

Tonbridge
Judd

15 January 2019

TM/19/00014/OAEA

Proposal: Outline Application: construction of up to 125 new homes, the formation of new means of access onto Lower Haysden Lane, new pedestrian and cycle links (including links to the existing playing fields and Country Park to the west), the laying out of open space, new strategic landscaping, habitat creation, drainage features and associated ground works and infrastructure

Location: Land North Of Lower Haysden Lane Tonbridge Kent

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1. Description:

- 1.1 This item was due to be reported to the January meeting of the APC 1 but was withdrawn from the agenda before the meeting took place. The reason for doing so was that there was considered to be a lack of clarity set out in the papers as to what precisely the proposed measures would be to mitigate the impacts of the development in terms of highway safety.
- 1.2 These matters have now been clarified and set out in a final letter of representation by KCC (H+T). This letter is appended to this report at Annexe 1.
- 1.3 The mitigation measures in respect of highway impacts can be summarised (in full) as follows:
- The applicant to provide a sustainable travel voucher to each of the households within the development (£250 per dwelling).
 - The provision of a financial contribution to the local highway authority (£131,851) to enable a shared cycle lane/footpath to be provided along Waterloo Road (from the junction with Brook Street to the railway station).
 - A financial contribution to the local highway authority of £1,000 per dwelling for (a) improvements to bus infrastructure in the vicinity of the site (a new bus shelter) and (b) improvements to bus services from/to Tonbridge town.
 - The provision of a Green Travel Plan which shall include the provision of a Travel Plan co-ordinator and the provision of a monitoring fee of £1,422 to the local highway authority.
- 1.4 The financial contributions to be payable are being secured via a section 106 agreement and a condition is recommended to require details of the Travel Plan to be submitted to and approved in writing by the Local Planning Authority.

- 1.5 Since publication of the January agenda, representations have also been received from KCC Ecology.
- 1.6 The January APC1 report (along with its various annexes) is reproduced at Annexe 2 to this report and should be read in conjunction with this latest report.

2. Consultees (received since 13 January 2022):

- 2.1 KCC (H&T): Final representations reproduced at Annexe 1.
- 2.2 KCC (Ecology): The ecological information has detailed the following are present on site:
- dormouse
 - 3 species of reptile
 - 9 species of foraging bats
 - 23 species of birds (including priority and red/amber listed species)
 - Trees with bat roosting potential
 - Potential evidence of otter north of the Ancient Woodland (AW)
 - Area of Ancient Woodland.
- 2.3 The survey data was over two years old an updated walk over survey has been submitted and it has confirmed that the habitats on site are largely similar to what was present during the species surveys. The main difference within the site was an increase in scrub/ruderal habitats along the northern boundary of the ecological survey area which is outside of the redline boundary.
- 2.4 From reviewing the submitted plans it appears that the majority of the species were recorded within the hedgerows or ditches within the site. As a result of comparing the phase one plan with the illustrative masterplan it appears that the hedgerows/ditches within the SE corner of the site will be lost or impacted by the proposed development.

Ancient Woodland

- 2.4.1 There is a block of AW in the north of the site which will not be directly impacted by the proposed dwellings but it's likely that the recreational use of the site will have a negative impact. The National Planning Policy Framework (NPPF) (2021) paragraph 180 states *“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". We advise that we are satisfied that due to the space within the site measures can be put in place to minimise impacts and advise that a buffer area must be created to minimise impacts on the woodland from the development and reduce the risk of residents accessing the woodland.

Mitigation

- 2.4.2 A basic overview of the proposed mitigation and a mitigation management plan has been provided. The submitted information does provide us with an understanding of the proposed mitigation however it is not very detailed and the mitigation management plan does not reflect all the habitats detailed within the illustrative master plan (such as the additional hedgerow planting along the western boundary) - therefore it does not clearly demonstrate that the required mitigation will be implemented.
- 2.4.3 However from reviewing the mitigation management plan and the illustrative management plan we do accept that there is sufficient space within the proposed development site to implement the required mitigation but more habitat creation can be done than is currently proposed - for example the creation of a hedgerow along the northern boundary of the development site.
- 2.4.4 We note that the mitigation management plan has detailed that the open space habitat will be neutral grassland – as the site is currently farmland and therefore likely to be highly nutrient rich it's unlikely that botanically rich grassland can be created in the short term therefore there is a need to be realistic about the grassland to be created to ensure that the quality is as high as possible. We agree that in the long term if the management is appropriate the species diversity of some areas of the grassland can be improved.
- 2.4.5 We advise that if planning permission is granted there is a need for a detailed ecological mitigation strategy to be submitted as a condition of planning permission prior to any works commencing on site. The submitted information must provide the below information and we highlight that any landscaping plan must demonstrate that the measures will be implemented:
- Details of the species mitigation
 - Details of when the mitigation will be implemented and demonstrating that any habitat creation will be implemented.
 - Map showing habitat creation and enhancement (including AW buffer and hedgerow enhancement). Interim management plan until the site wide management plan is implemented.

Lighting

- 2.4.6 A lighting survey has been submitted and it has detailed that the majority of the site currently has light levels less than 1lux. The proposal will result in an increase in lighting within the site but there is a need to ensure that the site boundaries/areas of ecological interest do not result in a significant increase in lighting. The lighting must be designed to ensure those areas receive minimal lighting.
- 2.4.7 We note that there is a footpath going through the site and we recommend that no artificial lighting is included along the footpath.
- 2.4.8 We recommend that any street lighting proposed is turned off between 11pm/12am and 5am to further reduce light levels.

Management

- 2.4.9 An area of scrub is proposed to be retained within the eastern section of the site and it has been described as open space on the illustrative plan. However as it is dense scrub we highlight that this area will not provide recreational space within the development. There is a need to ensure that this area is managed and retained as dense scrub.
- 2.4.10 If TMBC are considering granting planning permission there is a need for a management plan to be produced to ensure that the areas of ecological interest are retained and enhanced over time.

3. Determining Issues:

- 3.1 My previous report set out in detail the assessment of the planning merits of the proposed development. However it can now be clarified that the raft of measures considered necessary to mitigate the impacts of the development in terms of highway safety are as follows:
- The provision of a sustainable travel voucher to each household within the development to the value of £250
 - The provision of a shared cycle lane/footpath along Waterloo Road
 - The developer making a financial contribution for the improvement of bus services within Tonbridge as well as providing a shelter for the bus stop on Brook Street, outside the Hayesbrook School.
 - The provision of a travel plan to promote the use of sustainable transport choices to residents of the development and reduce the amount of single occupier vehicle trips.

- 3.2 As has been highlighted by the latest (final) response from KCC H&T this package of measures will be satisfactory for it to now not object to the proposed development. The applicant has agreed to these measures and the financial contributions are being secured through a s106 Agreement.
- 3.3 It is noted that the highway authority would still prefer the shared cycle way/footpath to be provided by the developer under a s278 agreement. However, this issue has been discussed in my previous report and I can reaffirm that securing a financial contribution through a s106 agreement is an acceptable mechanism to secure the funding for this infrastructure.
- 3.4 The submission of the advice from the KCC (Ecology) does not raise new issues to be considered at this stage. A condition is still recommended requiring the submission of a detailed ecological management plan/strategy.
- 3.5 Taking this and the assessment in my previous report into consideration, I recommend that planning permission be granted subject to the applicant entering into the necessary s106 agreements with the Borough and County Councils, and the imposition of conditions.

4. Recommendation:

- 4.1 **Grant Planning permission** as detailed in the following submitted details: Plan 10246-HL-01C dated 04.01.2020, Location Plan 215 - P - 00 - A dated 04.01.2020, Report Geo-Environmental Parts 1&2 dated 04.01.2020, Statement Affordable Housing dated 04.01.2020, Planning Statement 181221 dated 04.01.2020, Environmental Statement 181221 Non Technical dated 04.01.2020, Environmental Statement Main Text dated 04.01.2020, Statement Community Involvement dated 04.01.2020, Environmental Assessment APPENDIX 1.1 Screening dated 04.01.2020, Environmental Assessment APPENDIX 1.2 Screening Option 4 dated 04.01.2020, Environmental Assessment APPENDIX 10.1 GLOSSARY dated 04.01.2020, Air Quality Assessment APPENDIX 10.2 dated 04.01.2020, Report APPENDIX 10.3 MODEL INPUT PARAMETERS dated 04.01.2020, Report APPENDIX 10.4 MODEL VERIFICATION dated 04.01.2020, Report APPENDIX 7.1 LEGISLATION AND PLANNING PO... dated 04.01.2020, Report APPENDIX 7.11 BADGERS dated 04.01.2020, Report APPENDIX 7.2 HABITATS AND BOTANY dated 04.01.2020, Report APPENDIX 7.3 BATS dated 04.01.2020, Report APPENDIX 7.4 HAZEL DORMOUSE dated 04.01.2020, Report APPENDIX 7.5 REPTILES dated 04.01.2020, Report APPENDIX 7.6 GREAT CRESTED NEWTS dated 04.01.2020, Report APPENDIX 7.7 WATER VOLE dated 04.01.2020, Report APPENDIX 7.8 WINTERING BIRDS dated 04.01.2020, Letter dated 02.04.2020, Plan FIGURE 1.2 DEVELOPMENT FRAMEWORK PLAN dated 04.01.2020, Environmental Assessment Chapter 9 Revised dated 28.01.2020, Transport Assessment Amended dated 28.01.2020, Letter ADDITIONAL INFORMATION dated 04.06.2021, Other

DESIGNERS RESPONSE TO STAGE 1 RSA OPTION 1 dated 04.06.2021, Drawing 10246-SK-05 REV C dated 04.06.2021, Report APPENDIX 7.9 WINTERING BIRDS dated 04.01.2020, Transport Assessment APPENDIX 9.1 dated 04.01.2020, Report FIGURE 10.1 SENSITIVE RECEPTORS dated 04.01.2020, Report FIGURE 10.2 TONBRIDGE AQMA dated 04.01.2020, Report FIGURE 10.3 WIND ROSE FOR GATWICK AIRPOR... dated 04.01.2020, Report FIGURE 8.9-8.23 VIEWPOINT PHOTOS dated 04.01.2020, Report FIGURE7.1_SITELOCDESIG dated 04.01.2020, Report FIGURE7.10A_BADGERS2014 dated 04.01.2020, Report FIGURE7.10B_BADGERS2015 dated 04.01.2020, Report FIGURE7.2A_PSR_BATS dated 04.01.2020, Report FIGURE7.2B_PSR_MAMMALS dated 04.01.2020, Report FIGURE7.2C_PSR_HERPS dated 04.01.2020, Report FIGURE7.2D_PSR_BIRDS dated 04.01.2020, Report FIGURE7.3_HABITATSFEATURES dated 04.01.2020, Report FIGURE7.4A_TREESURVEY dated 04.01.2020, Report FIGURE7.4B_MAYSURVEY dated 04.01.2020, Report FIGURE7.4C_JUNESURVEY dated 04.01.2020, Report FIGURE7.4D_AUGUSTSURVEY dated 04.01.2020, Report FIGURE7.4E_APRIL_MAY_2018 dated 04.01.2020, Report FIGURE7.5_DORMOUSERESULTS dated 04.01.2020, Report FIGURE7.6A_REPTILEREFUGIA dated 04.01.2020, Report FIGURE7.6B_REPTILERESULTS_P1354 dated 04.01.2020, Report FIGURE7.7_PONDSWITHIN500M dated 04.01.2020, Report FIGURE7.8_BBSRESULTS dated 04.01.2020, Report FIGURE7.9_WINTERBIRDSURVEYRESULTS dated 04.01.2020, Report LVIA FIGURES dated 04.01.2020, Letter Cover dated 04.01.2020, Lighting 10246 LA02 REV1 dated 14.08.2020, Transport Statement 10246TA03 RV1 dated 14.08.2020, Transport Statement TA03 APPENDICES FULL dated 14.08.2020, Statement 10246 SS 03 RV1 dated 14.08.2020, Flood Risk Assessment 10246 FRA02 RV1 dated 14.08.2020, Design and Access Statement dated 14.08.2020, Plan 215-P-03 REV C dated 14.08.2020, Landscape Layout 215-P-01 Rev H dated 14.08.2020, Noise Assessment 10246 NM02 REV1 dated 14.08.2020, Arboricultural Assessment 7207 AA REV D dated 14.08.2020, Letter dated 14.08.2020, Schedule 200814 dated 14.08.2020, Environmental Statement dated 14.08.2020, Ecological Assessment ADDENDUM dated 14.08.2020, Management Plan Mitigation dated 07.01.2022, Transport Statement PARTS 1-5 dated 25.06.2020, Letter Ecology dated 07.01.2022, Flood Risk Assessment 10246TN19 dated , Flood Risk Assessment 10246 FRA02 RV2 dated 23.11.2021,

Subject to:

- The applicant entering into a s106 planning obligation with the Borough Council to make contributions for the enhancement of existing open spaces and NHS facilities in the locality.

The applicant entering into a s106 planning obligation with Kent County Council to make contributions towards the enhancement of secondary school accommodation and community facilities within the locality, improvements to bus infrastructure in Brook Street and bus services in Tonbridge as well as for the provision of a shared cycle lane/footpath along Waterloo Road.

It is expected that the section 106 agreement should be agreed in principle within 3 months and the legalities completed within 6 months of the committee resolution unless there are good reasons for the delay. Should the agreement under Section 106 of the Act not be completed and signed by all relevant parties by 31 August 2022, a report back to the Area 1 Planning Committee will be made either updating on progress and making a further recommendation or in the alternative the application may be refused under powers delegated to the Director of Planning, Housing and Environmental Health who will determine the specific reasons for refusal in consultation with the Chairman and Ward Members.

- The following conditions:

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

Reason: No such approval has been given.

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

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

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

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

4. Applications for the approval of the reserved matters shall be in general conformity with the design principles described in section 3 of the Design and Access Statement and the following plans:

215-P-01 Rev H - Illustrative Landscape Masterplan
215-P-03 Rev C - Development Framework Plan
10246-HL-01 C - Proposed Access Arrangement
7202-E-01 - Mitigation Management Plan

Reason: In the interests of the amenity of the locality and to ensure continuity with the approved development principles

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

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

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

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

7. None of the dwellings within the development shall be occupied until the following works have been undertaken under a s.278 agreement between the developer and the local highway authority:

- o Improvement to the junction of Brook Street/Lower Haysden Lane/site access as shown drawing no.10246-HL-01 C- Proposed Access Arrangement

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

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

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

- 9. None of the dwellings hereby approved shall be occupied until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In order to reduce dependency upon the private motor car in the interest of highway safety.

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

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

- 11. No dwelling shall be occupied until secure cycle storage facilities have been provided for it, the details of which have first been submitted to and approved in writing by the Local Planning Authority. The approved facilities, once provided, shall be retained at all times thereafter.

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

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

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

13. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

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

14. No development shall commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority and the development will be undertaken in accordance with the approved details.

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

15. No development shall take place until the details required by Condition 1 have been submitted which demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

16. No development shall commence until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment dated 14th August 2020 prepared by Brookbanks Consulting and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

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

o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall also include details of the timescale for the provision of the approved scheme and it shall be implemented in accordance with the approved details.

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

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

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

18. As part of or no later than at the submission of the Reserved Matters, details of the proposed ecological enhancement/mitigation measures shall be submitted to the Local Planning Authority for its approval. The details shall include a timetable for the provision of the proposed enhancement/mitigation measures and also for their management. The approved measures shall be undertaken in accordance with the details so approved.

Reason: In the interests of the ecological interest of the site.

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

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

20. None of the dwellings identified within the Brookbanks Noise Appraisal ref. 10246/NM/02 as being noise sensitive, shall be occupied until the necessary noise mitigation measures have been incorporated into those dwellings, the details of which have first been submitted to and approved by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

25. Prior to commencement of development a scheme identifying the principles to be incorporated into detailed building design, together with on-site renewable energy devices, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide on-site renewable energy generation of no less than 10% of the annual energy requirement of the buildings. The approved scheme shall be implemented in accordance with the details so approved.

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

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

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

27. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

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

ii further archaeological (including geo - archaeological) investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

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

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

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

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

Reason: In the interests of amenity and public safety.

Informatives

- 1 The Borough Council will need to create new street name(s) for this development together with a new street numbering scheme. To discuss the arrangements for the allocation of new street names and numbers you are asked to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to 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 Borough Council believes that there is an opportunity to create areas of native planting in this development. Plants for such areas should not only be of native species but also of local provenance. The use of plants of non-local provenance could harm the environment by introducing genetically alien material and reducing the variety and viability of other wildlife that the particular plant supports.
- 3 With regard to condition 19, the applicant is advised to plan the layout of the built development in such a way to minimise the loss of existing hedgerows and trees within the site.
- 4 You are also advised that, in undertaking the works hereby approved, due regard should be had to the provisions of the Wildlife and Countryside Act 1981 relating to the protection of species and habitats. The applicant is recommended to seek

further advice from the Natural England, Temple Quay House, 2 The Square,
Bristol, BS1 6EB.

Contact: Matthew Broome