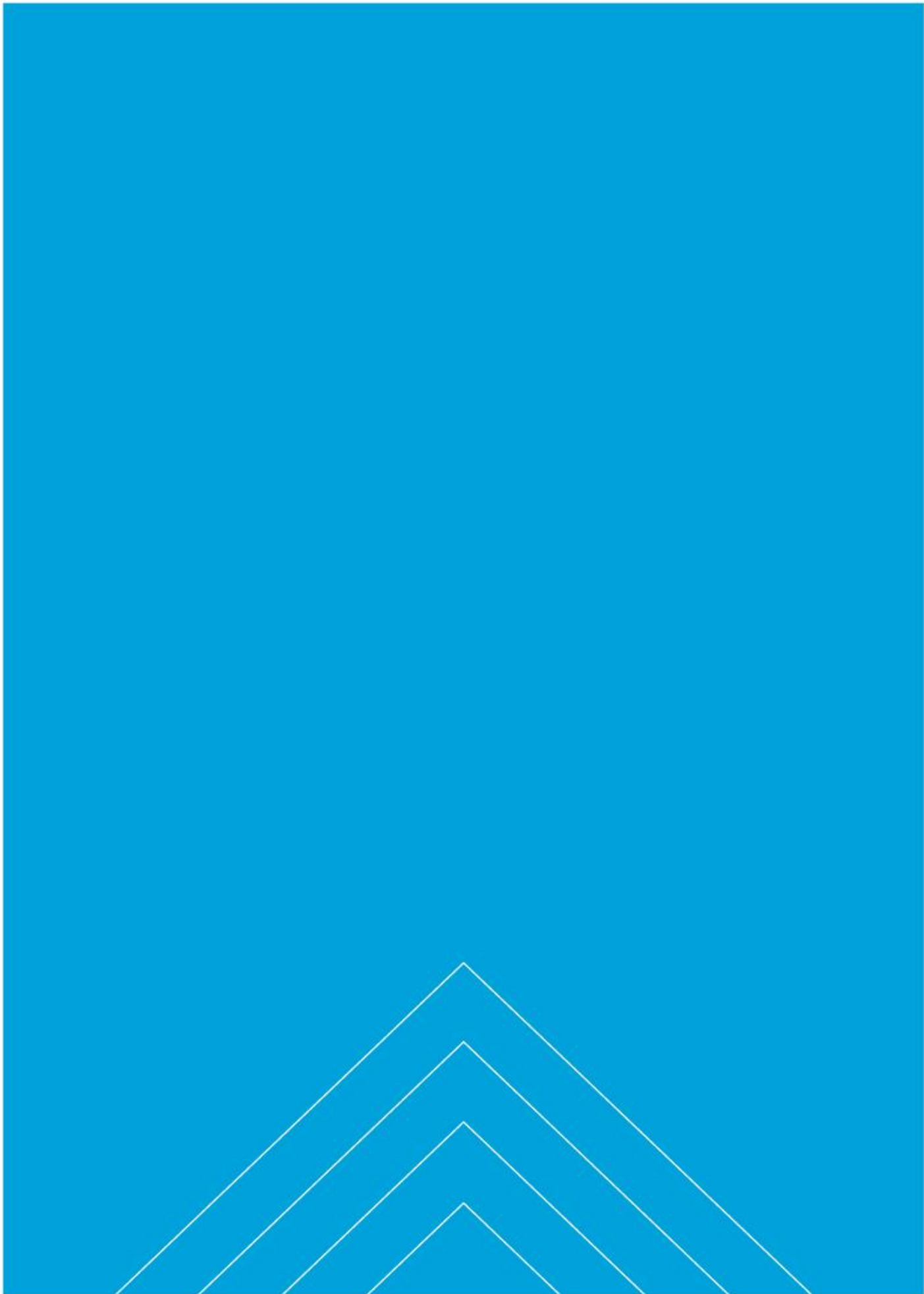
ACTION: Assessment of the potential impact of queues on the Coldharbour Lane / A20 London Road roundabout and M20 J5 required to demonstrate the operation of the SRN is not compromised.

4. Way Forward / Summary

- 4.1. It is requested that the applicant addresses the issues raised and provides the information required as detailed in Section 3 for the four junction models:
- M20 Junction 5 (Aylesford Interchange)
Issues and information as described in Section 3.2 to 3.7.
 - Coldharbour Lane / A20 London Road roundabout
Issues and information as described in Section 3.8 to 3.13.
 - Poppy Fields / A20 London Road roundabout
Issues and information as described in Section 3.14 to 3.21.
 - Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad
Issues and information as described in Section 3.22 to 3.25.
- 4.2. At present, there is insufficient evidence to give full confidence in the modelling which contains errors and inaccuracies that should be easily overcome. More importantly, evidence should be provided to support the calibration and validation of base models as this is fundamental to ensuring confidence in the assessment of future junction performance and that mitigation proposed is appropriate.
- 4.3. Further information is required to ensure that Highways England is satisfied that the development will not materially affect the safety, reliability and / or operation of the strategic road network (the tests set out in MHCLG NPPF 2019 Para 108-11 & DfT Circ 02/13 Para 8-11) in this location and its vicinity.
- 4.4. Atkins recommends that the following actions identified throughout this document and collated below should be addressed. Revised modelling and an updated narrative are expected.

Topic	Section/Para	Action
Sustainable Transport	2.5	ACTION: Updates should be provided regarding the proposed speed limit reduction, Network Rail consultation and single occupancy reduction
Sustainable Transport	2.8	<p>ACTION: The TAA should clarify how it has assessed current and likely future LRN circumstances and hence likely routing to/ use of the SRN even for local journeys (say from the site to Maidstone town centre).</p> <p>ACTION: In accordance with our normal practice, we will require a Construction Management Plan to be provided covering both the construction of the LILO on Hermitage Lane and the wider site. The CMP should include details (text, maps and drawings as</p>

Topic	Section/Para	Action
		appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include, but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site; travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).
Traffic Distribution	2.20	ACTION: Further narrative and modelling of the Whitepost Field Link Road to be provided and evidence regarding the implications for the SRN of any delay or non-delivery of the Link road.
Modelling – M20 J5	3.3	Calibrated and validated base model evidence to be provided.
	3.4	Proposed M20 J5 geometric take off drawing to be provided for review.
	3.5	'A20 Corridor Junction Assessments – Do Something Reg 19 Scenario' document to be provided in order to check the flows applied to ARCADY modelling.
	3.6	Correct Arm 1 RFC within Table 5.5 of the November 2020 TA.
Modelling – Coldharbour Lane	3.11	Clarification required on revised flows used in the four scenarios and traffic flow diagrams illustrating these revised flows should be provided.
	3.12	Retest model using Lane Simulation for queue issues.
Modelling – Poppy Fields Roundabout	3.15	Calibrated and validated base model evidence to be provided.
	3.16	Poppy Fields roundabout geometric take of drawing to be provided.
	3.17	Rename roundabout arms correctly as above.
	3.19	Rename roundabout arms correctly as above.
	3.20	Provide traffic flow diagrams for the 2025 + DEV (No Link Road) AM and PM scenarios.
Modelling – Hermitage Lane/A20	3.23	Calibrated and validated base model evidence to be provided.
	3.24	Please note the key comments identified in para 3.24 for all changes and information required in this section with regards to the Hermitage Lane / A20 London Road modelling.
	3.25	Assessment of the potential impact of queues on the Coldharbour Lane / A20 London Road roundabout and M20 J5 required to demonstrate the operation of the SRN is not compromised.



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Page 135

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5165058.804 Barming Station Modelling Review | 1.0 | 13 May 2021

Atkins | 20210513 5165058_804 HE TN_20-02749-OAEA Land S of BarmingStation_ModellingReview

Page 15 of 15

From: [Bowie, David](#)
To: [Planning Applications](#)
Cc: [Planning SE](#); [Bown, Kevin](#); [Bradley, Alistair](#); [Chiu, Kelly](#); [JONES Derek](#); [Spatial Planning](#)
Subject: TM/20/02749/OAEA - Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent FAO
 Matthew Broome
Date: 15 June 2021 15:01:56
Attachments: [20210615 K015 -TM.20.02749.OAEA HEPR Land South of Barming Station.pdf](#)

For attention of:	Matthew Broome
Site:	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent
Proposal:	Outline Application: Erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access).
Your Reference:	TM/20/02749/OAEA
Highways England's Reference:	90295 #13459

Dear Mr Broome,

Thank you for your email dated 2 June 2021 on planning application reference TM/20/02749/OAEA indicating a response was required by 16 June 2021. Please note that our official response timeframe is 21 days from receipt of information and whilst we will endeavour to respond sooner and hopefully within your timeframe you should be aware this is not always possible.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case the M20. As the SRN is 1 mile away from the proposed development, we are mindful that a development of this size and scale could have the potential to impact our network.

Highways England's most recent response to this application, dated 13 May 2021, raised a number of concerns and actions required to be undertaken by the applicant (Croudace Homes).

The applicant's transport consultants, Stuart Michael Associates (SMA) produced Technical Note 16 (dated 21 May 2021) in response to comments made by Highways England.

Having carefully considered the information included in Technical Note 16, the following is concluded. The actions listed below refer to the requests made by

Highways England in our previous response, this is followed by Highway England's updated response.

Sustainable Transport

ACTION: Updates should be provided regarding the proposed speed limit reduction, Network Rail consultation and single occupancy reduction.

SMA's comments regarding the proposed speed limit reduction are accepted. It is noted that the requirement for a Travel Plan will be included as part of a planning condition to be attached to any planning permission granted.

Access Arrangements

ACTION: The TAA should clarify how it has assessed current and likely future LRN circumstances and hence likely routing to/ use of the SRN even for local journeys (say from the site to Maidstone town centre).

SMA have outlined that the distribution was based on Census data as agreed with KCC.

However further details of how the proposed development traffic has been distributed and assigned using the Census data should be provided for review.

ACTION: In accordance with our normal practice, we will require a Construction Management Plan to be provided covering both the construction of the LILO on Hermitage Lane and the wider site. The CMP should include details (text, maps and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include, but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site; travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

Highways England considers the response to this action acceptable and a CMP can be a recommended condition to be attached to any planning permission granted.

Traffic Distribution

ACTION: Further narrative and modelling of the Whitepost Field Link Road to be provided and evidence regarding the implications for the SRN of any delay or non-delivery of the Link road.

It is noted that SMA recently responded to KCC comments on the TAA (SMA ref 5407/TN15). Section 5 of the referenced TN 15 provides details of the modelling at the A20/Hermitage Lane junction, responding to concerns whereby the Whitepost Field Link Road was not operational.

However, SMA don't appear to have obtained any confirmation from KCC in relation to the likelihood of the Whitepost Field Link Road coming forward and in what timeframe it is likely to be open.

Furthermore, there should be further narrative and modelling is required in respect of other junctions on the SRN, for which there would be implications in the event that the proposed development comes forward in advance of the Whitepost Field Link Road being implemented.

M20 Junction 5 (Aylesford Interchange)

ACTION: Calibrated and validated base model evidence to be provided.

This refers to M20 Junction 5 (Aylesford Interchange) and it is noted that SMA have not provided a validated base model as requested. Irrespective of any agreements between the applicant and KCC to only model future years, Highways England will require a validated base model to be provided for review, together with any observed data used as part of the validation process.

ACTION: Proposed M20 J5 geometric take off drawing to be provided for review

We have been unable to verify the modelled geometry as SMA has not provided a junction drawing as requested. SMA state that the geometry for the junction was provided by KCC. However, Highways England still need to verify how the geometric inputs to the model have been calculated. SMA should provide Highways England with this information.

ACTION: 'A20 Corridor Junction Assessments – Do Something Reg 19 Scenario' document to be provided in order to check the flows applied to ARCADY modelling.

SMA acknowledge that the methodology used for modelling differs from that stated within the Original November 2020 TA and have remodelled the '2031 Reg 19 Flows' and '2031 Reg 19 Flows + Development' scenarios.

It is noted that Appendices B and C include the ARCADY outputs, and 2019 base flow diagrams produced by Charles and Associates respectively. However, the full document: 'A20 Corridor Junction Assessments – Do Something Reg 19 Scenario' has not been provided. A copy of the full document should be provided in order to verify the ARCADY flows.

ACTION: Correct Arm 1 RFC within Table 5.5 of the November 2020 TA.

The typo in Table 5.5 of the TA has been corrected, and a revised Table provided. Highways England considers the response to this action acceptable and wish to make no further comment.

Coldharbour Lane / A20 London Road roundabout

ACTION: Clarification required on revised flows used in the four scenarios and traffic flow diagrams illustrating these revised flows should be provided.

SMA note that the 'No LR' scenario model flows did not match the flow diagrams and have provided revised models with updated flows as per the November 2020 TA. The updated model results show that the Coldharbour Roundabout junction would operate with a higher RFC of 0.9 in the '2025 Base + Dev' morning peak hour but would still be just about within capacity.

ACTION: Retest model using Lane Simulation for queue issues.

SMA disagree that there is unequal lane usage in the modelling at present and that lane simulation would provide a better assessment. They have not provided a lane simulation model and argue that it would mean:

'a fundamental change to the way the junction is modelled, deviating from what was provided in the KCC A20 corridor study and the changes that KCC have already asked for. This would also mean that the results from this assessment would not be comparable to others on the network as a different methodology was used. On this basis, it is not deemed suitable to retest this junction with lane simulation.'

It should be noted that the assessment requirements of Highways England and the Local Highway Authority (KCC) may differ. Nevertheless, we would reiterate that we require lane simulation modelling to be undertaken for the Coldharbour Roundabout, as a sensitivity test.

Poppy Fields / A20 London Road roundabout

ACTION: Calibrated and validated base model evidence to be provided.

Highways England requested a calibrated and validated base model of the Poppy Fields/A20 London Road Roundabout. However, SMA has not provided a validated base model as requested, again stating various agreements with KCC. However, irrespective of any agreements between the applicant and KCC to only model future years, Highways England will require a validated base model to be provided for review, together with any observed data used as part of the validation process.

ACTION: Poppy Fields roundabout geometric take off drawing to be provided.

SMA have not provided a drawing of this junction as requested. They state that geometry was provided by KCC and was sourced from KCC. However, it should be noted that Highways England will require evidence of how this geometry has been measured for verification purposes.

ACTION: Rename roundabout arms correctly as above.

The arms have been relabelled by SMA as requested but as the results have not changed, no updated table is provided. As the full outputs in Appendix G, Highways England considers the response to this action acceptable and wish to make no further comment at this stage.

ACTION: Provide traffic flow diagrams for the 2025 + DEV (No Link Road) AM and PM scenarios.

Traffic Flow Diagrams have been provided as Figure 2.16 and 2.17. Highways England considers the response to this action acceptable and wish to make no further comment at this stage.

Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad

ACTION: Calibrated and validated base model evidence to be provided.

Highways England requested a calibrated and validated base model of the Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad junction. However, SMA has not provided a validated base model as requested, again stating various agreements with KCC. However, irrespective of any agreements between the applicant and KCC to only model future years, Highways England will require a validated base model to be provided for review, together with any observed data used as part of the validation process.

ACTION: Please note the key comments identified in para 3.24 for all changes and information required in this section with regards to the Hermitage Lane / A20 London Road modelling.

A number of changes which were required to be made to the LinSig model of this junction were listed in paragraph 3.24 of the Atkins TN dated 13 May 2021. However, SMA state:

'As stated in Para 3.2, the junction model for this and the other junctions assessed as part of this application was purchased from KCC and the geometry copied across.

The comments detailed by Highways England in Para 3.24 of their response document are minor changes and will not dramatically impact the model. If these changes are made the model results will not be comparable to any other assessments that use the KCC model.'

Whilst we note that the models have originated from KCC, SMA are still responsible for ensuring that they are up to date and are an accurate reflection of typical junction operations in the base year, and therefore for the purposes of proposed development impact assessments in accordance with DfT Circular 02/2013.

ACTION: Assessment of the potential impact of queues on the Coldharbour Lane / A20 London Road roundabout and M20 J5 required to demonstrate the operation of the SRN is not compromised.

SMA has not directly addressed the issues raised regarding the potential for queues at the Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad junction extending back to the Coldharbour Roundabout and the M20 Junction 5 Roundabout. An assessment of this is still required.

Conclusion

Technical Note 16 produced by SMA (dated 21 May 2021) responds to a number of comments made by Highways England. However, there are several fundamental issues still outstanding, as detailed above. Due to the need for further information to be provided for review, we would recommend that planning permission not be granted for a specified period, until these issues are resolved.

Please find attached our formal response (HEHR) Thank you again for consulting with Highways England and please continue to consult us via our inbox PlanningSE@highwaysengland.co.uk

Kind regards

David

David Bowie

Area 4 Spatial Planning Manager (Acting)

Tel: +44 (0) 7900 056130

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://www.highwaysengland.co.uk>

Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or similar. We will continue to seek to work to our statutory and other deadlines. In case of IT or other issues, as a precaution, please copy all emails to PlanningSE@highwaysengland.co.uk . Thank you.

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**Developments Affecting Trunk Roads and Special Roads
Highways England Planning Response (HEHR 2021)
Holding Recommendation in connection with an
Application for Planning Permission**

From: Nicola Bell (Regional Director, South East)
Operations Directorate
South East Region
Highways England
PlanningSE@highwaysengland.co.uk

To: Tonbridge and Malling Borough Council (FAO Case Officer Matthew Broome)
planning.applications@tmbc.gov.uk

CC: SpatialPlanning@highwaysengland.co.uk

Council's Reference: TM/20/02749/OAEA

Location: Land South Of Barming Station And East Of Hermitage Lane Aylesford
Kent

Proposal: Outline Application: Erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access).

Highways England Reference: 90295 #13459

Referring to the planning application referenced above (received 02/06/2021) in the vicinity of the M20 (which forms part of the Strategic Road Network), notice is hereby given that Highways England's formal recommendation is that we:

- a) recommend that planning permission not be granted for a specified period* (see Annex A – further assessment required)

*The specified period is the time required for the applicant to meet the requirements set out in Annex A. Until such time as the requirements are fully met, Highways England will not be able to assess whether the proposals comply with national planning and transport policy set out in DfT C2/13 (especially paras 8 to 11) and MHCLG NPPF2019 (especially paras 108 to 111); and hence will not be able to provide our formal planning response.

If the Local Planning Authority wishes to determine the application ahead of this time, they must contact highways England and we will provide our assessment based on the evidence as it exists at that point.

HIGHWAYS ENGLAND (“we”) have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This HEHR represents Highways England’s formal recommendation (prepared by the Area 4 Spatial Planning Team) and is made available to the Department for Transport as per the terms of our Licence.

Highways Act Section 175B (covering new access to the SRN) is not relevant to this application.¹

Signature: 	Date: 15/06/2021
Name: Kevin Bown	Position: Spatial Planning Manager
Highways England: Bridge House, 1 Walnut Tree Close, Guildford, GU1 4LZ	
PlanningSE@highwaysengland.co.uk	

Annex A: Highways England Required Further Assessment

Highways England has carried out an assessment of application TM/20/02749/OAEA. The assessment has been sent to the Local Planning Authority to place on the application file; and copied to the applicant or their agent for their response.

We will work with all relevant parties until we have sufficient information to complete our assessment of the impact of the proposals (individually and/or in combination with other developments/ plans as appropriate) on the safety, reliability and/or operational efficiency of the Strategic Road Network (reflecting the C2/13 and NPPF test). Once we are able to complete our assessment, we will provide our formal recommendation to the Council and applicant. It may comprise:

- a) No Objection or request for further information
- b) No Objection subject to the imposition of conditions or the entering into of a legal agreement
- c) Refusal

Based on the above, our assessment is as follows:

Highways England recommend that planning permission not be granted for a specified period until further information is received. We require further information to be provided by the applicant on this application in order that an informed decision can be made in relation to the potential impacts of the development on the Strategic Road Network. In particular, the following comments should be passed onto the applicant:

Sustainable Transport

The requirement for a Travel Plan will be included as a Highways England recommended planning condition to be attached to any planning permission granted.

Access Arrangements

Further details of how the proposed development traffic has been distributed and assigned using Census data should be provided for review.

It should also be noted that the requirement for a Construction Management Plan will be included as a Highways England recommended planning condition to be attached to any planning permission granted.

Traffic Distribution

We would re-iterate that further narrative and modelling of the Whitepost Field Link Road should be provided and evidence regarding the implications for the SRN of any delay or non-delivery of the Link road.

M20 Junction 5 (Aylesford Interchange)

A calibrated and validated base model of this junction is required to be provided for review, together with any observed data used as part of the validation process.

A junction layout drawing, from which geometric measurements have been taken, should be provided so that the model geometry can be verified.

We would also re-iterate our request for a full copy of the 'A20 Corridor Junction Assessments – Do Something Reg 19 Scenario' document to be provided in order to check the flows applied to ARCADY modelling.

Coldharbour Lane / A20 London Road roundabout

Due to the potential for uneven lane usage at this junction, we would reiterate our request for lane simulation modelling to be undertaken for this junction, as a sensitivity test.

Poppy Fields / A20 London Road roundabout

It is important for the applicant to note that, irrespective of any agreements between the applicant and KCC to only model future years, Highways England will require a validated base model of this junction to be provided for review, together with any observed data used as part of the validation process.

A junction layout drawing should also be provided so that model geometry can be verified.

Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad

Again, it is important for the applicant to note that, irrespective of any agreements between the applicant and KCC to only model future years, Highways England will require a validated base model of this junction to be provided for review, together with any observed data used as part of the validation process.

Furthermore, whilst we note that the models are stated to have originated from KCC, the developer's transport consultants are still responsible for ensuring that they are up to date and are an accurate reflection of typical junction operations in the base year, and therefore for the purposes of proposed development impact assessments in accordance with DfT Circular 02/2013.

The applicant's consultant has not directly addressed the issues raised regarding the potential for queues at the Hermitage Lane / A20 London Road / Preston Hall signalised staggered crossroad junction extending back to the Coldharbour Roundabout and the M20 Junction 5 Roundabout. An assessment of this is still required.



Developments Affecting Trunk Roads and Special Roads
Highways England Planning Response (HEPR 20-07)
Formal Recommendation to an Application for Planning Permission

From: Nicola Bell (Regional Director, South East)
Operations Directorate
South East Region
Highways England
planningse@highwaysengland.co.uk

To: Tonbridge & Malling Borough Council –
(FAO Case Officer Matthew Broome)
planning.applications@tmbc.gov.uk

CC: spatialplanning@highwaysengland.co.uk

Council's Reference: TM/20/02749/OAEA

Location: Land South Of Barming Station And East Of Hermitage Lane Aylesford
Kent

Proposal: Outline Application: Erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access).

Highways England Ref: 90295 #13459 #13871 #13911 #13967 #14061

Referring to the notification of a planning application (Original consultation dated 18 January and latest information received 16 August 2021) referenced above, in the vicinity of the M20J5 near Aylesford, Kent that forms part of the Strategic Road Network, notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection*;

**This is on the basis that while we do not wholly agree with the evidence submitted (for example reliance on now out-dated KCC derived modelling), taking account of*

- i) our own assessment,*
ii) known mitigations; and
iii) assuming that all the conditions and other requirements recommended by Kent County Council Highways & Transportation in their representation of 16

June 2021 are fully reflected in any permission granted https://publicaccess2.tmbc.gov.uk/online-applications/files/63FB428E24CBA62B42727F34276FBFBE/pdf/20_02749_OAEA-HIGHWAYS_AND_TRANSPORTATION-1227774.pdf

means we are able to conclude that the proposals will not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT C2/13 paras 8 to 11 and MHCLG NPPF2021 paras 110 to 113), in this location and its vicinity.

- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is not relevant to this application.¹

HIGHWAYS ENGLAND (aka National Highways from 19 August 2021) (“we”) have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This represents Highways England’s formal recommendation (prepared by the Area 4 Spatial Planning Team) and is made available to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority disagree with any recommendation made under b), c) or d) above, the application must not be determined before they have:

- i) informed Highways England; and
- ii) consulted the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk.

¹ Where relevant, further information will be provided within Annex A.

Signature:



Date: 25 August 2021

Name: Kevin Bown

Position: Spatial Planning Manager

Highways England:

Highways England, Bridge House, 1 Walnut Tree Close, Guildford, GU1 4LZ

planningse@highwaysengland.co.uk

Tonbridge & Malling Borough Council
Gibson Building Gibson Drive
Kings Hill
West Malling
ME19 4LZ

Our ref: KT/2020/127835/01-L01
Your ref: TM/20/02749/OA
Date: 04 January 2021

Dear Sir/Madam

Outline application: Erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Land South of Barming Station and East of Hermitage Lane, Maidstone, Kent

Thank you for consulting us on the above proposal. With planning conditions imposed on any permission granted, as set out bellow, we have no objection to the Outline application.

This site overlies a principal aquifer and is partly within a source protection zone for water abstracted for human consumption. In addition, the depth to groundwater is relatively shallow, therefore controlled waters are sensitive in this area.

The reports submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority.

In light of the above, the proposed development will be acceptable if planning conditions are included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will cause or be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Contamination

Condition

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;and
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

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

Note to LPA

A Phase 1 Land Quality Desk Study (Stantec, ref 330201412R1V3, October 2020) has been submitted in support of this application and we feel it has been carried out in accordance with relevant guidance.

- This document therefore satisfies part 1 of the above condition.

The Desk Study has recommended that further site investigation should be carried out (part 2 of above condition), which we are in agreement with. We now look forward to receiving and providing comment on this submitted site investigation

Condition

Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

Drainage**Condition**

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

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

Informative - Drainage

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

Note - Soakaways

The majority of this site is located on the Hythe Beds. The use of soakaways in the Hythe Beds are not recommended as they can promote instability of the geology via washout of the sandier horizons, leading to the opening and enlargement of fissures

and subsequent collapse.

Piling

Condition

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

Reason

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

Informative - Piling

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with our guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Informative - Waste Materials

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The [Environmental regulations](#) page on GOV.UK

Informative - Invasive Non-Native Species

We note there are several invasive non-native species recorded as being on the development site. The Developer should refer to guidance and follow the rules to prevent their spread. The latest guidance can be found on .GOV.UK

- <https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales>

Please contact us should you wish to discuss the above.

Yours faithfully

Sophie Page

Mrs Sophie Page
Planning Specialist

Direct dial 020 8474 8030

Direct e-mail kslplanning@environment-agency.gov.uk



Kent and Medway
Clinical Commissioning Group

Date: 25 January 2021

Primary Care Team

4th Floor Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Matthew Broome
Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
ME19 4LZ

Email: kmccg.wkccg.primarycare@nhs.net
www.kentandmedwayccg.nhs.uk

Our Ref: 20/02749

Dear Matthew,

Letter reference: Land South of Barming Station and East of Hermitage Lane, Aylesford, Kent

NHS Kent and Medway Group (CCG) has delegated co-commissioning responsibility for general practice services in West Kent and is the body that reviews planning applications to assess the direct impact on general practice.

I refer to the above outline planning application which concerns the proposed residential development comprising up to 325 new dwellings.

The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

1. Necessary
2. Related to the development
3. Reasonably related in scale and kind

We have applied these tests in relation to this planning application and can confirm the following specific requirements. The calculations supporting this requirement are set out in Appendix 1.

	Total Chargeable units	Total	Project
General Practice	325	£280,800	Towards refurbishment, reconfiguration and/or extension of Blackthorn Medical Centre, Bower Mount Medical Practice, The Vine

Letter reference: Land South of Barming Station and East of Hermitage Lane, Aylesford, Kent

			Medical Centre and/or The Medical Centre Group (Northumberland Court)
--	--	--	-----------------------------------------------------------------------

The obligation should also include the provision for the re-imburement of any legal costs incurred in completing the agreement.

Justification for infrastructure development contributions request

This proposal will generate approximately 780 new patient registrations when using an average occupancy of 2.4 people per dwelling. The proposed development falls within the current practice boundaries of:

- Blackthorn Medical Centre
- Bower Mount Medical Practice
- The Vine Medical Centre
- The Medical Centre Group (Northumberland Court)

There is currently limited capacity within existing general practice premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice premises. Whilst it is not possible at this time to set out a specific premises project for this contribution we can confirm that based on the current practice boundaries we would expect the contribution to be utilised as set out above. Any premises plans will include the pooling of S106 contributions where appropriate.

General practice premises plans are kept under regular review as part of the GP Estates Strategy and priorities are subject to change as the CCG must ensure appropriate general medical service capacity is available as part of our commissioning responsibilities.

Planning for growth in general practice is complex; physical infrastructure is one element but alongside this workforce is a critical consideration both in terms of new workforce requirements and retirements. Any plans developed need to support delivery of sustainable services for the future.

In addition to the above we request that any agreement regarding a financial contribution:

- Allows the contribution to be used towards new general practice premises in the area serving this population (should GP Estates Strategy identify future requirement) and not just limited to the practices detailed above.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.
- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.

The CCG is of the view that the above complies with the CIL regulations and is necessary in order to mitigate the impacts of the proposal on the provision of general practice services.

Letter reference: Land South of Barming Station and East of Hermitage Lane, Aylesford, Kent

Please note that for any s106 contributions secured by the CCG, the legal agreement should detail NHS England and Improvement (NHSE/I) as the recipient of the funding.

I would be grateful if you could advise me of the Council's decision in due course, should you require any further information, or points of clarification in the meantime please contact me using the above email address.

Yours sincerely

Sent via email

Alison Burchell
Deputy Director of Primary Care - Strategic Planning and Primary Care Estates

Appendix 1

The CCG uses a formula for calculating s106 contributions which has been used for some time and is calculated as fair and reasonable. This calculation is based the number of proposed units multiplied by the assumed occupancy multiplied by £360.

Where the application identifies unit sizes the following predicted occupancy rates will be used.

- 1 bed unit @ 1.4 persons
- 2 bed unit @ 2 persons
- 3 bed unit @ 2.8 persons
- 4 bed unit @ 3.5 persons
- 5 bed unit @ 4.8 persons

Where the unit sizes are not identified then an average occupancy of 2.4 persons will be used.

The calculations for this development are:

The application does not detail unit sizes; the calculation below should be updated (based on the above unit sizes and predicted occupancy) once the dwelling mix is confirmed at a later date.

325 units X 2.4 average occupancy = 780 people

780 people X £360 = £280,800



Tonbridge & Malling Borough Council
Development Control
Gibson Building
Gibson Drive
Kings Hill
WEST MALLING
Kent
ME19 4LZ

FAO: Matthew Broome

Economic Development

Invicta House
County Hall
Maidstone
ME14 1XX

Phone: 03000 414176
Ask for: Richard Kidd
Email: richard.kidd@kent.gov.uk

Wednesday 20th January 2021

Your Ref: TM/20/02749/OA
Our Ref: K/E/TM/20/02749/OA RJK

Dear Matthew,

Provision and Delivery of County Council Community Services:

We refer to the above planning application and subsequent conversations upon the proposed residential development at **Land South of Barming Station and East of Hermitage Lane, Aylesford, Kent** and comprising **up to 330 new households**.

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

Request Summary

	Per 'applicable' House	Per applicable Flat	Project
Primary Education	£6,800.00	£1,700.00	Towards the new Aylesford Primary School
Primary Land	£3,208.18	£802.05	Towards land acquisition for the new Aylesford Primary School
Secondary Education	£5,176.00	£1,294.00	Towards the new Broadwater Farm Secondary School
Secondary Land	£4,173.24	£1,043.31	Towards the land costs of the Broadwater Farm Secondary School

'Applicable' excludes 1 bed units of less than 56 sqm GIA and sheltered accommodation

	Per applicable Dwelling	Project
Community Learning	£16.42	Towards additional equipment for new learners at Aylesford Adult Education Centre, Teapot Lane
Youth Service	£65.50	Towards additional resources for the Youth Service in Tonbridge and Malling
Library Bookstock	£55.45	Towards additional services and bookstock for the new borrowers at Larkfield Library
Social Care	£146.88	Towards Specialist care accommodation within the Tonbridge and Malling Borough
	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)	
Waste	£183.67	Towards new WTS and new and improved HWRCs to serve Tonbridge and Malling residents
Broadband:	<p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p>	
Highways	<i>Kent Highway Services will respond separately</i>	

Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment (April 2020 index = 360.3)**
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

Justification for infrastructure provision/development contributions requested

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out in Appendices below.

.....

Primary Education

The proposal gives rise to 91 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the provision of a new Primary School in Aylesford.

The additional Primary School pupils arising from the proposal could only be accommodated through the construction of a new primary school; there are no existing local schools which can be expanded to mitigate the direct demand generated.

Permission has recently been granted for the new Aylesford 2FE Primary School under TM/17/01595, and site secured by s106 Agreement, often referred to as Whitepost Field.

Whitepost Field are to hand over the entire school site including: services (gas, water, electricity, drainage, broadband), build the road access, supply fencing, undertake earthworks (levelling) and remediation as well any Archaeology and protected species removal, and cover all parties land transfer costs.

Whitepost Field housing proposal generates more than 1FE of pupils. Schools are built in full FE's and KCC Education have no other capacity to accommodate those pupils in excess of 1 FE elsewhere. Hence a full 2 FE school and site are required.

In the s106 for Whitepost field, KCC are to receive the 2FE School site for £1. KCC are then to transfer to the Owner, Primary School land contributions from Contributing sites, at rates of £3,208.18 per applicable house and £802.05 per applicable flat as set out in the Whitepost Field s106 agreement.

The school land calculation apportions the cost of the land on a per pupil basis.

This proposal (TM/20/01218) has been assessed in accordance with the KCC methodology of '*first come, first served*' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council requires a financial contribution towards the build costs of a **new Primary School in Aylesford** at **£6,800.00 for each 'applicable' house** and **£1,700.00 per applicable flat** ('applicable' means: all dwellings, except 1 bed of less than 56sqm GIA and any sheltered accommodation).

The County Council also requires proportionate contributions towards the new **Primary School land at £3,208.18 per applicable house and £802.05 per applicable flat** (Appendix 1A), as agreed in the s106 Agreement with the Owner of Whitepost Field site from other contributing sites.

Please note the Local Education Authority has a statutory obligation under the Education Acts and as the Strategic Commissioner of Education provision in the County under the Education Act 2011, to ensure sufficiency of pupil spaces.

.....

Secondary School Provision

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to 65 additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of a **new Secondary School at Broadwater Farm**, north of Kings Hill within LP30 of the submitted Local Plan.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The assessment of Secondary schools identifies there are no surplus places at existing secondary schools with spaces already spoken for through current and forecast rolls and previously assessed developments in the area. It has been identified through the Local Plan process a new Secondary School is required to ensure sufficiency of places in accordance with the LEA's statutory responsibility.

The new secondary school accommodation will be provided through a new Secondary School at Broadwater Farm and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available), timetable and phasing.

The County Council requires a financial contribution towards construction of the **new Broadwater Farm Secondary school at £5,176.00 for each 'applicable' house and £1,294.00 per applicable flat** ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA and any sheltered accommodation – please confirm if any 1 bed or sheltered accommodation is proposed).

Whilst KCC will be using every endeavour to secure the new Broadwater Farm Secondary School site as an 'allocation' in the Local Plan at no cost to the County Council, KCC will require an undertaking for proportionate contributions up to a maximum of **£4,173.24 per applicable house and £1,043.31 per applicable flat** from this site towards any land acquisition costs for the Broadwater Farm Secondary School.

The site acquisition cost is based upon local land prices, and any s106 agreement would include a mechanism to include a refund where all or any of the Secondary Education contribution is not required due to a lower land acquisition price being agreed or alternative Secondary provision arrangements being made.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

.....

Community Learning

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£16.42 per dwelling** towards the cost of providing additional equipment for new learners at Aylesford Adult Education Centre, Teapot Lane.

.....

Libraries

KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and bookstock in Tonbridge and Malling Borough at 1,110 items per 1,000 population is below the County average of 1,134 and both the England and total UK figures of 1,399 and 1,492 respectively.

To mitigate the impact of this development, the County Council will need to provide additional services and stock to meet the additional demand which will be generated by the people residing in these dwellings.

The County Council therefore requests **£55.45 per household** to address the direct impact of this development, and the additional services and stock will be made available at Larkfield Library, as and when the monies are received.

Youth Service

To accommodate the increased demand on KCC services the County Council requests **£65.50 per dwelling** towards additional resources for the Kent Youth Service locally in Tonbridge and Malling.

.....

Social Care

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available

care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- a proportionate monetary contribution of **£146.88 per household** (as set out in Appendix 3) towards specialist care accommodation locally in the Borough.
- The **Ministry of Housing, Communities and Local Government** identified in June 2019 guidance *Housing for older and disabled people* the need to provide housing for older & disabled people is critical. **Accessible and adaptable housing** enables people to live more independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to **Building Reg Part M4(2) standard** to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant's requirements.

.....

Waste

Kent County Council is a statutory 'Waste Disposal Authority', responsible for the safe disposal of all household waste arising in Kent, providing Household Waste Recycling Centres (HWRC), Material Recovery Facility (MRF) and Waste Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRC's and half a tonne per year to be processed at WTS's. Existing HWRC's and WTS's will be over capacity by 2020 and additional housing has a significant impact on the manageability of waste in Kent.

A proportionate contribution of **£183.67 per household** is required towards a new Waste Transfer Station and new and improved HWRC's to serve Tonbridge and Malling residents to mitigate the impact from new housing growth, including this development.

.....

Broadband: Fibre to the premise/gigabit capable

The NPPF (para 112) and The Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable fibre optic to the premise connection for all.

Please include a Planning Condition to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity.

Developers are advised to make early contact with broadband providers, as there can be a lead in time for cable installation and associated infrastructure.

Implementation

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement, and County monitoring fee of £500 for each trigger within the Agreement.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available? If you do not consider the contributions requested to be fair, reasonable and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow us at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

We look forward to hearing from you with details of progress on this matter.

Yours faithfully

Richard Kidd

Richard Kidd

Development Contributions
Kent County Council

Cc Croudace Homes, c/o Icen Projects, Da Vinci House 44 Saffron Hill London EC1N 8FH,
FAO: Rebecca Anderson
KCC, Education & Communities,
File

Appendices:

The following Appendices contain the technical details of the County Council's assessment process.

1. Education Assessment
 - 1a. New School Land Costs
2. Communities assessment
3. Social Care requirement

KCC developer contribution assessment for Primary Education

District:	Tonbridge and Malling	1-bed:	0
Site:	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent	Houses:	325
Plan ref:	TM/20/02749	Flats:	0
Date:	14/01/2021	Total units:	325

Current and forecast pupils on roll for schools within

		East Malling planning group					
DfE no.	School	2019-20 (A)	2020-21 (A)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2024-25 (F)
2514	Brookfield Infant School	180	177	176	178	177	174
5223	Brookfield Junior School	250	248	268	272	273	273
5208	Ditton CE Junior School	222	212	214	209	218	214
5212	Ditton Infant School	159	160	162	167	165	163
3324	Leybourne St. Peter and St. Paul CE Primary Academy	214	212	217	218	216	215
2562	Lunsford Primary School	208	205	212	216	215	216
2006	St. James the Great Academy	186	186	192	193	196	193
3057	St. Peter's CE Primary School	173	179	176	176	175	174
2030	Valley Invicta Primary School at Aylesford	336	339	367	374	372	366
Current and forecast pupils on roll (excluding the expected pupil product from new developments)		1,928	1,918	1,983	2,002	2,007	1,988
Required capacity to maintain 5% surplus capacity		2,029	2,019	2,087	2,108	2,112	2,093

Current and forecast capacity for schools within

		East Malling planning group					
DfE no.	School	2019-20 (A)	2020-21 (A)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2024-25 (F)
2514	Brookfield Infant School	180	180	180	180	180	180
5223	Brookfield Junior School	248	256	256	256	256	256
5208	Ditton CE Junior School	256	256	256	256	256	256
5212	Ditton Infant School	180	180	180	180	180	180
3324	Leybourne St. Peter and St. Paul CE Primary Academy	210	210	210	210	210	210
2562	Lunsford Primary School	210	210	210	210	210	210
2006	St. James the Great Academy	210	210	210	210	210	210
3057	St. Peter's CE Primary School	168	168	168	168	168	168
2030	Valley Invicta Primary School at Aylesford	330	330	315	300	270	240
Current and forecast capacity (1)		1,992	2,000	1,985	1,970	1,940	1,910

(1) including expansion projects at **existing schools** that have successfully passed through statutory processes but may not yet be complete

Expected pupil product from new developments within

		East Malling planning group		
Planning reference	Development	Houses	Flats	Primary product
TM/20/02671	Land Opposite 132 Broadwater Road West Malling Kent	1	0	0
TM/20/02577	Springate Farm Broadwater Road West Malling Kent ME19 6HU	1	0	0
TM/20/01836	Springate Farm, Broadwater Road, West Malling, Kent ME19 6HU	1	0	0
TM/20/01738	Development Site Land West Of Winterfield Lane East Malling West Malling	250	0	70
TM/20/01392	Former Somerfield Distribution Centre Station Road Aylesford Kent ME20 7QR	8	0	2
TM/20/01371	Stables Broadwater Road West Malling Kent	2	0	1
TM/20/01218	Land Adjacent Ditton Common North Of Rede Wood Road Oakapple Lane Barming Kent	118	0	33
TM/20/00135	Development Site At Pinewood Depot Winterfield Lane East Malling	12	0	3
TM/19/00376	Land South West of London Road and west of Castor Park, Allington Maidstone Kent	68	14	20
TM/18/03048	Garden Centre Rear Of 400 Hermitage Lane Maidstone Kent ME16 9NT (S106)	9	0	0
TM/18/03008	Site East Of Clare Park Estate New Road East Malling West Malling Kent (S106)	110	0	0
TM/18/02966	Development Site South Of Brampton Field Between Bradbourne Lane And Kiln Barn Road Ditton Aylesford	270	6	76
TM/18/00995	94 Mill Hall Aylesford Kent ME20 7JN	0	13	1
TM/17/03513	Land West of Hermitage Lane and East Units 4a,4b & 4c Mills Road Quarrywood Industrial Est Aylesford	33	12	10
TM/17/03350	Former Distribution Centre, Station Road, Aylesford (S106)	56	20	0
TM/17/01595	Land South of London Road and East of Hermitage Lane, Aylesford (S106)	840	0	0
TM/17/00964	Phoenix House, Forstal Road, Aylesford (S106)	12	0	0
TM/16/03657	Land North of Junction New Hythe Lane & Sheldon Way Larkfield The Old Print Works (S106)	4	8	0
New developments within the planning area		1,795	73	217
This development		325	0	91

Assessment summary

Detail	2019-20 (A)	2020-21 (A)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2024-25 (F)
Surplus / (deficit) capacity (excluding the expected pupil product from new developments)	-37	-19	-102	-138	-172	-183
Expected pupil product from new developments	217	217	217	217	217	217
Surplus / (deficit) capacity including the expected pupil product from new developments	-255	-236	-319	-355	-389	-400
Expected pupil product from this development	91	91	91	91	91	91
Surplus / (deficit) capacity including the expected pupil product from new developments and this development	-346	-327	-410	-446	-480	-491
Expected pupil product from this development that on current plans for school provision cannot be accommodated	91	91	91	91	91	91

Background notes:

Pupil forecasts 2020 employed from September 2020. Incorporating roll data from Schools Census Autumn 2020. Data from the Health Authority includes pre-school children born up to 31st August 2019. Forecasts use trend data over the previous three years.

Expected pupil product from new developments within the planning area

Where a section 106 agreement has been secured for a development that includes education contributions (indicated by code S106 in brackets), the expected pupil product from that development has been shown as zero. This indicates that the pupil product need arising from the development has been mitigated by the developer.

Appendix 1A

Education

Site Name	Land South Of Barming Station And East Of Hermitage Lane, Aylesford, Kent
Reference No.	TM/20/02749/OA
District	Tonbridge and Malling

	Houses	Flats	Total
Unit Numbers	330	0	330

Primary Education			
		Per house	Per flat
<i>Primary pupil generation rate</i>		0.28	0.07
New Primary Pupils generated from this development			92
New Primary School build contribution			
	per Pupil	per House	per Flat
<i>New Build Rate</i>	£24,286	£6,800	£1,700
Contribution requested towards New Primary School Build			£2,244,000.00
New Primary School site contribution			
Residential Land Price per acre for Tonbridge and Malling			£950,000
	Pupils	Hectares	Acres
<i>2FE Primary School</i>	420	2.05	5.06555
	per Pupil	per House	per Flat
<i>Land Rate</i>	£11,457.79	£3,208.18	£802.05
Total = Primary School Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New Primary School) = 5.06555 x 950000 x (92.4 / 420)			
Contribution requested towards New Primary School Site			£1,058,699.95
Total Primary Education Build and Land contribution			£3,302,699.95

Secondary Education			
		Per house	Per flat
<i>Secondary pupil generation rate</i>		0.20	0.05
New Secondary Pupils generated from this development			66
New Secondary School build contribution			
	per Pupil	per House	per Flat
<i>New Build Rate</i>	£25,880	£5,176	£1,294
Contribution requested towards New Secondary School Build			£1,708,080.00
New Secondary School site contribution			
Residential Land Price per acre for Tonbridge and Malling			£950,000
	Pupils	Hectares	Acres
<i>6FE Secondary School</i>	900	8.00	19.768
	per Pupil	per House	per Flat
<i>Land Rate</i>	£20,866.22	£4,173.24	£1,043.31
Total = Secondary School Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New Secondary School) = 19.768 x 950000 x (66 / 900)			
Contribution requested towards New Secondary School Site			£1,377,170.67
Total Secondary Education Build and Land contribution			£3,085,250.67

Notes

Costs above will vary dependant upon land price at the date of transfer of the school site to KCC

Totals above will vary if development mix changes and land prices change

APPENDIX 2

KCC Communities

Development Contributions Assessment

Site Name	Land South Of Barming Station And East Of Hermitage Lane, Aylesford, Kent
Reference No.	TM/20/02749/OA
District	Tonbridge and Malling
Assessment Date	07/01/2021
Development Size	330

COMMUNITY LEARNING & SKILLS	
	Services
Current adult participation in Tonbridge and Malling district	1,893
LESS Current Service Capacity	1,803
Initial capacity shortfall/surplus (Year ending 2017)	-90
New adult participation from this development	11.84 clients
Will service capacity be exceeded?	YES
Contributions requested from this development	<u>£16.42 per dwelling</u>
<i>330 dwellings from this proposal</i>	<u>£5,418.60</u>
<i>Contributions requested towards additional equipment for new learners at Tonbridge Adult Education Centre</i>	

YOUTH SERVICE		
	Centre and Hub based Services	Outreach and Targeted Services
Current youth participation in Tonbridge and Malling district	1,853	998
LESS Current Service Capacity	1,764	950
Initial capacity shortfall/surplus (Year ending 2017)	-88	-48
New youth participation from this development	16.5 clients	
Will service capacity be exceeded?	YES	
Contributions requested from this development	<u>£65.50 per dwelling</u>	
<i>330 dwellings from this proposal</i>	<u>£21,615.00</u>	
<i>Contributions requested towards additional resources for the Youth Service in Tonbridge and Malling</i>		

LIBRARIES	
Libraries assessed for this development	Library Stock and Services
Current library participation in Tonbridge and Malling district	15,661
LESS Current Service Capacity	14,916
Initial capacity shortfall/surplus (Year ending 2017)	-746
New borrowers from this development	96.23 borrowers
Will service capacity be exceeded?	YES
Contributions requested from this development	<u>£55.45 per dwelling</u>
<i>330 dwellings from this proposal</i>	<u>£18,298.50</u>
<i>Contributions requested towards additional services and bookstock for the new borrowers at Larkfield Library</i>	

Net contributions requested for KCC Communities' Services	£45,332.10
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APPENDIX 3				
	Social Care			
	Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent			
	TM/20/02749/OA			
	330 Households			
	Requirement	Location	Cost per Household	Cost for this Site
	Specialist Care Accommodation	within the Borough	£146.88	
			£ 146.88	£ 48,470.40
and	All Homes built as	Wheelchair Accessible & Adaptable Dwellings	in accordance with Building Regs Part M 4 (2)	



ECOLOGICAL ADVICE SERVICE

TO: *Matthew Broome*

FROM: *Helen Forster*

DATE: *03 May 2021*

SUBJECT: *20/02749/OAEA Land South Of Barming Station And East Of Hermitage Lane Aylesford*

The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.

The following surveys were carried out within the site:

- Phase 1 survey
- Bat
- Dormouse
- Badger
- Breeding birds
- GCN
- Reptile survey

As a result of carrying out a desk based assessment of the site we would not be anticipating other specific species surveys to be submitted as part of the application.

The surveys have detailed the following species were recorded/likely to be present within the site

- At least 8 species of bat foraging/commuting
- At least 30 species of birds including those which are notable/conservation importance)
- Common lizard and slow worm

- Suitable potential for hedgehogs

The survey concluded the following species were likely absent (although suitable habitat present)

- Dormouse
- Badger
- Harvest mouse
- Great Crested newts

Of the habitats on site it is possible that hedgerows (if classed as important under the hedgerow regs) could be considered a priority habitat but none of the other habitats are. However we acknowledge that the proposed development is proposing to retain, with opportunities to enhance, the majority of the hedgerows (except for access) and no further information is required on this point. Orchard is only considered a priority habitat if it is a traditional orchard and this is an intensively managed orchard.

Mitigation.

The proposal is intending to mitigate impacts on site and therefore we advise that the proposal will result in a loss of breeding bird habitat and the habitats and species retained on site are likely to be impacted by recreational pressure from the residents and an increase in lighting.

A detailed mitigation or management plan has not been submitted as part of this application and instead an overview of the mitigation proposed has been provided and we advise that, with the exception of the reptile mitigation, we are reasonably satisfied it is achievable if the onsite habitats are managed appropriately.

We note that the reptile mitigation has been proposed to use precautionary mitigation to move the reptiles in to adjacent habitat however there is limited open space proposed for the western boundary and therefore we advise that it is unlikely that this area can retain the reptile population and there will be a need for a reptile translocation. However we do not require further information on this point prior to determination as we're satisfied within the red and blue line boundary there is sufficient space to support the population.

The submitted information details that the intention is to manage the retained area of orchard as a traditional orchard and its likely that if managed properly this could benefit biodiversity in the long term.

As referred to above the ongoing management is key to the success of the ecological mitigation, particularly due to the increase in recreational pressure and therefore we recommend that an outline management plan is produced to demonstrate that appropriate management will be implemented within the site.

Lighting

The ecological surveys have highlighted that hedgerow B5 important for foraging/commuting bats and it's likely that roosting bats are within the building to the NE of the site. B5 hedgerow is to be largely retained but it will be surrounded by housing and dissected by two roads and the current landscaping plan suggests that building to the NE of the site will be surrounding by landscaping. There is a need to ensure that these areas are impacted by

minimal lighting and we would encourage the minor roads/landscaping areas to have minimal or no lighting to minimise lighting impacts. However were no road lighting is proposed there is a need to ensure that security lighting is provided to all housing to ensure that appropriate lighting is fitted.

BNG

The submitted information details that the proposal will result in an anticipated biodiversity net gain of 11%. The ability to achieve the anticipated net gain will be based on the implementation of a suitable management plan as detailed above there is a need for an outline management plan to be produced to demonstrate it is achievable.

Appropriate Assessment

We have reviewed the appropriate assessment (AA) and we advise that we generally agree with the conclusions of the Appropriate Assessment that the proposal is unlikely to have no adverse impacts on the North Downs Woodlands SAC and Peter's Pit SAC . However we say generally as we are not transport experts and therefore can not advise if the conclusions of the transport assessment, which the AA is based on, are correct. We raise this issue as Increases in vehicle movements to and from the site have the potential to increase NOx (nitrogen oxide) emissions, which can alter botanical species structure and composition as a consequence of acidification and eutrophication.

The AA states the following:

North Downs Woodlands SAC: The Annual Average Daily Traffic (AADT) values modelled for road networks around the Site do not extend to the roads than fall within 200m of North Downs Woodlands SAC, as it was not considered that a significant amount of traffic would disperse onto these roads. However, AADT values modelled for the proposed development will be significantly below 1000 AADT on all roads local to the proposed development, with the exception of Chaplefield Road which provides direct access to the Site. As such, it is not considered likely that the proposed development alone would result in significant increases in traffic on roads within 200, of the SAC and consequently no likely significant effects on atmospheric pollution / nitrogen deposition would be anticipated.

Peter's Pit SAC: However, AADT values modelled for the proposed development will be significantly below 1000 AADT on all roads local to the proposed development, with the exception of Chaplefield Way which provides direct access to the Site. As such, it is not considered likely that the proposed development alone would result in significant increases in traffic on roads within 200m, of the SAC and consequently no likely significant effects on atmospheric pollution / nitrogen deposition would be anticipated.

We advise that if the LPA are satisfied with the conclusions of the transport assessment with regard to increase in traffic going within 200m of the designated sites then no further information is required and there for the LPA can adopt the conclusions for the AA. However if concerns have been raised about the conclusions of the transport assessment there will be a need for the AA to e reviewed and updated prior to the determination of the planning application.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:

Ecological Impact Assessment; CSA; November 2020

Biodiversity Net Gain Assessment; CSA; November 2020

HRA Information Note; CSA; November 2020

From: Waste Services

Our Ref: TM/20/02749/OA

Contact: Date: 15 December 2020 Matthew Broome

Email planning.applications@tmbc.gov.uk

APPLICATION: TM/20/02749/OA

LOCATION: Land South Of Barming Station And East Of Hermitage Lane Aylesford
Kent

PROPOSAL: Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

Please supply me with any representations you may wish to make on the above application. If a reply is not received by 29 December 2020 I will assume you do not wish to comment. The application may be viewed at www.tmbc.gov.uk/view-planning-applications.

Application: TM/20/02749/OA

Views of Waste Services

1	Presentation of bins / boxes and The Service	TMBC operates a two x wheeled bin and green box , food waste container refuse and recycling collection service from the boundary of the property with the public highway. The service operates on an alternate week basis (general refuse and food waste one week and mixed dry recycling /cardboard/paper and food waste). Paid subscription to garden waste collections are optional	Bins / Boxes must be stored within the boundary of the property and placed at the nearest point to the public highway by 7 a.m. on collection day and returned to its storage point on the property by the end of the day.
2	Presentation of bins / boxes and The Service	Although advice in accordance with The Local Plan states ` no carry distance to exceed 25m from either the bin store or house to the refuse vehicle' it is emphasised that consideration should always be given to a shorter distance that adheres to the points raised in items 1 and 5.	
3	Type and number of containers	Subject to the number and type of dwellings TMBC will decide whether individual bins apply or whether a smaller number of dwellings	Mixed residential sites of houses and flats will receive two standard size (240 litre) bins and a box although flats will

		will share larger (1100 litre) communal bins. Individual household bins with provision for recycling will be the preferred choice of the authority specific to each application.	generally receive the smaller size bins (140 litre). Bins and boxes will be provided by TMBC and all repairs, replacements, subject to normal wear and tear only will be the responsibility of the Council. Bins damaged by the user may be recharged to the managing agent or the householder.
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5	Bin storage areas	Bin storage areas must be sufficient to accommodate 240 litre bins and a 55 litre recycling box and 22 litre food waste bin for each dwelling / household and allow additional space for communal bins for collection of cardboard/food/plastic and glass	Where the bin storage area is not near to the adopted public highway then the bins must be presented at a point as close to the public highway as possible. The absolute maximum distance that a service will be provided from the presentation point to the collection vehicle is 25 metres and this should only be in exceptional circumstances as agreed with the Waste Services Team authorised representative.
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7	Vehicle access	It is important that our collection vehicles are able to have safe access and egress from the development generally and at each collection point. If this is not possible either on a permanent or temporary basis then we will be unable to provide the collection service. It should also be noted that on-street car parking often	Collection of bins from individual property boundaries, or specified presentation points and bin storage areas can be achieved where vehicle access is permitted and road constructed to highway standard and adequate to withstand frequent use by 32 tonne (gross vehicle weight) refuse freighters.
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		gives rise to delays or inability to provide the service due to access problems. Adequate off-street parking / designated parking bays and the application of traffic restrictions e.g. double yellow lines can all aid provision of the service.	<p>Appropriate turning areas (for vehicles 12.5 m x 3m, with 6m wheelbase and 4.5m height) must be designed in to the development.</p> <p>Parking restrictions e.g. enforceable yellow lines where necessary to aid access where the highway is adopted. Unadopted roads should be designed to eliminate parking in areas where access for the collection vehicles would be hindered.</p>
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10	Container details	<p>Additional information for use when designing layout and bin storage / presentation areas</p> <ul style="list-style-type: none"> a. Standard Wheeled Bin (240 litre) dimensions: 1070mm H x 580mm W x 740mm D b. Small Wheeled Bin (140 litre) dimensions: 1070mm H x 480mm W x 555mm D c. Large Wheeled Bin (360 litre) dimensions: 1100 H x 620mm W x 860mm D d. Eurobin (communal) (1100 litre) dimensions: 1470mm H x 1360 W x 1080mm D e. Standard Box (55 litre) dimensions: 500mm H x 600mm W x 450mm D f. Food waste bin (22 litre)
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APPLICATION 20/02749/OAEA

Land East of Hermitage Lane and South of Barming Station

Proposed Residential Development

LANDSCAPE COMMENTS, INCLUDING REVIEW OF THE LANDSCAPE AND VISUAL ASSESSMENT SUBMITTED WITH THE APPLICATION

For Tonbridge and Malling Borough Council

By Jon Etchells Consulting

March 2021



1. Introduction and Scope of Review

General

- 1.1 This review of the landscape and visual aspects of the planning application (to Tonbridge and Malling Borough Council, TMBC) for residential development of up to 330 new dwellings on land to the east of Hermitage Lane (20/02749/OAEA) has been undertaken by Jon Etchells Consulting (JEC).
- 1.2 The site is outside the built-up area boundary and is in the countryside in planning terms. It adjoins the boundary with the Maidstone Borough Council area along its south eastern side, and just to its south east within Maidstone is the recent housing development of Hermitage Park, with access from Hermitage Lane via the new access road of Chapelfield Way. A rectangular area between the site and Hermitage Park is owned by Kent County Council and is allocated for a future school development. A railway line runs along the north western side of the site, and Barming Station adjoins the site to the north west
- 1.3 The site lies within the area covered by Policy CP5 of the TMBC Core Strategy, which identifies a Strategic Gap between the edge of Maidstone and the Medway Gap towns to the north west, as shown on the Proposals Map for the adopted Local Plan. However, the Strategic Gap policy is not carried forward into the emerging Local Plan, and there is a draft allocation for a strategic development site (South Aylesford, under Policy LP28) within the Strategic Gap on the land to the north west of the railway line (and also extending to the south of the railway line to cover a small area to the north east of the site, alongside the A20 London Road). TMBC have also permitted development of the main part of the strategic site (under application 17/01595/OAEA), extending between the railway line and the A20 London Road at its junction with Hermitage Lane.
- 1.4 JEC was requested by TMBC to review the Landscape and Visual Impact Appraisal (LVIA) set out in Chapter 8 of the Environmental Statement (ES, dated November 2020) submitted as part of the planning application, and also to provide general advice on the landscape and visual aspects of the proposed development. The LVIA was prepared by CSA Environmental, a recognised and established landscape practice. Jon Etchells has provided landscape advice to TMBC in connection with other proposals for residential development, and has also carried out LVIAs for projects within the TMBC area (and also the adjoin Maidstone Borough Council area), and is therefore familiar with the general locality and also the application of landscape-related policy.

Scope of Review

- 1.5 The Landscape Institute have produced guidance on reviewing LVIA's (Technical Guidance Note 1/20, January 2020), and this review has been prepared with due regard to that guidance, and covers the following broad areas:
- a) Whether the methodology used in the LVIA is appropriate and recognised.
 - b) Whether that methodology has been applied in a consistent and fair manner.
 - c) Whether the coverage and content of the LVIA is balanced and comprehensive.
 - d) Whether the LVIA contains any significant errors or omissions, and whether there are any deficiencies which could be remedied by the provision of additional information.
 - e) Whether its findings in respect of landscape and visual effects appear to be balanced and reasonable.
 - f) As the LVIA forms part of an ES, whether it meets the requirements of the EIA Regulations and also whether it provides the scope of assessment agreed in advance with TMBC in their Scoping Opinion.
- 1.6 The site is described to a reasonable level of detail within the LVIA which forms Chapter 8 of the ES and also within Chapter 4, and that description is not repeated here.
- 1.7 A full LVIA of the proposals has not been undertaken as part of this review - the comments set out below are based on a review of the LVIA provided as part of the application and on site observation, and are an indication only of the likely levels of landscape and visual effects.

Methodology for Review

- 1.8 In landscape and visual assessments, a distinction is normally drawn between landscape effects (i.e. effects on the character or quality of the landscape, irrespective of whether there are any views of the landscape, or viewers to see them) and visual effects (i.e. effects on people's views of the landscape, principally from residential properties, but also from public rights of way and other areas with public access). Thus, a development may have extensive landscape effects but few visual effects (if, for example, there are no properties or public viewpoints), or few landscape effects but significant visual effects (if, for example, the landscape is already degraded or the development is not out of character with it, but can clearly be seen from many residential properties).
- 1.9 As noted above, no detailed assessment has been undertaken as part of this review, but the consideration of the LVIA submitted as part of the ES has been undertaken with regard to the methodology set out in the 'Guidelines for Landscape and Visual Impact Assessment', produced jointly by the Institute of Environmental Management and Assessment and the

Landscape Institute ('the GLVIA', 1995, revised 2002 and again in 2013), which is the generally recognised methodology for undertaking such assessments.

2. The Proposed Development

2.1 The proposed development is described in the submitted ES and shown on the application drawings and also in the Design and Access Statement (DAS) submitted as part of the application and is therefore not described in full here, but in terms of its potential landscape and visual effects it is relevant to note the following:

- a) The site is reasonably well contained, by the railway line and the vegetation alongside it to the north (and also by the distribution centre to the north of the railway line), the tall poplar shelter belt along its north eastern boundary, the rising ground and Hermitage Park development to the south and Hermitage Lane and the trees alongside it to the west. As a result, most views of the site are from the areas immediately adjoining it.
- b) The site adjoins the existing development of Hermitage Park to the south, and the land to the north of the railway line is allocated for strategic residential development, and is also the subject of a recent planning permission for that development. The access to Hermitage Park along Chapelfield Way runs along the southern site boundary and would also provide the main access to the proposed development.
- c) The tall poplar shelter belt within the site provides some internal landscape structure and separates the two parts of the site.
- d) The site is in the countryside but is not in agricultural use and does not have a fully rural character.
- e) However, as the site is within the countryside and undeveloped, the proposals would be likely to lead to some adverse landscape and visual effects.
- f) The site also lies within the designated Strategic Gap between Maidstone and the Medway Gap settlements. The gap designation will not be carried forward into the new Local Plan, but the loss of open land between the settlements could still result in some adverse effects in terms of landscape character and the setting and identity of the settlements.

3. Review of the Submitted Landscape and Visual Impact Assessment

3.1 The LVIA was produced by CSA Environmental, an established landscape practice based in Hertfordshire. The assessment is generally reasonable and thorough in terms of its scope, methodology and coverage, and has been carried out with due reference to the Guidelines for Landscape and Visual Impact Assessment (the GLVIA), though a number of comments can be made on it, as set out below in the order in which they appear:

- a) Section 8.2.11 refers to Paragraph 170 of the NPPF, but the assessment does not consider whether or not the site forms part of a valued landscape in terms of Paragraph 170. While it would be reasonable to assume that the site is not part of a valued landscape in these terms, the assessment should make this clear.
- b) Section 8.3.28 states that identified effects of moderate to substantial or greater significance are judged to be significant in EIA terms (i.e. for the purposes of the EIA Regulations), and that moderate level effects may be judged significant, according to the specific circumstances. Lower level effects are not judged to be significant, but the assessment states that they should not be ignored.
- c) In its Section 8.4 the assessment reviews landscape character assessments at national, county and Borough levels, and for the sake of clarity should have noted that there is no Borough level assessment for the TMBC area.
- d) Section 8.4.37 states that the site is '*at the lower end of medium landscape quality*', which seems generally reasonable.
- e) Section 8.4.38 states that the site '*could not be described as rural in character*' - while it does adjoin existing development to the south east and existing (and wider permitted) development beyond the railway line to the north and is not in active agricultural use, it is open and undeveloped, and does in my view have a partly rural character.
- f) The assessment states in sections 8.4.38 and 39 that the site is of low to medium landscape value and sensitivity, which again seems generally reasonable, though in my view the sensitivity to development of the type proposed could be judged as up to medium.
- g) In section 8.4.53 the assessment refers to partial views from the byway which runs to the south of the site, and states that the views are '*limited by the intervening*

orchard trees' In fact there are some clear views from this route to the site across the intervening field, and the new houses on the site would be visible extending across the view. However, the clear views are from a short length of the route only.

- h) In sections 8.7.1 and also 8.7.4 the assessment refers to Tables 8.1 and 8.2 which summarise the landscape and visual effects, but those tables do not appear to exist. However, the information referred to seems to be in Table 15.2, so it is not clear if anything is actually missing or if this is just an incorrect reference.
- i) Section 8.7.4 states that the landscape effects of the development on the site and surrounding area would be moderate adverse in Year 1, and that this effect would not be significant - Section 4 below considers whether that assessment is reasonable.
- j) The summary Table 15.2 does note that effects on the agricultural land of the site itself would be moderate to substantial adverse in Year 1, and that the effects would be significant - that effect is not brought out in the text, though (see below) the longer term assessment of moderate adverse residual effects which are not significant is mentioned.
- k) The assessment identifies moderate to substantial (and significant) visual effects for number 151 Hermitage Lane, which is adjacent to the north western corner of the site, and that assessment seems generally reasonable.
- l) In Section 8.10.2 the assessment notes that the loss of the orchard and open land within the site would be a permanent moderate adverse effect, but that it would not be considered significant. Section 8.10.3 states that the longer term effects on local landscape character would be slight to moderate adverse - Section 4 below considers whether that assessment is reasonable.
- m) In sections 8.11.11 to 8.11.14 the assessment considers the potential effects of the development on the separation between Maidstone and Aylesford, noting its location with the Strategic Gap, and also noting that the South Aylesford strategic development site effectively fills the gap between the settlements to the north and north east of the site. The assessment notes that the proposed development would reduce the present extent of open land between the settlements, but states that the railway line and station would continue to provide a physical boundary, with visual separation also provided by the trees around the station and along the railway line. The assessment also states that the planting alongside the railway line within the site would also assist in maintaining separation, but does not come to a conclusion

as to what the resultant effects on the separation between the settlements would be. I understand that TMBC do not place any weight on Policy CP5 when determining planning applications, as the policy will not be carried forward into the new Local Plan, and as the South Aylesford strategic development site has been allocated (and largely permitted) within the gap. However, the matter of separation and setting of settlements also has a bearing on general landscape character, and there would be some adverse effects in this respect.

- n) The assessment contains a section on 'Design Solutions and Assumptions' which states that the lines of tall shelter belt trees within and around the site would be retained, but does not go into detail about how they would be managed into the future. That is not a shortcoming of the assessment, as such details would normally be provided as a condition on approval, perhaps as part of a Landscape and Ecology Management Plan. However, it is worth noting at this stage that these features comprise lines of closely spaced trees which are now around 20m in height, and which will continue to grow into the future but which are likely to have a relatively short future life span. I would suggest that an appropriate condition requiring the future management of these trees to be addressed should be attached to any permission, and that consideration should be given to measures such as topping the trees to limit further upward growth, thinning of alternate trees and also their medium term and phased replacement with longer-lived specimens.

4. Landscape and Visual Effects

4.1 The assessment set out in the ES has been reviewed above - this section considers what the likely landscape and visual effects of the development would be, in order to consider whether the ES assessment is generally reasonable.

4.2 The following characteristics of the site and surrounding area and also the proposals are important in considering the landscape and visual effects which would result from the proposed development:

- a) As noted above, the site is reasonably well contained, by the railway line and the vegetation alongside it to the north (and also by the distribution centre to the north of the railway line), the tall poplar shelter belt along its north eastern boundary, the rising ground and Hermitage Park development to the south and Hermitage Lane and the trees alongside it to the west. As a result, most views of the site are from the areas immediately adjoining it. The tall poplar shelter belt within the site also provides some internal landscape structure and separates the two parts of the site.

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- b) Also as noted above, the site adjoins the existing development of Hermitage Park to the south, and the land to the north of the railway line is the subject of an allocation and recent planning permission for residential development. The main access to the site would be via the existing along Chapelfield Way access to Hermitage Park.
 - c) The site is in the countryside but is not in active agricultural use, and does not have a fully rural character.
 - d) The site lies within the designated Strategic Gap - the gap designation will not be carried forward into the new Local Plan, but the loss of some of the remaining open land between the settlements (after allowing for the South Aylesford development) would still result in some adverse effects in terms of landscape character and the setting and identity of the settlements. However, even with development of the application site, there would still be an area of open and undeveloped land to its north east, lying directly between the South Aylesford development and the north western edge of Maidstone.

4.3 Bearing in mind the above, and noting again that a full LVIA of the proposals has not been undertaken as part of this review, it is apparent that there would be some permanent adverse effects on local landscape character, and also on some views from nearby residential properties (though there are relatively few houses in the area around the site which would have significant views of the new buildings) and footpaths (and also the footbridge at the station), as a result of the proposed development.

4.4 Returning to the assessment set out in the ES, my general view is that it is detailed, comprehensive and based upon an appropriate methodology, and is in general a fair assessment of the likely levels of landscape and visual effects which would result from the development. My main comments on the levels of effects identified in the assessment are:

- a) Section 8.7.4 of the assessment states that the landscape effects of the development on the site and surrounding area would be moderate adverse in Year 1, and that this effect would not be significant - that assessment seems reasonable for the surrounding area, but effects within the site itself would be expected to be at a higher level, as the character of the site itself would change completely, and as I have noted Table 15.2 does state that effects on the agricultural land of the site itself would be moderate to substantial adverse in Year 1, and that effect would be significant. My view is that the moderate adverse effects on the area around the site should be

regarded as significant to ensure that they are given due weight in the final planning balance, while acknowledging that they would decrease over time.

- b) In Section 8.10.2 the assessment notes that the loss of the orchard and open land within the site would be a permanent moderate adverse effect, but that it would not be considered significant. Again, my view is that the assessed level of effects is reasonable, but that these long term effects should be regarded as significant to ensure that they are given due weight in the final planning balance.
- c) While I understand that the gap designation will not be carried forward into the new Local Plan, the loss of some of the remaining open land between the settlements would result in some adverse effects in terms of landscape character and the setting and identity of the settlements of Maidstone and the Medway Gap. There would still be an area of open and undeveloped land between the settlements to the north east of the site, but if that area were to be developed at some time in the future then the two settlements would have effectively merged, with only the railway line lying between them.

5. Conclusions

5.1 To return to the areas listed in Section 1.5 of this review for consideration, as a result of the review it can be said that:

- a) The assessment set out in the ES does use an appropriate and recognised methodology.
- b) That methodology has been applied in a generally consistent and fair manner.
- c) The coverage and content of the assessment is generally balanced and comprehensive.
- d) The assessment does not contain any significant errors or omissions.
- e) The findings of the assessment in respect of landscape and visual effects appear to be generally balanced and reasonable, though in my view some of its judgements as to what should constitute significant effects have not been fully justified, and it would have been better to regard the main landscape effects (assessed as moderate adverse) as significant, in order to ensure that they are carried forward and given due weight in the final planning balance.

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- f) The assessment meets the requirements of the EIA Regulations in terms of its scope and coverage, and also provides the scope of assessment agreed in advance with TMBC in their Scoping Opinion.
- 5.2 The submitted LVA is detailed, comprehensive and based upon an appropriate methodology, and its assessment of the likely levels of landscape and visual effects appears generally fair and reasonable.
- 5.3 That assessment is of initially moderate to substantial adverse effects within the site itself, and of moderate adverse effects on the character of the site and surrounding area, with those effects declining over time to moderate adverse and slight to moderate adverse respectively after 15 years. Those are relatively high level effects (the overall scale used has only three categories, slight, moderate and substantial, so moderate adverse is the second highest category), and despite the judgement in the assessment that the moderate adverse effects are not significant, in my view they should be regarded as significant and carried forward into the planning balance to be weighed against the benefits of the proposed development. In that balancing exercise it should also be noted that the site is reasonably well contained, and the effects would be limited a relatively small area within and around the site.
- 5.4 There is also the matter of the separation and identity of the settlements of Maidstone and the Medway Gap - while I understand that the gap designation will not be carried forward into the new Local Plan, the loss of some of the remaining open land between the settlements would result in some adverse effects in terms of landscape character and the setting and identity of the settlements of Maidstone and the Medway Gap. There would still be an area of open and undeveloped land between the settlements to the north east of the site, but if that area were to be developed at some time in the future then the two settlements would have effectively merged, with only the railway line lying between them.

Jon Etchells Consulting, 8 March 2021
615-Landscape Review



Technical Note

Land South of Barming Station
(TM/20/02749/OAEA)

21-024-001 Rev -

Review of Transport Assessment

July 2021

Rev	Issue Purpose	Author	Checked	Reviewed	Approved	Date
-	Draft	PL	CG	SW	JW	29/07/21

1 Introduction

- 1.1.1 C&A Consulting Engineers have been appointed by Tonbridge and Malling Borough Council (TMBC) to review the transport aspects of the Land South of Barming Station planning application (ref TM/20/02749/OAEA).
- 1.1.2 This is an outline application by Croudace Homes for "erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)".
- 1.1.3 On behalf of the applicant, Stuart Michael Associates (SMA) produced a Transport Assessment (TA) in December 2020. KCC Highways provided consultation comments on the submitted TA in February 2020.
- 1.1.4 Following the above, a Transport Assessment Addendum (TAA) dated March 2021 and a Technical Note dated May 2021 were submitted by the applicant to address the concerns raised by KCC.
- 1.1.5 A Travel Plan (TP) was also submitted alongside the TA which would extend the approved TP for the neighbouring Hermitage Park site.
- 1.1.6 This review is informed by the above reports submitted in support of the outline application and the consultation comments provided by KCC Highways.

2 KCC Consultation

2.1 KCC's Initial Comments

2.1.1 KCC Highways provided their comments on the TA on 11 February 2021. The main matters that were raised are as follows:

- Revised plans are required showing the secondary access proposal but amended to include a traffic island on Hermitage Lane with a minimum width of 1.6m to accommodate the signing with a minimum clearance distance of 500mm. The drawing should also include an extended footway/cycleway from Barming Station to the junction with Chapelfield Way. A RSA1 is required for the scheme.
- Further details of the proposed improvement scheme for the A20/Hermitage Lane junction including a drawing with dimensions provided and RSA1.
- A capacity assessment of the proposed improvement scheme currently being pursued by KCC Highways for the A26/Fountain Lane junction in order to assess the impact of the development is required.
- Crash details for the most recent 5-year period and an analysis of those areas showing clusters.
- Clarification on the impact of the proposed development on capacity at the Poppy Fields and A20 London Road/Hermitage Lane/Preston Hall junctions in the event that the Hermitage Lane to Poppy Fields Roundabout link road is provided or a condition to restrict development until the link road is open to traffic.
- Further clarification of the traffic distribution diagrams and traffic survey validation as outlined in the foregoing review.

2.1.2 The applicant submitted a TA Addendum (TAA) (dated 12 March 2021) to address the above comments received from KCC Highways. The applicant's responses are summarised in the next section of this report.

2.2 KCC's Further Comments

2.2.1 Following submission of the TAA, KCC Highways provided their comments on 26 April 2021 highlighting outstanding highway matters and recommending a holding objection. The main matters that were raised are as follows:

- Please extend the cycleway as shown on the secondary access drawing number 5407.003 Rev B. into the secondary access.

- Revised plans are required showing the secondary access proposal but amended to allow a running lane of 3.5m each side of the traffic island due to the amount and type of traffic on Hermitage Lane and to allow an adequate safety zone for maintenance purposes.
- The safety audit of drawing 5407.003 Rev B of the secondary access includes comments which are not adequately addressed in the Designer's Response.
- Site layout drawings to be amended to show additional space and tracking at internal junctions as described in the foregoing report.
- There are significant differences in the flows between A20/Hermitage Lane and Coldharbour Roundabout and also between Coldharbour Roundabout and Poppyfields Roundabout which is difficult to explain as there are no other turnings between the junctions. Please could this be checked.
- The proposed mitigation scheme for the A20/Hermitage Lane junction as shown on Drawing 004-SK-004 Rev A provides relief to some arms of the junction but the A20 London Road East ahead movement and the Hermitage Lane right turn movement show excessive capacity issues in the AM peak without Whitepost Field link road, which are worse than the 'without development' scenario. Additional mitigation is needed if the development is occupied prior to the delivery of the Whitepost Field link road.
- Further clarification of the traffic distribution diagrams and traffic survey validation as outlined in the foregoing review.
- A suitable improvement scheme is required to mitigate the impact of the development at the A26/Fountain Lane/Farleigh Lane junction the most appropriate solution would be to provide funding to allow the delivery of the proposed KCC dual roundabout scheme. The funding gap currently stands at circa £2.5m.

2.2.2 The applicant submitted a Technical Note (TN), dated 12 May 2021, to address the above comments received from KCC Highways. The TN is summarised in the next section of this report.

2.3 KCC's Final Comments

2.3.1 Following the submission of the TN, KCC Highways provided their final consultation response on 16 June 2021 confirming no objection to the planning application, subject to conditions and contributions.

3 Applicant's Responses

3.1 Applicant's Responses

- 3.1.1 The applicant submitted a TAA and a Technical Note to address the comments raised by KCC Highways. Following this, KCC have confirmed in their latest consultation response (dated 16 June 2021) that the previous concerns have been adequately addressed. The applicant's responses are summarised below.
- 3.1.2 The primary site access drawing has been updated (**Drawing 5407.005 Rev C**) as part of the TAA to clearly illustrate the provision of dropped kerb crossings at the access and is considered appropriate.
- 3.1.3 The secondary site access **Drawing 5407.003 Rev C** was also updated as part of the TAA to address the concerns raised by KCC/auditors to include a wider traffic island on Hermitage Lane, a footway/cycleway along Hermitage Lane and a pedestrian refuge on Hermitage Lane. As part of the TN, **Drawing 5407.003 Rev D** has been further updated to show the proposed footway/cycleway extended to at least the first dwelling into the site as requested by KCC.
- 3.1.4 In para 2.2 of the TAA, the applicant has agreed to contribute to the KCC proposed scheme for a footway/cycleway along Hermitage Lane between Barming Station and the hospital. The secondary access drawing includes the KCC proposed scheme.
- 3.1.5 In para 2.4 of the TAA, the applicant has agreed to contribute towards bus service improvements. KCC in their response dated 26 April 2021 have confirmed that this would be £910 per dwelling, £300,300 in total. The applicant has suggested (in para 2.6) that improvements at Barming station can be dealt during the reserved matters application.
- 3.1.6 KCC accepted that the Travel Plan for the adjacent Hermitage Park development can be extended to this site. However, they stated that the target for reduction of the mode share for single occupancy vehicles should be revised to 10% along with additional measures and incentives to achieve this. The applicant in para 2.9 agreed to review the targets and for the Travel Plan to be secured through a planning condition. The duration of the Travel Plan should be extended to 5 years from 1st occupation of the proposed development or until the target is achieved, whichever is the longer.
- 3.1.7 Subsequently, in the TN, the applicant has confirmed that a full Travel Plan will be submitted at the detailed design stage and have included details of car clubs and cycle hire schemes to be secured at the detailed stage.

- 3.1.8 C&A consider that this package of sustainable travel measures is appropriate and proportionate.
- 3.1.9 Although it is stated in the TA that the KCC's Guidance Note 3: Residential Parking was considered, the TA nor the TAA provide further details on the parking provision on the site. However, it is noted that the application is in outline, and this can be dealt at reserved matters stage.
- 3.1.10 Site layout **Drawings 5407.007 Rev B** and **5407.009 Rev A** were updated to show the tracking using a refuse vehicle and a 4.8m saloon as per the KCC's comment. However, given it is an outline application, it is anticipated that a more detailed site layout, along with revised vehicle tracking will be produced at the detailed design stage.
- 3.1.11 The TA provided crash data for the five-year period to 31 December 2019. Subsequently, KCC requested review of the crash data available for the latest five-year period to include 2020. Within the TAA, the applicant provided a review of the five-year data up to 30 September 2020.
- 3.1.12 The review identified a total of 30 reported accidents within the study area of which 27 were classified as slight and three were classified as serious. No fatal accidents were reported. The review did not identify any specific safety risk associated with the highway layout, rather the accidents were due to driver error or mechanical failure.
- 3.1.13 The trip generation methodology and the anticipated development arrival and departure trips were considered appropriate and were accepted by KCC.
- 3.1.14 KCC had raised concerns with regards to significant differences in the traffic flows between the A20/Hermitage Lane Coldharbour Roundabout and also between Coldharbour Roundabout and Poppyfields Roundabout. The applicant has clarified in the TN that this is due to different traffic data sources to be representative at the time due to the COVID-19 pandemic. Therefore, under the circumstances, this was found to be acceptable by KCC.
- 3.1.15 KCC had also raised concerns with regards to the operation of the A20/Hermitage Lane junction without the Whitepost Link Road. The applicant has stated in the TN that although the proposed mitigation scheme does not make the junction within its theoretical capacity, it adequately mitigates the impact of the proposed development as well as improving the operation of a junction that would already exceed capacity in the future year. KCC have confirmed that this is acceptable and should be delivered via a S278 Agreement.

3.1.16 Finally, KCC in their final response have suggested a proportional contribution towards the A26/Fountain Lane improvement scheme would be acceptable as suggested by the applicant. Additionally, KCC has commented that each tree to be removed has a value which needs to be paid to KCC Highways landscaping Team.

4 Local Junctions - Modelling and KCC Recommendations

4.1.1 The local highway junctions that were agreed with KCC to be assessed are as follows.

1. A20/Hall Road/Mills Road
2. **A20/Hermitage Lane***
3. **Coldharbour Roundabout***
4. M20 Junction 5 Roundabout
5. **Poppyfields Roundabout***
6. Hermitage Lane/Retail Park
7. Hermitage Lane/Whitepost Field Link Road junction
8. Chapelfield Way/Site Access
9. Hermitage Lane/Secondary Access
10. Hermitage Lane/Chapelfield Way
11. Fullingpits Avenue/Hermitage Lane/Tarragon Road
12. Heath Road/Hermitage Lane/St Andrews Road
13. **Fountain Lane/A26/Farleigh Lane***
14. **A26/Red Hill/Bow Road – Watringbury Crossroads***

4.1.2 The trip generations, the forecast year and committed developments that have been used are considered appropriate by KCC. Appropriate software in the form of Junctions 9 for priority and roundabout junctions and LINSIG for signalised junctions were used to assess these junctions.

4.1.3 No concerns were raised by KCC with most of the junctions that were assessed in terms of modelling approach. KCC accepted that these would operate within capacity with the proposed development in the forecast year.

4.1.4 *KCC required further clarification in terms of traffic distribution and raised some concerns in terms of capacity of some of these junctions which are highlighted above. The applicant has adequately addressed these concerns through the subsequent submission of TAA and TN as discussed in the above section.

4.1.5 C&A have identified some further minor issues with the junction modelling.

- 4.1.6 For the A20/Hall Road /Mills Road roundabout model (TA Appendix H), the KCC proposed layout has not been provided so C&A could not validate the geometric inputs.
- 4.1.7 For the A20 / Hermitage Lane model (TA Appendix I, and Addendum Appendix D), the westbound bus lane has not been modelled.
- 4.1.8 However these are unlikely to result in significant changes to the outcomes.

A20/Hermitage Lane

- 4.1.9 It was requested that this junction should be modelled for a scenario whereby the Whitepost Field link road is not provided.
- 4.1.10 As previously mentioned, the applicant has stated in the subsequent TAA and TN that although the proposed mitigation scheme does not bring the junction within its theoretical capacity, it mitigates against the impact of the proposed development, and improves the operation of a junction that is already forecast to exceed capacity in the future year.
- 4.1.11 Without the Link Road, the PRC is -56% for the 2025 Base plus Development without Mitigation scenario. This improves significantly to -31% for the 2025 Base plus Development with Mitigation scenario. KCC have confirmed that this is acceptable and should be delivered via a S278 Agreement.
- 4.1.12 C&A consider that this is a robust approach, and provides reassurance that the impacts of the development will be mitigated in either case.

Coldharbour Roundabout

- 4.1.13 This reflects the forthcoming KCC improvement scheme. The model of this junction was amended in the TAA to reflect the geometric parameters provided by KCC. Following the update, the results indicate that the roundabout would operate within capacity with the proposed development.
- 4.1.14 KCC have requested a 'no development' condition prior to the completion of the KCC improvement scheme. This is not forecast to be completed until November 2022, according to the KCC website. C&A consider that a 'no occupation' condition would be more appropriate so that enabling works at the application site could commence.

Poppyfields Roundabout

- 4.1.15 As with the A20/Hermitage Lane junction, this junction was requested to be re-modelled without the Whitepost Field link road. The results indicates that the roundabout will be well within its capacity with the proposed development, even without the link road.

A26/Fountain Lane/Farleigh Lane

- 4.1.16 The results in the TA indicated that the junction would operate over capacity in both the Base scenario (PRC -23%) and With Development scenario (PRC -27%). As KCC are developing a longer-term mitigation scheme here, the applicant has offered to contribute towards this strategic mitigation scheme instead of a minor mitigation scheme to offset the impact of the development.
- 4.1.17 As mentioned previously, KCC in their final response have suggested a proportional contribution to bridge the funding gap towards the A26/Fountain Lane improvement scheme would be acceptable as suggested by the applicant.
- 4.1.18 The Whitepost Field development of 840 dwellings includes a contribution of £1.3m to the KCC scheme, as well as its own link road proposal which would have its own cost. KCC have requested a bridging contribution of £1.2m from the current application to the KCC scheme. This level is therefore seen as proportionate. KCC have requested that this contribution is made before any occupation, but a trigger condition relating to cumulative occupation of the two sites would be more appropriate.

A26/Red Hill/Bow Road – Wateringbury Crossroads

- 4.1.19 In their response dated 11 February 2021, KCC stated that to address the congestion and pollution issues at this junction, the applicant should be required to provide a financial contribution towards design and consultation, via a Section 106 Agreement.
- 4.1.20 This is also considered to be reasonable and proportionate.

5 Summary

- 5.1.1 The Transport Assessment and subsequent reports from Stuart Michael Associates include generally appropriate and robust calculations.
- 5.1.2 KCC have suggested measures and contributions to encourage sustainable travel at the development, and C&A consider these to be appropriate and proportionate.
- 5.1.3 KCC have concluded that the residual highway impact of the development would be acceptable subject to the agreement of mitigation measures.
- 5.1.4 C&A consider that the suggested Conditions from KCC are largely reasonable, but that it would be reasonable for the trigger point for some of the Conditions to be amended as above.

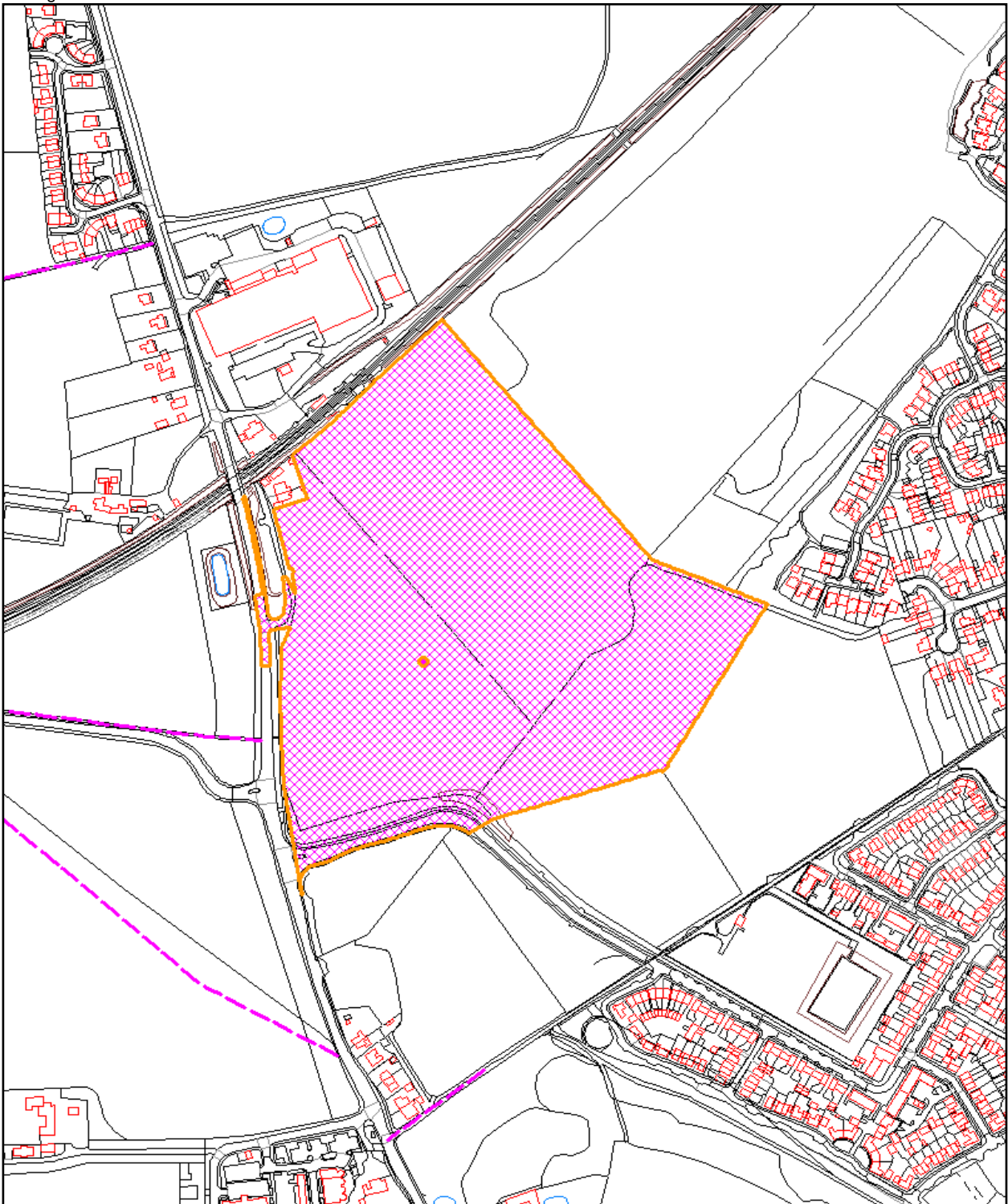
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TM/20/02749/OAEA

Land South Of Barming Station And East Of Hermitage Lane Aylesford Kent

Outline Application: erection of up to 330 dwellings (including 40% affordable homes), together with associated open space, play areas, and landscaping (including details of access)

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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**

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