

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

---

**Chief Executive**

Julie Beilby BSc (Hons) MBA

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

---

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

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

17 May 2022

To: MEMBERS OF THE AREA 2 PLANNING COMMITTEE  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 2 Planning Committee to be held in Council Chamber, Gibson Drive, Kings Hill on Wednesday, 25th May, 2022 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members may attend in person or 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

## AGENDA

1. Guidance for the Conduct of Meetings

5 - 6

## **PART 1 - PUBLIC**

2. Apologies for Absence

3. Declarations of Interest

*Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting*

4. Minutes 7 - 8

To confirm as a correct record the Minutes of the meeting of Area 2 Planning Committee held on 6 April 2022.

5. Glossary and Supplementary Matters 9 - 16

*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**

6. TM/21/02273/RM - Development Site North and East of Jubilee Way, Kings Hill, West Malling 17 - 26

Approval of Reserved Matters for Areas 5.2 and 5.3, Kings Hill Phase 5, comprising the construction of 210 residential units and associated works, together with details required by conditions 1, 6, 7, 8, 9, 10 pursuant to Outline Planning Permission TM/18/03034/OAEA.

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**

8. Exclusion of Press and Public 27 - 28

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.

## **PART 2 - PRIVATE**

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 H S Rogers (Chair)  
Cllr B J Luker (Vice-Chair)

Cllr Mrs J A Anderson  
Cllr R P Betts  
Cllr P Boxall  
Cllr C Brown  
Cllr M A Coffin  
Cllr D Harman  
Cllr S A Hudson  
Cllr Mrs F A Kemp

Cllr P J Montague  
Cllr W E Palmer  
Cllr J L Sergison  
Cllr T B Shaw  
Cllr N G Stapleton  
Cllr K B Tanner  
Cllr M Taylor

This page is intentionally left blank

## **GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED**

- (1) All meetings of the Borough Council will be livestreamed to YouTube here, unless there is exempt or confidential business be discussed:  
  
<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxjAPfw/featured>
- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) in the first instance.

### **Attendance:**

- Members of the Committee/Advisory Board are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chairman, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee/Advisory Board are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.
- Members of the public addressing an Area Planning Committee can participate in person or online. Please contact [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

### **Ground Rules:**

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

### **Voting:**

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### AREA 2 PLANNING COMMITTEE

#### MINUTES

Wednesday, 6th April, 2022

**Present:** Cllr B J Luker (Vice-Chair, in the Chair), Cllr R P Betts, Cllr P Boxall, Cllr C Brown, Cllr M A Coffin, Cllr D Harman, Cllr S A Hudson, Cllr W E Palmer, Cllr T B Shaw, Cllr N G Stapleton and Cllr M Taylor

(Note: As Councillors Mrs J Anderson, Mrs F A Kemp, P J Montague and J L Sergison were unable to attend in person and participated via MS Teams they were unable to vote on any matters)

Apologies for absence were received from Councillors H S Rogers and K B Tanner

#### PART 1 - PUBLIC

##### **AP2 22/13 DECLARATIONS OF INTEREST**

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

##### **AP2 22/14 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 23 February 2022 be approved as a correct record and signed by the Chairman.

##### **AP2 22/15 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 tabled at the meeting.

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

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

**AP2 22/16 TM/21/02273/RM - DEVELOPMENT SITE NORTH AND EAST OF  
JUBILEE WAY, KINGS HILL, WEST MALLING**

Approval of Reserved Matters for Areas 5.2 and 5.3, Kings Hill Phase 5, comprising the construction of 210 residential units and associated works, together with details required by conditions 1, 6, 7, 8, 9, and 10 pursuant to Outline Planning Permission TM/18/03034/OAEA at the development site north and east of Jubilee Way, Kings Hill.

**RESOLVED:** That the Application be deferred to seek improvements and clarification on the following issues:

- Location of the LEAP Play Area
- Renewable energy provision
- Parking provision
- Affordable Housing Mix

[Speakers: Mr D Rush representing Kings Hill Parish Council and as a member of the public in his own right and Mr M Bessant (agent) addressed the Committee in person]

**AP2 22/17 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.43 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)

This page is intentionally left blank



**Kings Hill**  
Kings Hill

**18 August 2021**

**TM/21/02273/RM**

Proposal: Approval of Reserved Matters for Areas 5.2 and 5.3, Kings Hill Phase 5, comprising the construction of 210 residential units and associated works, together with details required by conditions 1, 6, 7, 8, 9, 10 pursuant to Outline Planning Permission TM/18/03034/OAEA

Location: Development Site North and East Of Jubilee Way Kings Hill West Malling Kent

Go to: [Recommendation](#)

---

## **1. Description:**

- 1.1 Members will recall that this application was deferred from the last meeting of the APC2 in April for the following matters to be explored further:
- Moving the location of the LAP Play Area
  - Incorporating renewable energy systems into the development
  - Provide additional car parking provision
  - Clarify whether the proposed Affordable Housing tenure mix can be adjusted
- 1.2 In response to these matters, twelve additional visitor car parking spaces have been incorporated into the development which will not be allocated to any specific dwelling. These will be provided adjacent to the internal roads.
- 1.3 The main LAP will remain in place where it has already been shown. However, additional pieces of natural play equipment will be placed along the bridleway corridor to provide opportunities of play away from the A228. A new fence will also be installed alongside the northern end of the LAP to discourage children from climbing on the bund itself, which will have an acoustic fence placed on top of it in any case.
- 1.4 Regarding renewable technologies, solar PV panels are to be installed on the roofs of the three apartment buildings containing the 42 affordable flats.
- 1.5 In addition to the above the alignment of the public right of way (PROW) through the site has been adjusted to remove it away from the access road serving some of the dwellings. The PROW is now proposed to run within a landscaped area save for where it has to cross the central access road.
- 1.6 My previous report is attached at Appendix 1 to this report.

## **2. Reason for reporting to Committee:**

2.1 To report the application back following its deferral from the previous meeting of the APC2.

**3. The site:**

3.1 This site is described as sites 5.2 and 5.3 combined and forms the largest of the three outline submissions. It is bounded to the north-west by the by-pass, to the south and west by the Rolex Headquarters building and associated car parking and open land to the east, which did form an area proposed for allocation in the former draft local plan, known as Broadwater Farm. Sites 5.2 and 5.3 lie to the northern edge of the business park area of Kings Hill estate and comprise two parcels of land, totalling an area of 8 ha. Coalpit Wood (an Ancient Woodland) lies directly to the south of the application site, separating it from existing residential development in Phase 3 of the Kings Hill village.

**4. Consultees:**

4.1 No further consultations have been undertaken since the application was deferred from the previous meeting.

**5. Determining Issues:**

5.1 Starting first with Affordable Housing, the tenure mix for the affordable housing has already been formally agreed within the s106 Agreement as part of the outline planning permission between the Council and the developer as being 70/30 Social Rent/Intermediate Housing. There is no scope when determining this Reserved Matters submission to revisit and amend this agreed tenure mix.

5.2 Concerning the renewable technology, solar PVs will be fitted to the roof of three of the apartment buildings, which will also contain the affordable flats. Whilst there is no up-to-date development plan policy concerning the use of this technology, it would certainly align itself with the Council's Climate Change Strategy and be a much-improved position to the one reported to the last APC 2 meeting.

5.3 With regard to the children's play area, there is no scope to simply re-site this elsewhere within the site as the entire layout would have to be changed at this late stage. The position of this within the site is considered to be acceptable both in terms of child safety and air quality. There is a bund standing between the play area and the A228 on top of which an acoustic fence will be located. Railings will also now be posted between the play area and the bund to discourage movement onto it. These safety features combined with parental supervision would be sufficient, in planning terms, to render the area safe for its intended use. With regard to air quality, the proposed layout has not drawn an objection from colleagues in the Environmental Protection Team on this ground. Furthermore, poor air quality tends to occur in confined areas where stationary

traffic builds up. The open aspect for the general locality should not create the conditions to present an air quality issue for those using the LAP.

- 5.4 Notwithstanding the above additional play equipment, in the form of trim trail and natural play equipment, is proposed to be located within the corridor to accommodate the realigned PROW. Details of the specific pieces of equipment can be required by condition. The provision of the additional play equipment exceeds what could be required under the terms of the original planning permission for this site and will provide a good alternative offer to the LAP located at the northern end of the site. As such, the amended details are considered to be acceptable.
- 5.5 Twelve additional car parking spaces will be provided within the site which will not be allocated to specific dwellings within the development. A balance must be struck between providing additional parking and how this affects the landscaping/character of the development. Given that the highway authority considered the previous scheme to be acceptable, it must follow that the increased car parking provision must also be considered acceptable. The additional number of car parking spaces also would not harm the overall character of the development.
- 5.6 The alignment of the PROW has been revised so that it no longer runs along part of the access road serving the development. It will now be located wholly within the green corridor, except where it has to cross the central access road within the site. This will provide a better route for all those using the bridleway.
- 5.7 Taking all of the matters into account the proposed revisions are a modest but marked improvement to the scheme presented to the last meeting of the APC2. The development is still considered to conform to the development plan policies and national planning guidance referred to in my previous report. As such I recommend that this Reserved Matters submission be approved.

## **6. Recommendation:**

- 6.1 **Approved Reserved Matters** in accordance with the following submitted details:

Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0102 C03 dated 25.04.2022,  
Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0103 C03 dated 25.04.2022,  
Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0104 C02 dated 25.04.2022,  
Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0105 C02 dated 25.04.2022,  
Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0106 C02 dated 25.04.2022,  
Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0107 C02 dated 25.04.2022,  
Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0108 C02 dated 25.04.2022,  
Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0109 C02 dated 25.04.2022,  
Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0110 C02 dated 25.04.2022,  
Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0111 C02 dated 25.04.2022,

Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0112 C01 dated 25.04.2022,  
Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0113 C02 dated 25.04.2022,  
Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0122 C02 dated 25.04.2022,  
Proposed Floor Plans KH5-BPTW-B01-ZZ-DR-A-1051 C02 dated 25.04.2022,  
Proposed Elevations KH5-BPTW-B01-ZZ-DR-A-2051 C02 dated 25.04.2022,  
Proposed Floor Plans KH5-BPTW-B02-ZZ-DR-A-1052 C02 dated 25.04.2022,  
Proposed Elevations KH5-BPTW-B02-ZZ-DR-A-2052 C02 dated 25.04.2022,  
Proposed Floor Plans KH5-BPTW-B04-ZZ-DR-A-1054 C02 dated 25.04.2022,  
Proposed Elevations KH5-BPTW-B04-ZZ-DR-A-2054 C02 dated 25.04.2022,  
Proposed Floor Plans KH5-BPTW-B05-ZZ-DR-A-1055 C02 dated 25.04.2022,  
Proposed Roof Plan KH5-BPTW-B05-ZZ-DR-A-1056 C02 dated 25.04.2022,  
Proposed Elevations KH5-BPTW-B05-ZZ-DR-A-2055 C02 dated 25.04.2022,  
Proposed Roof Plan KH5-BPTW-B07-ZZ-DR-A-1060 C02 dated 25.04.2022,  
Proposed Elevations KH5-BPTW-B07-ZZ-DR-A-2057 C02 dated 25.04.2022,  
Proposed Plans and Elevations KH5-BPTW-T05-ZZ-DR-A-1005 C02 dated  
25.04.2022, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2023 C03 dated  
25.04.2022, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2024 C03 dated  
25.04.2022, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2025 C02 dated  
25.04.2022, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2026 C02 dated  
25.04.2022, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2027 C02 dated  
25.04.2022, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2029 C01 dated  
25.04.2022, Other Surface Water Management Strategy part 1 and 2 dated  
18.08.2021, Management Plan Landscape and Ecological dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.1 rev B (1 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.2 rev B (2 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.3 rev B (3 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.4 rev B (4 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.5 rev B (5 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.6 rev B (6 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.7 rev B (7 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.8 rev B (8 of 8) dated 18.08.2021,  
Landscape Layout 7448.5.2\_5.3.HS.6.0 rev B Detailed Hard Landscape dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.1 rev C (1 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.2 rev C (2 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.3 rev C (3 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.4 rev C (4 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.5 rev C (5 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.6 rev C (6 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.7 rev C (7 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.8 rev C (8 of 8) dated  
18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.0 rev C Detailed Overview dated  
18.08.2021, Noise Assessment dated 18.08.2021, Other Transport Technical  
Note dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B03-ZZ-DR-A-1053  
C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B03-ZZ-DR-A-2053  
C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B06-ZZ-DR-A-1057

C01 dated 18.08.2021, Proposed Roof Plan KH5-BPTW-B06-ZZ-DR-A-1058  
C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B06-ZZ-DR-A-2056  
C01 dated 18.08.2021, Landscaping 7448.LSP.03 REV G dated 28.03.2022,  
Proposed Floor Plans KH5-BPTW-B08-ZZ-DR-A-1061 C01 dated 18.08.2021,  
Proposed Roof Plan KH5-BPTW-B08-ZZ-DR-A-1062 C01 dated 18.08.2021,  
Proposed Elevations KH5-BPTW-B08-ZZ-DR-A-2058 C01 dated 18.08.2021,  
Proposed Floor Plans KH5-BPTW-B09-ZZ-DR-A-1063 C01 dated 18.08.2021,  
Proposed Elevations KH5-BPTW-B09-ZZ-DR-A-2059 C01 dated 18.08.2021,  
Location Plan KH5-BPTW-S01-ZZ-DR-A-0100 C01 dated 18.08.2021, Existing  
Site Layout KIN-BPTW-S01-ZZ-DR-A-0101 C01 dated 18.08.2021, Existing  
Site Layout KH5-BPTW-S01-ZZ-DR-A-0113- C01 dated 18.08.2021, Proposed  
Elevations KH5-BPTW-S01-ZZ-DR-A-2021 C01 dated 18.08.2021, Proposed  
Elevations KH5-BPTW-S01-ZZ-DR-A-2022 C01 dated 18.08.2021, Proposed  
Elevations KH5-BPTW-S01-ZZ-DR-A-2028 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1001 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1005 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1007  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-  
DR-A-1008 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T01-ZZ-DR-A-1009 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T01-ZZ-DR-A-1013 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1017 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1019 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1021  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T21-ZZ-  
DR-A-1022 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T01-ZZ-DR-A-1025 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T01-ZZ-DR-A-1027 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T25-ZZ-DR-A-1026 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T26-ZZ-DR-A-1028 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T26-ZZ-DR-A-1029  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T29-ZZ-  
DR-A-1030 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T30-ZZ-DR-A-1033 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T33-ZZ-DR-A-1034 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T34-ZZ-DR-A-1037 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T37-ZZ-DR-A-1038 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T38-ZZ-DR-A-1039  
C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-T41-ZZ-DR-A-1042  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T39-ZZ-  
DR-A-1040 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-T39-ZZ-  
DR-A-1041 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T41-ZZ-DR-A-1043 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T43-ZZ-DR-A-1045 C01 dated 18.08.2021, Design and  
Access Statement KH5-BPTW-XX-XX-DO-A-060 C01 dated 18.08.2021, Other

Technical Briefing Note Aspect Ecology dated 18.08.2021, Arboricultural Assessment dated 18.08.2021, Other Technical note Surface water modelling of Kings Hill area 5.2 and 5.3 dated 18.08.2021, Planning Layout HC-3048-506 sheet 1 dated 18.08.2021, Planning Layout HC-3048-506 sheet 2 dated 18.08.2021, Drainage Layout HC-3048-500 and 501 sheet 1 and 2 dated 18.08.2021

### **Conditions / Reasons**

1. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed "This was approved in accordance with the following submitted details".

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

2. No dwelling shall be occupied until the children's play equipment has been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details and retained at all times thereafter.

Reason: To ensure that the play equipment is available for use at the time of first occupation.

### **Informatives**

1. The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate a postal address to the new property. To discuss the arrangements, you are invited to e-mail to [addresses@tmbc.gov.uk](mailto:addresses@tmbc.gov.uk). To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.
2. The developer is strongly encouraged to consider all available opportunities for incorporating renewable energy technologies into the approved development wherever possible and for measures to support biodiversity within the construction of the buildings.
3. The applicant, and any subsequent management company responsible for the development once completed, are strongly encouraged to enter into early and ongoing liaison with Kings Hill Parish Council regarding the management and enforcement of parking across the development to ensure this takes place in an appropriate and rigorous manner at all times.
4. The applicant is strongly encouraged to investigate all appropriate design-based and site management solutions for preventing unacceptable and unauthorised

vehicle parking across the development, ensuring in particular (but not necessarily limited to) the clear demarcation of visitor parking bays and where on-street parking is prohibited.

5. 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.
6. 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>
7. 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.
8. It is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.
9. It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.
10. The applicant is strongly encouraged to take heed of the advice and comments contained within the consultee responses to this application when preparing further technical submissions to discharge conditions attached to outline planning permission TM/18/03034/OAEA.

Contact: Matthew Broome

This page is intentionally left blank



**Kings Hill**  
Kings Hill

**18 August 2021**

**TM/21/02273/RM**

---

Proposal: Approval of Reserved Matters for Areas 5.2 and 5.3, Kings Hill Phase 5, comprising the construction of 210 residential units and associated works, together with details required by conditions 1, 6, 7, 8, 9, and 10 pursuant to Outline Planning Permission TM/18/03034/OAEA

Location: Development Site North And East Of Jubilee Way Kings Hill West Malling Kent

Go to: [Recommendation](#)

---

**1. Description:**

- 1.1 Outline planning permission was granted by the Planning Inspectorate for residential development on this parcel of land described as Sites 5.2/5.3. The site is situated within the business park area of the Kings Hill estate. The submitted plans show the provision of 210 dwellings comprising 1 and 2-bedroom apartments and 2, 3, 4 and 5 bedroom dwellings, with associated parking, landscaping and infrastructure incorporated. 40% affordable housing provision for this development was secured at the outline stage.
- 1.2 The grant of outline planning permission means that the principle of residential development at this quantum on this site has been accepted and cannot be revisited via consideration of the reserved matters. Furthermore, the off-site impacts arising from the provision of the proposed development in respect of traffic generation and pressure on local infrastructure have been considered and found to be acceptable by the Planning Inspectorate subject to appropriate mitigation measures already secured by condition and planning obligations. Again, these matters cannot form any part of the determination of the reserved matters at this time. In all respects, these latest submissions accord with the parameter plans agreed by the inspector.
- 1.3 Members are therefore requested to consider the detail of the scheme relating to the reserved matters, namely appearance, landscaping, layout and scale. Additionally certain conditions attached to the outline planning permission required certain details to be submitted as part of the first Reserve Matters submission. These relate to external materials, finished floor levels, landscaping details, amenity space and tree protection. As such the application seeks to discharge conditions 6, 7, 8, 9 and 10 of outline planning permission as well.
- 1.4 Originally, the submission sought to discharge condition 11 (ecology management) as well. However, as this condition does not require the details to be submitted as part of the first reserved Matters Submission, the discharge of this condition has been withdrawn from the current application and will be

dealt with by a separate (reserved details) submission. Condition 11 requires that this matter to be dealt with prior to the commencement of the development and it is therefore expected that these details will be submitted soon after the Reserved Matters application is determined.

1.5 Members may recall that the inspector presiding over the public inquiry in respect of these applications also considered two other sites on the Kings Hill estate for residential development. These were also subsequently allowed and the reserved matters submissions for those sites (5.1 and 5.6) were both granted by this committee during its meeting in February.

**2. Reason for reporting to Committee:**

2.1 Due to the complexities of the site and various appeal decisions.

**3. The Site:**

3.1 This site is described as sites 5.2 and 5.3 combined and form the largest of the three outline submissions. It is bounded to the north-west by the By-Pass, to the south and west by the Rolex Headquarters building and associated car parking and open land to the east, which did form an area proposed for allocation in the former draft local plan, known as Broadwater Farm. Sites 5.2 and 5.3 lie to the northern edge of the business park area of Kings Hill estate and comprise two parcels of land, totalling an area of 8 ha. Coalpit Wood (an Ancient Woodland) lies directly to the south of the application site, separating it from existing residential development in Phase 3 of the Kings Hill village.

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

<b>TM/09/02483/RM</b>	Approved	29 December 2009
-----------------------	----------	------------------

Details of access, appearance, layout and scale of six two-storey office blocks with ancillary development, infrastructure, amenity space and landscaping being reserved matters submitted pursuant to condition 2 of planning permission ref.

<b>TM/11/01843/FL</b>	Approved	27 January 2012
-----------------------	----------	-----------------

Construction of earth bund and associated landscaping to create a visual screen to A228 boundary on Kings Hill (Retrospective)

<b>TM/18/00596/FL</b>	Approved	13 June 2018
-----------------------	----------	--------------

Temporary planning permission for a period of ten years for the change of use to an Estate Manager's Compound; including new access off Jubilee Way, formation of a service drive, and the provision of hard surfacing, portacabins, timber storage areas, parking, fencing and gates. All development is replacement of an existing compound sited off Kings Hill Avenue

**TM/18/01676/RD**

Approved

30 August 2018

Details of condition 4 (external lighting) submitted pursuant to planning permission TM/18/00596/FL (Temporary planning permission for a period of ten years for the change of use to an Estate Manager's Compound; including new access off Jubilee Way, formation of a service drive, and the provision of hard surfacing, portacabins, timber storage areas, parking, fencing and gates. All development is replacement of an existing compound sited off Kings Hill Avenue)

**TM/18/02335/EASP**

EIA opinion scoping  
application

27 November 2018

Request for Scoping Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for proposed residential developments

**TM/18/03034/OAEA**

Refuse  
Appeal allowed

30 May 2019

Outline Application: Redevelopment to provide up to 210 Class C3 residential units, together with landscaping, open space and other associated works. All matters reserved for future approval except for access (site 5.2-5.3)

## 5. Consultees:

5.1 **Environment Agency:** have reviewed the information submitted and we think the outlined drainage proposals for surface water are acceptable in principle, providing that no deep bore soakaway has less than 10m unsaturated zone beneath the final discharge depth and that relevant pollution prevention and attenuation measures are implemented in all drainage elements.

5.1.1 Deep bored soakaways can cause problems in this geology if not designed and constructed in accordance with best practice guidance. The final design must comply with Building Regulation Approved Document H and any requirements of the LLFA to ensure that GW quality is protected in this sensitive setting.

## 5.2 KCC (SUDS):

5.2.1 Kent County as Lead Local Flood Authority has reviewed the drainage documentation provided in support of the reserved matters application and have the following comments to provide:

1. As set out within the Surface Water Management Strategy report by Herrington Consulting (July 2021), the drainage arrangement to serve this development would utilise below ground cellular storage discharging into deep bore soakaways. It is accepted that the design at the reserved matters stage has been based upon a conservative preliminary rate of 0.59m/h, obtained from adjacent application testing. In light of this, borehole testing will be required to demonstrate the rates obtained on site and to confirm the final volume of attenuation required through below ground cellular storage. The LLFA would accept for these to be carried out prior to detailed design and would ideally seek

for any testing to be undertaken within each of the deep bore soakaway locations and depths proposed.

2. The accompanying Surface Water Drainage Layout drawings (HC-3048-501-Sheet 1 and 2) show cellular storage units across the development to attenuate surface water runoff, prior to entering the deep bore soakaways. A number of these cellular storage units would appear to be situated under driveways. The LLFA foresees that future maintenance arrangements and ownership would be upon the future homeowners served by the feature or the plot it is situated within. The LLFA would typically advise for features to be located outside of private properties to prevent any possible future problems however, where this is not possible, covenants or other arrangements may be required to protect the feature in perpetuity.

3. Further to point 2, Plots 150 - 151 as shown on the drainage layout drawing would appear to have a cellular tank (N08) underneath a double garage (DCB). The siting of the storage under the garage may be problematic in the long term for maintenance and replacement. We would therefore seek that this is moved where possible to prevent any such future issues arising.

4. It is understood that the development has been divided up into catchments that have dedicated drainage schemes to serve each area. We are aware that catchment road 1, covers an area of 3981m<sup>2</sup> and is to be drained to three deep bore soakaways. As per the Kent Design Guide Making It Happen for Drainage Systems, the maximum impermeable areas draining to a soakaway should be limited to 1000m<sup>2</sup> where possible. The LLFA would seek confirmation if a further deep bore soakaway can be incorporated into the design to further reduce dependence on the features.

5. The LLFA are aware from the Surface Water Management Strategy that the design as set out within the report does not utilise permeable surfacing for the car parking areas. For the main access roads, surface water entering falling onto these catchments would be filtered through downstream defenders. It is apparent from the current layouts presented that some side access roads and parking areas would only be served by catchpit gullies and would have no additional pollution prevention methods. The LLFA would seek confirmation that sufficient controls are in place to remove pollutants before the infiltrating devices. The design should ultimately adhere to guidance presented within the CIRIA SuDs Manual 2015, notably table 26.2.

6. KCC's Drainage and Planning Policy Statement (December 2019) seeks for residential developments to consider urban creep within the design of the drainage system. We have been unable to confirm if this has been included within the design and would confirm if this has been factored in.

- 5.2.2 The LLFA would seek for the above points requiring clarification to be addressed before the reserved matters application is approved.
- 5.3 **KCC (H&T):** The applicant has submitted an updated Transport Technical Note, dated August 2021 to cover the items addressed under this condition including the internal site layout (widths and visibility splays), parking and refuge provisions.
- 5.3.1 The access and internal layout of the proposed development are detailed noting that the vehicular access to the site will be from an existing roundabout on utilising two incomplete arms and extending the roads and associated footways into the site. It is noted that Jubilee Way is currently unadopted and the proposed internal road network within the site will remain privately maintained but built to an adoptable standard.
- 5.3.2 The existing carriageway widths of 7.3m will be maintained on the northern and eastern access arms. It is noted that, as requested at the outline planning stage, the internal road network has been designed to provide a looped arrangement between the site and the two additional sites approved at the same time.
- 5.3.3 Transport Technical Note Appendix C provides the carriageway widths for internal site layout. It is noted that the Central Spine Road categorised as the site's major access road will have a minimum carriageway width of 5.5m meeting the standards provided in the Kent Design Guide.
- 5.3.4 It is noted that further access roads coming off the spine road will be narrow with a combination of road widths of 4.8m for minor access roads, 6m for shared use environments and 3.7m for private drives. These proposed widths meet the standards provided in the Kent Design Guide.
- 5.3.5 Pedestrian Access is provided throughout the site by footpaths of a width of 2.0m.
- 5.3.6 Transport Technical Note Appendix D provides Visibility Splays of the junctions on the internal site layout. It is noted that speeds for internal movements have been cited between 10 and 20 mph, this is acceptable for the nature of the proposed development. The visibility splay for each junction has been calculated based on movements of either 10mph, 15mph or 20mph with respective visibility distances of 11m, 17m and 25m. These measurements satisfy the distance stipulated within the Kent Design Guide.
- 5.3.7 Parking Provision for the development is noted as providing a total of 367 spaces across the site, of which 42 spaces will be provided for visitors. It is also noted that each dwelling with on-plot parking will be provided with one 'active' Electric Vehicle (EV) charging facility.

5.3.8 A full parking breakdown per dwelling is provided in the Transport Technical Note Appendix E. The provision of spaces allocated to each dwelling has been assessed and meets the criteria set out in IGN3.

5.3.9 It is noted with the Transport Technical Note that cycle parking will be provided in accordance with KCC's SPG4 guidance. This should be one space per bedroom for each individual dwelling and one space per unit for flats. The Design & Access Statement confirms every home will be provided with cycle storage either in the attached garage or in each private garden.

Summary and recommendation

5.3.10 Having considered the development proposals and the effect on the highway network, in terms of layout and provisions, I raise no objection on behalf of the local highway authority subject to the following conditions:

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

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

5.4 **KCC (Ecology):**

Protected/Notable Species

5.4.1 The submitted information has detailed that there is potential for bats, dormouse, reptiles and breeding birds to be present within or adjacent to the site. The majority of the species interest is the site boundaries or adjacent habitat and therefore we are satisfied that no detailed mitigation strategy is required. However, we advise that there will be a need for a precautionary mitigation strategy to be implemented prior to works commencing. We suggest that this should be incorporated into the construction management plan or the implementation of a precautionary mitigation strategy to be submitted as a condition – we can provide suggested wording if required.

5.4.2 The submitted landscaping plan has demonstrated that suitable habitats will be created within the site for biodiversity through the enhancement of the site boundaries, the creation of the AW buffer, the creation of an orchard/meadow area and the inclusion of enhancement features within the site. However, we advise that more can be done to enhance the site for biodiversity for example the creation of areas of rough/tussocky grassland within the northern tip of the site and additional integrated enhancement features within the site. We recommend that the landscaping plan and the management plan is updated to reflect these suggestions.

- 5.4.3 We highlight that the management areas are very narrow and as the development is for 210 dwellings there will be significant impact from recreational pressure within the site and there is a need to ensure that the proposed management is implemented and monitored.

Ancient Woodland Buffer

- 5.4.4 A 15m buffer has been created around the majority of the Ancient Woodland (AW) along the southern boundary. The proposed planting does not commence immediately from the boundary of the AW as part of the woodland is outside of the AW boundary. However, from looking at the plans/aerial photos it appears that the habitat creation for the buffer area starts at the edge of the canopy of the Ancient Woodland and it is unclear if the area underneath the canopy is already vegetated.
- 5.4.5 The purpose of the buffer is to minimise the impact between the development and the woodland and therefore there is a need to ensure that there is dense planting/scrub between the site and the woodland. We advise that further information is provided clarifying the condition of the section of vegetation directly next to the Ancient Woodland. Depending on the information provided there may be a need for additional planting to be carried out within the area of the existing woodland to improve the effectiveness of the buffer.
- 5.4.6 As part of the original application the exit on the SW corner of the site was access for emergency vehicles however the plans have since changed and there is now a formal entrance in the SW corner of the site and a road running along the edge of the AW buffer. We agree that having gardens directly adjacent to a buffer can negatively impact the buffer due to garden grabbing/dumping garden waste but equally having a road next to an AW buffer can have negative impacts. Lighting associated with the proposed road may negatively impact the woodland, the buffer and species present and there is a risk that the buffer will be used by residents/visitors for parking.
- 5.4.7 The original application detailed that the AW would be a dark zone and no information has been provided clarifying what the anticipated light levels will be within the buffer or what measures will be implemented to ensure that area cannot be used for parking. We advise that additional information is provided clarifying the above points.
- 5.4.8 The submitted management plan has stated that the area will be left to scrub up over time however it also states that the grassland area will be cut once a year. If the area is being cut it reduces the likelihood of the grassland area scrubbing up. We recommend that the management plan is updated to amend the management within the buffer to minimise the management within the area. We also recommend that an information board is erected to inform residents for the

reasons that it has minimal management and encourage them not to carry out their own management.

5.5 **KCC (PROW):** No response

5.6 **Kent Wildlife Trust:**

5.6.1 Kent Wildlife Trust submit a holding objection to this planning proposal on the basis of the following:

- Lack of a suitable ancient woodland buffer, contrary to the requirements of the National Planning Policy Framework (NPPF) and standing advice for ancient woodland.
- There is also potential for this scheme to impact on species including dormouse and reptiles, requiring the employment of the precautionary principle for vegetation clearance works.

5.6.2 More detailed comments on the consultation documents are set out below.

#### Ancient woodland

5.6.3 Development adjacent to ancient woodland can have detrimental impacts through noise pollution, air pollution, light pollution and increased human activity. The National Planning Policy Framework (NPPF), paragraph 180 states: “When determining planning applications [...] development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.” Direct and indirect impacts must be taken into account when determining the suitability of this proposal.

5.6.4 Concerns were raised on the outline planning application TM/18/03034/OAEA, with further discussion of likely impacts during the appeal stage. The outline planning application, and the masterplan submitted in support of the appeal, showed the inclusion of a 15m buffer zone, with the exception of an emergency access track which would reduce this buffer zone at the western end of the ancient woodland. The appeal decision states that “Applications for the approval of the reserved matters shall be in general conformity with Drawing Number 3067/523 Rev E” which included this buffer zone. It is concerning that the masterplan submitted in support of 21/02273/RM has made significant changes to the layout of the scheme, with these changes likely to increase impacts to the adjacent ancient woodland. Drawing number 7448/ASP3/LSP suggests that a 15m ancient woodland buffer zone is being provided. This is not consistent with the scale provided for this figure, which suggests that the ancient woodland buffer is actually less than 10m wide. Clarity on this issue is required.



- 5.6.5 Natural England and the Forestry Commission have produced standing advice for ancient woodland, ancient trees and veteran trees. The Standing Advice sets out suggested mitigation measures, including buffer zones. The advice states that “you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you’re likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.” We would also consider that external lighting and noise from residential gardens, which are unlikely to be under the control of the developer, should be accounted for in the assessment of likely impacts to ancient woodland. On the basis of changes made to the proposed layout we advise that that a 15m buffer is unlikely to be sufficient to mitigate impacts. The addition of a road directly adjacent to the buffer zone and with houses facing towards the ancient woodland means that there is likely to be an increase in pollution, noise and lighting, thereby requiring a more substantial buffer zone.
- 5.6.6 Standing advice specifies that a buffer zone should contribute to wider ecological networks and be part of the green infrastructure of the area. Buffer zones should be planted with local and appropriate native species or managed through a scheme of natural regeneration. We would suggest that the planting of the buffer zone with a wildflower mix will not provide sufficient protection and buffering of the woodland. Instead we would advise that the buffer strip be planted with native scrub and tree species, providing denser cover and opportunities for species such as dormouse. We would advise that a management plan be produced for the buffer zone, which also includes measures proposed to reduce access to the buffer zone and the ancient woodland itself. In terms of reducing access to the ancient woodland, we are supportive of the inclusion of the boundary fence to prevent trampling and dumping of garden waste etc.

Protected species

- 5.6.7 It has not been possible to locate a number of the protected species surveys, nor the Technical Briefing Note: Review of Ecological Baseline (Ref. 1006118-02 Review of Ecological Baseline). The CEMP should take a precautionary approach to the clearance of vegetation to ensure that there are no impacts to protected species, including reptile and dormouse.
- 5.7 **TMBC EP:**
- 5.7.1 The Applicant has submitted an Environmental Noise Impact Assessment carried out by their Consultant, Acoustic Principles (unreferenced, dated June 2021) to assess the site’s suitability for residential development.
- 5.7.2 The Report details measurements taken for a nearby earlier development (ref TM/18/01013/OA), as due to COVID-19 traffic levels were lower than would normally be expected. The measured levels were used to inform a model of the

site and predict noise levels across the site. This indicated that noise levels across the site would exceed required levels externally and internally without mitigation.

5.7.3 The Report then details suggested mitigation measures that could be employed to reduce noise levels to acceptable levels. These are in the main acceptable, but I note that Report uses as its external 'target' the Upper Limit from BS8233:2014 (namely 55dB LAeq,T) rather than the preferred Desirable Limit (namely 50dB LAeq,T).

5.7.4 The Report also refers to the need for several properties to need additional ventilation, as the required levels cannot be achieved with windows partially open. The Report refers, in part, to passive ventilation. I am not in favour of relying upon passive ventilation as this is unsatisfactory for decent ventilation rates. We should therefore be looking for either:

a) Some form of whole property mechanical ventilation system with heat exchange; or

b) Individual room ventilation units that will give controllable levels of mechanical ventilation at satisfactory rates whilst maintaining acoustic integrity.

5.7.5 The report concludes that with appropriate mitigation/attenuation, the site is suitable for residential development. It also says that a further, more specific assessment will be needed once the final layout has been determined to ensure that appropriate noise levels will be achieved in each dwelling.

5.7.6 I would agree with the conclusion of the Report that the site is suitable for development from a purely noise perspective, but that mitigation measures will be needed to achieve this and that these will be the subject of a further Report.

5.8 **Private Reps:** 13/0X/0S/4R. The 4 no. responses have been received all from the same local resident raising the following objections to the proposed development:

- The PROW through the site is being degraded by this proposal.
- The agreed planning obligation for the site shows the route to be upgraded to an equestrian route, but the submitted plans do not appear to provide for this.
- TM/06/04032 specifies the AGREED route for the STRATEGIC footpath, outside of the 5m buffer zone for the woods. This has not been included in the layout.

## 6. **Determining Issues and assessment:**

- 6.1 The LPA is required to determine planning applications in accordance with the adopted Development Plan unless material planning considerations indicate otherwise. The Development Plan currently in force comprises the TMBCS (September 2007), the DLA DPD (April 2008), the MDE DPD (April 2010) and the saved policies of the TMBLP. The policies contained within the NPPF and the guidance contained within the associated NPPG are material considerations.
- 6.2 The adopted development plan policies relevant to the determination of this application are:
- Saved policy P2/3 of the TMBLP (Quality of Development at Kings Hill);
  - TMBCS: CP1 (Sustainable Development); CP2 (Sustainable Transport); CP11 Urban Areas; CP24 (Achieving a High Quality Environment);
  - MDE DPD: NE4 (Trees, hedgerows and woodland); SQ1 (Landscape and Townscape Protection and Enhancement); SQ8 (Road Safety); SQ9 (Crime and Disorder).
- 6.2 These, along with all other relevant material planning considerations including the NPPF, are discussed within the assessment that follows.

Layout and parking:

- 6.3 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.
- 6.4 Policy P2/3 of the saved TMBLP requires development in the Kings Hill Policy area to respect the setting in the wider landscape and minimise visual intrusion.
- 6.5 Paragraph 130 of the NPPF relates to design. This paragraph states:

*“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*  
*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*  
*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

- 6.6 In this case, the proposed layout is intended to respond to the size and shape of the plot and the relationships with surrounding buildings and associated road structure.
- 6.7 The details in respect of the site accord with the approved parameter plans in terms of developable areas and maximum heights. The 3-storey apartment buildings would be located around the southern sections of the site adjacent to the Rolex site and Jubilee Way with the 2 storey dwellings in the main being located to the north and east of the apartments. This would create a graduated development in terms of scale/height/form from the large block of the adjacent commercial building, across the apartment buildings to the lower height dwellings further away from the Rolex site which is an appropriate approach to development in this section of Kings Hill.
- 6.8 The apartment blocks are situated amongst integrated parking areas and landscaped areas. The proposed houses will front onto the different types of highway located within the development and on corner plots would be dual aspect to provide active frontages. A range of street types is proposed from the main access road, narrower secondary access roads, shared parking courts/driveways and a home zone at the southern end of the site adjacent to the Ancient Woodland at Coalpit Wood.
- 6.9 The layout makes provision for open space in the form of a garden containing a Locally Equipped Area of Play (LEAP) located at the northern end of the site. Natural green space would be located around its periphery as well as along the route of the diverted footpath MR144 that follows broadly its existing route across the site in an east to west orientation, hugging the boundary of the site due north of the Rolex site and it will still terminate at the junction of Tower View and the A228. Whilst the necessary process for a footpath diversion will need to be followed, the proposed layout seeks to integrate the footpath into the development and the route will in the main be landscaped very much in a similar way to other footpaths that lie within or around the wider settlement of Kings Hill and take the form of a hoggin (buff coloured) path.
- 6.10 It is accepted that one key issue when considering the proposed layout is whether the scheme is acceptable in terms of levels of parking provision and

type of parking to be accommodated across the development parcels. This has been a key issue on several development sites across Kings Hill (albeit on the residential parts of the estate) over recent months and experiences in those cases are recognised in assessing these reserved matters. In this respect, the requirements of policy SQ8 of the MDE DPD must be recognised.

- 6.11 The issues of parking, layout and access are recognised by paragraphs 110 and 111 of the NPPF. Paragraph 111 states that:

*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.*

- 6.12 Within this context, paragraph 112 sets out that 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.”*

- 6.13 The development has been designed with pedestrians and cyclists in mind and would link well with the wider Kings Hill Area and the PROW network. Two emergency access routes are to be provided within the site, which would contain retractable bollards to restrict general movement by motor car, but would allow pedestrians and cyclists free movement along them. Cycle storage has been designed into every dwelling within the development.

- 6.14 In terms of car parking the proposal would provide for of 367 spaces across the site, of which 42 would be available for visitor parking. 2 no. car-parking spaces (not including garages) would be provided for each of the 3, 4 and 5 bedroom houses. 1 space would be provided for 1 and 2-bedroom flats. The four no. 2-bedroom houses would be provided with 1.5 spaces per dwelling. In terms of

the numbers of parking spaces provided in the layout, I am satisfied that the proposal meets the adopted requirements set out in IGN3: Residential Parking. Each house with on plot parking will have EV charging points designed into them.

*Appearance, scale, design and materials:*

- 6.15 There would be a continuity of form and design with the apartment buildings, with subtle variations in design to add interest (such as the provision of protruding gabled elements and different sized blocks). The materials palette would be limited on these building to two different types of red brickwork, together with black and white coloured weatherboarding to provide interesting contrast. Roof tiles would be either grey or red concrete tiles.
- 6.16 Similarly the dwellings have been designed with the same palette in mind and a limited range of dwelling types to provide continuity of design whilst allowing for visual interest throughout the development. A mixture of terraced, semi-detached and detached dwellings is proposed which again helps to create a sense of place and a variety of streets within the development. The majority of dwellings would have gabled ended roofs, but some will have barn hips to add variety.
- 6.17 Overall, the proposed development will appear as a self-contained, visually cohesive residential extension to the existing village of Kings Hill. It will not appear as a copy of the nearest residential section of the village to the south of Coalpit Wood, but its overall layout, form and design are such that it would not appear as an incongruous development out of keeping with the character of the wider settlement.
- 6.18 The scheme is therefore considered to be in accordance with the relevant adopted policies and paragraphs of the NPPF.

*Landscaping, levels and boundary treatments:*

- 6.19 The proposed landscaping schemes for the sites follow similar design principles to the approach adopted across the wider residential areas within Kings Hill, which is appropriate here. The existing peripheral landscaping is to be retained and enhanced and a green corridor would be provided through the site in an east/west orientation within which the realigned PROW MR144 would be located. Much additional tree and shrub planting will take place along this route
- 6.20 It is acknowledged that the site makes limited provision for public open space. This is because the legal agreement included provision for contributions to be made towards local facilities for the most part; this approach being endorsed by the inspector at the time of the appeal. However, amenity space, children's play area, and natural green space are to be provided within the site along with a timetable for provision and a scheme for future management of the spaces. A

management company will be formed to take over the management/maintenance of the communal landscaped areas, which will be funded through fees paid by the residents of the development. This is the same model that applies currently to the existing residential areas within Kings Hill.

- 6.21 A new open space in the form of a square would be located at the northern end of the site which would also contain a Local Equipped Area of Play (LEAP). This would be an appropriate type/size of children's play area for a development of this size.
- 6.22 The scheme includes the planting of an orchard within the narrow wedged shaped part of the site at its northern end adjacent to the A228. The ground within this area would be sown with a wildflower mix. Numerous trees will be planted along the access roads throughout the development, as well as along the green corridor along the PROW route and within/around the garden/LEAP. Species of trees to be planted includes of Hornbeam, Hazel, Amelanchier, Crab Apple, Magnolia, Hawthorn and Blackthorn.
- 6.23 The hard-landscaped areas (roads, footpaths, parking courts and driveways) would be finished with different colours of block paving, very much in keeping with the character of the wider Kings Hill area. Different colours and patterns of paving would denote different types of roadways, emergency access and footpaths. The PROW footpath MR144 will be finished with hoggin (a mixture of clay, gravel and sand) that will have a buff-coloured finish.
- 6.24 Proposed ground levels would be similar to existing and would appropriately relate to adjacent land. The dwellings would be built at the prevailing land level for where they would be located. These levels are therefore acceptable.

Ecology and biodiversity:

- 6.25 Details were originally submitted pursuant to condition 11 of the outline planning permission which requires the submission of a Landscape and Ecological Management Plan (LEMP). However, this is not required to be submitted as part of this Reserved Matters stage unlike the details of landscaping, materials and levels. As such the applicant has withdrawn this element from the scheme. The details will need to be submitted as a separate application to discharge condition 11. However, it is confirmed that a 15m buffer zone would be provided between the Ancient Woodland at Coalpit Wood and the proposed development. An informative can be used to advise the applicant to take heed of the advice/comments provided by KCC's Ecology service and the KWT, when submitting the details for consideration by the Borough Council.

Drainage and technical matters:

- 6.26 As with ecological details, the SUDS details for the proposed development do not have to be submitted as part of this first Reserved Matters submission.

Conditions 18-22 of the Outline planning permission appertain to SUDS issues and these conditions are not the subject of the current application. Whilst KCC as LLFA has made several comments regarding to the details submitted with this submission, full details of the SUDS including details of its management and maintenance going forward will need to be submitted separately in order to discharge conditions 18 and 19 of the outline planning permission. It is noted that the principles of how surface water within the development is to be dealt with have not been objected to by the LLFA. However, I would recommend the use of an informative to advise the applicant to take heed of the LLFA's comments when developing the SUDS scheme for submission.

6.27 In terms of noise a Noise Impact Assessment has been prepared by Acoustic Principles and submitted in support of this Reserved Matters submission. However, this matter, which is dealt with by condition 24 of the outline planning permission (and which required details to be submitted to and approved by the LPA **prior to the first occupation of any dwelling** within the site), is not required to be considered as part of this first Reserved Matters submission. Indeed, the application is not seeking to discharge this condition and will be the subject of a separate reserved details submission at a later date. As such no further consideration of this issue is required at this time.

Affordable housing provision:

6.28 The site provides for 40% of affordable housing, this is in accordance with the requirements of the legal agreement approved by the inspector in allowing the appeal. All affordable housing is spread across the site. Whilst the breakdown of the affordable housing provision has been submitted (see table below), the full details of this provision (including details of tenure and management of the housing) will need to be submitted in order to discharge the requirements of the s106 legal agreement.

Schedule of Accommodation

	Private	Shared Ownership	Affordable Rent	TOTAL
1 bed flat	3	6	20	29
2 bed flat	11	14	34	59
2 bed house	3	1	1	5
3 bed house	46	4	4	54
4 bed house	56	0	0	56
5 bed house	7	0	0	7
TOTAL	126	25	59	210

Climate change, sustainability and renewable technologies:



- 6.29 It should be noted that adopted policies CC1 and CC2 within the MDE DPD are considered to be out-of-date. This is because The Housing Standards Review in 2014 removed the voluntary Code for Sustainable Homes and made it clear that local plans should not be setting any additional local technical standards or requirements relating to the energy performance of new dwellings. The energy performance of new build homes is a matter for the national Building Regulations.
- 6.30 Notwithstanding this position, it is clear that (whilst not adopted for Development Management purposes) the Council's corporate Climate Change Strategy is a material consideration.
- 6.31 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 that where the local plan is silent on a specific issue (which is the case given that the adopted policies are out of date and the current position with the new local plan progression), the NPPF and the climate change strategy will remain material planning considerations to be considered when determining planning applications. This application must therefore be determined in accordance with the requirements set out within the NPPF:
- 6.32 Within the NPPF, at paragraph 152, it states that:
- “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”*
- 6.33 Additionally, paragraph 157 of the NPPF advises:
- “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.”*
- 6.34 Parking Provision for the development is noted as providing a total of 367 spaces across the site, of which 42 spaces will be provided for visitors. It is also

noted that each dwelling with on-plot parking will be provided with one 'active' Electric Vehicle (EV) charging facility.

- 6.35 Members are understandably keen to ensure all developers maximise all possible opportunities for incorporating renewable technologies and energy efficiencies into new builds across the Borough. However, it is important to recognise that planning decisions in these respects can only be made in accordance with adopted policy and having regard to any relevant material planning considerations. Equally, there is no need for planning decisions to seek to replicate requirements under other legislation such as the Building Regulations. As such, whilst Members may prefer to see all parking spaces fitted with electric vehicle charging points and installed with features such as solar panels, there is no policy basis to require this. The measures that have been incorporated into the construction and design are acceptable in policy terms and will have to comply with the Building Regulations in terms of thermal efficiency. Nevertheless, Members can include an informative strongly encouraging the developers to explore all available opportunities for incorporating such technologies as far as reasonably possible. This is reflected in the recommendation that follows.

Concluding remarks:

- 6.36 The reserved matters details included in this proposal are wholly in line with the requirements of the outline approval. The layout of the site, the design of proposed apartment blocks, the level of and location of parking provision, the mix of units, the position and type of landscaping, are all considered to create a housing development that is sensitive to its surroundings.
- 6.37 It is not common practice to include conditions on the approval of a reserved matters application, however it is possible when required. I would recommend in this instance that a condition be imposed to list the approved plans for the development so it will be clear as to what is required when it is built out. I would also recommend informatives as referred to earlier in this report to encourage the applicant to take heed of the specialist advice from the consultees responding to this application when preparing the necessary detailed technical submissions pursuant to the conditions attached to the outline planning permission.
- 6.38 On this basis the proposals overall are therefore considered to be in full accordance with local and national planning policy and guidance and are therefore considered to be acceptable. As such I recommend that this reserved Matters application be approved.

**7. Recommendations:**

7.1 **Approve Reserved Matters submission** in accordance with the following submitted details:

Other Surface Water Management Strategy part 1 and 2 dated 18.08.2021, Management Plan Landscape and Ecological dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.1 rev B (1 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.2 rev B (2 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.3 rev B (3 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.4 rev B (4 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.5 rev B (5 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.6 rev B (6 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.7 rev B (7 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.8 rev B (8 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.0 rev B Detailed Hard Landscape dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.1 rev C (1 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.2 rev C (2 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.3 rev C (3 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.4 rev C (4 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.5 rev C (5 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.6 rev C (6 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.7 rev C (7 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.8 rev C (8 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.0 rev C Detailed Overview dated 18.08.2021, Landscaping 7448/ASP3/LSP rev E Strategy plan dated 18.08.2021, Noise Assessment dated 18.08.2021, Other Transport Technical Note dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B01-ZZ-DR-A-1051 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B01-ZZ-DR-A-2051 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B02-ZZ-DR-A-1052 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B02-ZZ-DR-A-2052 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B03-ZZ-DR-A-1053 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B03-ZZ-DR-A-2053 C01 dated 18.08.2021, Proposed Floor Plans H5-BPTW-B04-ZZ-DR-A-1054 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B04-ZZ-DR-A-2054 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B05-ZZ-DR-A-1055 C01 dated 18.08.2021, Proposed Roof Plan KH5-BPTW-B05-ZZ-DR-A-1056 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B05-ZZ-DR-A-2055 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B06-ZZ-DR-A-1057 C01 dated 18.08.2021, Proposed Roof Plan KH5-BPTW-B06-ZZ-DR-A-1058 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B06-ZZ-DR-A-2056 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B07-ZZ-DR-A-1059 C01 dated 18.08.2021, Proposed Roof Plan KH5-BPTW-B07-ZZ-DR-A-1060 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B07-ZZ-DR-A-2057 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B08-ZZ-DR-A-1061 C01 dated 18.08.2021, Proposed Roof Plan KH5-BPTW-B08-ZZ-DR-A-1062 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B08-ZZ-DR-A-2058 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B09-ZZ-DR-A-1063 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B09-ZZ-DR-A-2059 C01 dated 18.08.2021, Location Plan KH5-BPTW-S01-ZZ-DR-A-0100 C01 dated 18.08.2021, Existing Site Layout KIN-BPTW-S01-ZZ-DR-A-0101 C01 dated 18.08.2021, Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0102 C01 dated

18.08.2021, Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0103 C01 dated  
18.08.2021, Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0104 C01 dated  
18.08.2021, Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0105 C01 dated  
18.08.2021, Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0106 C01 dated  
18.08.2021, Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0107 C01 dated  
18.08.2021, Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0108 C01 dated  
18.08.2021, Proposed Layout KIN-BPTW-S01-ZZ-DR-A-0109 C01 dated  
18.08.2021, Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0110 C01 dated  
18.08.2021, Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0111 C01 dated  
18.08.2021, Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0112 C01 dated  
18.08.2021, Proposed Layout KH5-BPTW-S01-ZZ-DR-A-0113 C01 dated  
18.08.2021, Existing Site Layout KH5-BPTW-S01-ZZ-DR-A-0113- C01 dated  
18.08.2021, Proposed Layout H5-BPTW-S01-ZZ-DR-A-0122 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2021 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2022 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2023 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2024 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2025 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2026 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2027 C01 dated  
18.08.2021, Proposed Elevations KH5-BPTW-S01-ZZ-DR-A-2028 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1001  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-  
DR-A-1005 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T01-ZZ-DR-A-1007 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T01-ZZ-DR-A-1008 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1009 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1013 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1017  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-  
DR-A-1019 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T01-ZZ-DR-A-1021 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T21-ZZ-DR-A-1022 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1025 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1027 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T25-ZZ-DR-A-1026  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T26-ZZ-  
DR-A-1028 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T26-ZZ-DR-A-1029 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T29-ZZ-DR-A-1030 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T30-ZZ-DR-A-1033 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T33-ZZ-DR-A-1034 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T34-ZZ-DR-A-1037  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T37-ZZ-  
DR-A-1038 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T38-ZZ-DR-A-1039 C01 dated 18.08.2021, Proposed Floor Plans KH5-  
BPTW-T41-ZZ-DR-A-1042 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T39-ZZ-DR-A-1040 C01 dated 18.08.2021, Proposed  
Elevations KH5-BPTW-T39-ZZ-DR-A-1041 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T41-ZZ-DR-A-1043 C01 dated 18.08.2021,

Proposed Plans and Elevations KH5-BPTW-T43-ZZ-DR-A-1045 C01 dated 18.08.2021, Design and Access Statement KH5-BPTW-XX-XX-DO-A-060 C01 dated 18.08.2021, Planning Layout HC-3048-506 sheet 1 dated 18.08.2021, Other Technical Briefing Note Aspect Ecology dated 18.08.2021, Arboricultural Assessment dated 18.08.2021, Other Technical note Surface water modelling of Kings Hill area 5.2 and 5.3 dated 18.08.2021, Planning Layout HC-3048-506 sheet 2 dated 18.08.2021, Drainage Layout HC-3048-500 and 501 sheet 1 and 2 dated 18.08.2021,

subject to the following:

**Condition:**

- 1 The development shall be undertaken in conformity with the following plans:

Management Plan Landscape and Ecological dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.1 rev B (1 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.2 rev B (2 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.3 rev B (3 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.4 rev B (4 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.5 rev B (5 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.6 rev B (6 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.7 rev B (7 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.8 rev B (8 of 8) dated 18.08.2021, Landscape Layout 7448.5.2\_5.3.HS.6.0 rev B Detailed Hard Landscape dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.1 rev C (1 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.2 rev C (2 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.3 rev C (3 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.4 rev C (4 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.5 rev C (5 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.6 rev C (6 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.7 rev C (7 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.8 rev C (8 of 8) dated 18.08.2021, Planting Plan 7448.5.2\_5.3.PP.5.0 rev C Detailed Overview dated 18.08.2021, Landscaping 7448/ASP3/LSP rev E Strategy plan dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B01-ZZ-DR-A-1051 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B01-ZZ-DR-A-2051 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B02-ZZ-DR-A-1052 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B02-ZZ-DR-A-2052 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B03-ZZ-DR-A-1053 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B03-ZZ-DR-A-2053 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B04-ZZ-DR-A-1054 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B04-ZZ-DR-A-2054 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B05-ZZ-DR-A-1055 C01 dated 18.08.2021, Proposed Roof Plan KH5-BPTW-B05-ZZ-DR-A-1056 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-B05-ZZ-DR-A-2055 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-B06-ZZ-DR-A-1057 C01 dated 18.08.2021, Proposed Roof Plan

KH5-BPTW-B06-ZZ-DR-A-1058 C01 dated 18.08.2021, Proposed Elevations  
KH5-BPTW-B06-ZZ-DR-A-2056 C01 dated 18.08.2021, Proposed Floor Plans  
KH5-BPTW-B07-ZZ-DR-A-1059 C01 dated 18.08.2021, Proposed Roof Plan  
KH5-BPTW-B07-ZZ-DR-A-1060 C01 dated 18.08.2021, Proposed Elevations  
KH5-BPTW-B07-ZZ-DR-A-2057 C01 dated 18.08.2021, Proposed Floor Plans  
KH5-BPTW-B08-ZZ-DR-A-1061 C01 dated 18.08.2021, Proposed Roof Plan  
KH5-BPTW-B08-ZZ-DR-A-1062 C01 dated 18.08.2021, Proposed Elevations  
KH5-BPTW-B08-ZZ-DR-A-2058 C01 dated 18.08.2021, Proposed Floor Plans  
KH5-BPTW-B09-ZZ-DR-A-1063 C01 dated 18.08.2021, Proposed Elevations  
KH5-BPTW-B09-ZZ-DR-A-2059 C01 dated 18.08.2021, Location Plan KH5-  
BPTW-S01-ZZ-DR-A-0100 C01 dated 18.08.2021, Existing Site Layout KIN-  
BPTW-S01-ZZ-DR-A-0101 C01 dated 18.08.2021, Proposed Layout KIN-  
BPTW-S01-ZZ-DR-A-0102 C01 dated 18.08.2021, Proposed Layout KIN-  
BPTW-S01-ZZ-DR-A-0103 C01 dated 18.08.2021, Proposed Layout KIN-  
BPTW-S01-ZZ-DR-A-0104 C01 dated 18.08.2021, Proposed Layout KH5-  
BPTW-S01-ZZ-DR-A-0105 C01 dated 18.08.2021, Proposed Layout KH5-  
BPTW-S01-ZZ-DR-A-0106 C01 dated 18.08.2021, Proposed Layout KIN-  
BPTW-S01-ZZ-DR-A-0107 C01 dated 18.08.2021, Proposed Layout KIN-  
BPTW-S01-ZZ-DR-A-0108 C01 dated 18.08.2021, Proposed Layout KIN-  
BPTW-S01-ZZ-DR-A-0109 C01 dated 18.08.2021, Proposed Layout KH5-  
BPTW-S01-ZZ-DR-A-0110 C01 dated 18.08.2021, Proposed Layout KH5-  
BPTW-S01-ZZ-DR-A-0111 C01 dated 18.08.2021, Proposed Layout KH5-  
BPTW-S01-ZZ-DR-A-0112 C01 dated 18.08.2021, Proposed Layout KH5-  
BPTW-S01-ZZ-DR-A-0113 C01 dated 18.08.2021, Existing Site Layout KH5-  
BPTW-S01-ZZ-DR-A-0113- C01 dated 18.08.2021, Proposed Layout H5-  
BPTW-S01-ZZ-DR-A-0122 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2021 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2022 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2023 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2024 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2025 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2026 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2027 C01 dated 18.08.2021, Proposed Elevations KH5-  
BPTW-S01-ZZ-DR-A-2028 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T01-ZZ-DR-A-1001 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1005 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1007 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1008  
C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-  
DR-A-1009 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-  
BPTW-T01-ZZ-DR-A-1013 C01 dated 18.08.2021, Proposed Plans and  
Elevations KH5-BPTW-T01-ZZ-DR-A-1017 C01 dated 18.08.2021, Proposed  
Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1019 C01 dated 18.08.2021,  
Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1021 C01 dated  
18.08.2021, Proposed Plans and Elevations KH5-BPTW-T21-ZZ-DR-A-1022

C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1025 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T01-ZZ-DR-A-1027 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T25-ZZ-DR-A-1026 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T26-ZZ-DR-A-1028 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T26-ZZ-DR-A-1029 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T29-ZZ-DR-A-1030 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T30-ZZ-DR-A-1033 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T33-ZZ-DR-A-1034 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T34-ZZ-DR-A-1037 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T37-ZZ-DR-A-1038 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T38-ZZ-DR-A-1039 C01 dated 18.08.2021, Proposed Floor Plans KH5-BPTW-T41-ZZ-DR-A-1042 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T39-ZZ-DR-A-1040 C01 dated 18.08.2021, Proposed Elevations KH5-BPTW-T39-ZZ-DR-A-1041 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T41-ZZ-DR-A-1043 C01 dated 18.08.2021, Proposed Plans and Elevations KH5-BPTW-T43-ZZ-DR-A-1045 C01 dated 18.08.2021, Planning Layout HC-3048-506 sheet 2 dated 18.08.2021.

Reason: To ensure that the development is undertaken in conformity with the approved details.

### **Informatives**

- 1 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate a postal address to the new property. To discuss the arrangements, you are invited to e-mail to [addresses@tmbc.gov.uk](mailto:addresses@tmbc.gov.uk). To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.
- 2 The developer is strongly encouraged to consider all available opportunities for incorporating renewable energy technologies into the approved development wherever possible and for measures to support biodiversity within the construction of the buildings.
- 3 The applicant, and any subsequent management company responsible for the development once completed, are strongly encouraged to enter into early and ongoing liaison with Kings Hill Parish Council regarding the management and enforcement of parking across the development to ensure this takes place in an appropriate and rigorous manner at all times.
- 4 The applicant is strongly encouraged to investigate all appropriate design-based and site management solutions for preventing unacceptable and unauthorised vehicle parking across the development, ensuring in particular (but not necessarily limited to) the clear demarcation of visitor parking bays and where

on-street parking is prohibited.

- 5 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.
- 6 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>
- 7 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.
8. It is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.
- 9 It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.
- 10 The applicant is strongly encouraged to take heed of the advice and comments contained within the consultee responses to this application when preparing further technical submissions to discharge conditions attached to outline planning permission TM/18/03034/OAEA.

Contact: Matthew Broome

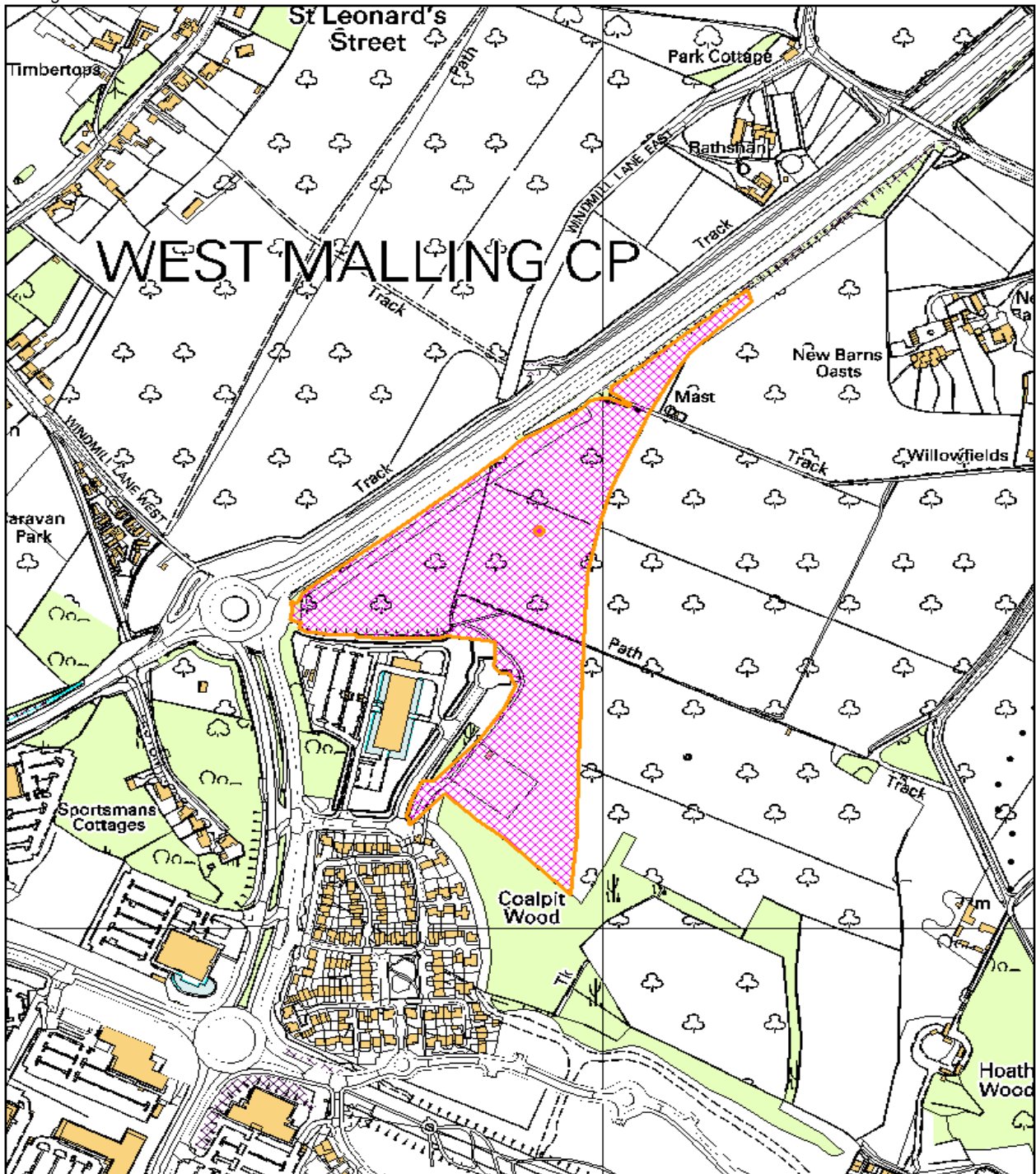


**TM/21/02273/RM**

Development Site North And East Of Jubilee Way Kings Hill West Malling Kent

Approval of Reserved Matters for Areas 5.2 and 5.3, Kings Hill Phase 5, comprising the construction of 210 residential units and associated works, together with details required by conditions 1, 6, 7, 8, 9, 10 pursuant to Outline Planning Permission TM/18/03034/OAEA

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



This page is intentionally left blank

# Agenda Item 8

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

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

This page is intentionally left blank