

Aylesford
Aylesford South And Ditton

24 JUNE 2026

TM/24/00675/FL

Location: Land South of St Andrews Close St Andrews Close Aylesford

Proposal: Erection of a part 2/part 3 storey building to provide Class C3 Retirement Home to create 50x residential units with associated communal facilities, parking, landscaping, access and associated works

Go to: [Recommendation](#)

1. Description of Proposal:

1.1 Planning permission is sought for the erection of a part 2/part 3 storey building to provide Class C3 Retirement Home to create 50 residential units with associated communal facilities, parking, landscaping, access and associated works on land south of St Andrews Close, Aylesford.

2. Reason for reporting to Committee:

2.1 This application was called in by Cllr Cannon, Cllr Hammond, and Cllr Williams for the following reasons:

2.2 *"We would like this application to be called-in to Area 3 on the following grounds;- 1) The number of apartments and size, layout density, design and external appearance of the building. The overbearing nature of the proposal 2) Access and highway safety issues 3) Impact on the character of the area 4) Loss of trees and shrubs and an important local green space"*

2.3 The call-in request was subsequently accepted on 11th June 2024.

3. The Site:

3.1 The 0.8 hectare site comprises an open parcel of land within the urban area of Aylesford. It is situated between St Andrews Close to the north, London Road to the south and Culpeper Road to the west.

3.2 The site is mostly laid to lawn with mature trees to the west, east and south. The trees to the west include the avenue of trees lining Culpeper Road with additional mature trees within the site. There is a wooded area to the east and south.

3.3 The site formed part of the historic grounds of Preston Hall, a Grade II listed building, which was converted to flats, and which is situated to the northwest of the site

3.4 Culpeper Road to the west of the site provides access to Preston Hall and other residential dwellings making up the Royal British Legion Village. The dwellings to the west are mostly arranged in large blocks of two- and three-storey form whilst

dwellings to the north and south are mostly two-storey detached and semi-detached properties.

- 3.5 There is currently no existing vehicular access to the site, however St Andrew's Close extends into the application site boundary, providing an appropriate site access for the proposal.
- 3.6 The application site is in within the settlement boundary, as well as being part of a wider site allocation under policy H3 of the Development Land Allocation Development Plan Document. This policy considers the site as being appropriate for mixed-use, but predominantly residential development with a capacity in the order of 180 dwellings in accordance with a Master Plan with the aim to maximise the opportunities for development.
- 3.7 The site is located just north of a designated AQMA and is also within an area identified as a major groundwater vulnerability zone and an archaeological notification area.
- 3.8 Outline permission was granted in 2013 for residential development (about 36 dwellings on four sites) together with new road to Area R1 and improvements to memorial gardens. This permission included the application site (i.e. part of Area R1) alongside others within the wider housing allocation.
- 3.9 Area R1 was shown in the approved illustrative masterplan and design and access statement as having a capacity for 11, three-storey, five to six bed dwellings. However, as no reserved matters applications have ever been submitted following this outline approval, it is now lapsed and no longer capable of being implemented.

4. Planning History (relevant):

12/02443/OA

Approved - 01 March 2013

Outline Application: Residential development of about 208 dwellings (including about 68 affordable units) together with new roads, play areas and informal open space following demolition of existing hospital buildings. Conversion of Preston Hall for residential use

12/02439/OA

Approved - 01 March 2013

Outline Application for residential development (about 36 dwellings on four sites) together with new road to Area R1 and improvements to memorial gardens

12/02444/FL

Approved - 01 March 2013

Alterations and construction of new internal roads serving existing residential and health uses and proposed residential development. Alterations to existing car parking areas serving Heart of Kent Hospice, Gavin Astor House and Churchill Centre

5. Consultees:

5.1 Aylesford Parish Council: No objections

5.2 TMBC Environmental Health Protection Services:

Noise – No objections are raised, but a CEMP is required to mitigate the potential impact during construction of the development

Air Quality – No comments to make

Land Contamination – No concerns are raised. However, a watching brief condition is recommended as a precautionary measure to address any unforeseen contamination encountered during construction.

5.3 TMBC Leisure Services: A financial contribution of £46,036.00 towards the provision and enhancement of open space is required to ensure compliance with Policy OS3 of the MDEDPD and associated standards contained in Policy Annex OS3.

5.4 TMBC Waste Services: Standing advice applies.

5.5 TMBC Tree and Landscape Officer: It would not be justifiable to refuse this application on tree grounds, subject to the recommended conditions.

5.6 KCC Development Investment Team: A financial contribution towards community leaning and skills, library, registrations and archives service, adult social care and waste is sought in order to mitigate the impact arising from the development proposed.

5.7 KCC Highway Services: No objections, subject to planning conditions relating to 1) CEMP, 2) surface water management, 3) provision of loading/unloading and turning facilities, 4) provision of a 5m bound surface adjacent to the highway, 5) provision and retention of cycle parking facilities and 6) completion and maintenance of vehicular access

5.8 KCC Lead Local Flood Authority: No objections, subject to three planning conditions concerning 1) detailed sustainable surface water drainage scheme, 2) verification report, and 3) infiltration precautionary measures

5.9 KCC Ecological Advice Services: No objections, subject to planning conditions and informative relating to 1) habitat creation and management plan, 2) biodiversity enhancement plan, 3) artificial lighting plan and 4) breeding birds

- 5.10 KCC Heritage Conservation: No objections, subject the imposition of a planning condition requiring the submission and approval of an archaeological field evaluation, and the follow up investigation, recording and reporting.
- 5.11 Southern Water: No objection, subject to a condition requiring the submission of a SuDS scheme specifying the responsibility and timetable for implementation, together with details of the ongoing management and maintenance regime.
- 5.12 National Highways: Offer no objection
- 5.13 Public Representations (key issues summarised as follows):
- Inadequate vehicular access (including for emergency vehicles) contrary to the Kent Desing Guide
 - Parking issue exacerbated by the development
 - Inadequate infrastructure and services
 - Loss of green space
 - Impact resulting from additional traffic volume
 - Scale and design out of character of the site surroundings
 - Impact on Grade II Preston Hall
 - Noise, traffic, pollution and disturbance

6. Determining Issues:

Principle of Development

- 6.1 The application site lies within the settlement confines of the Medway Gap; an urban area where Policy CP11 of the TMBCS expects development to be concentrated, as it can minimise the need to travel, being located to existing services, jobs and public transport. The proposal for 50 residential units used as retirement homes would align with the spatial strategy set out within the TMBCS. There are accessible local shops and services in both Aylesford and Larkfield readily available to meet the needs of the future occupiers of the residential development. Connectivity to the rest of the county and the wider southeast region is satisfactory in part due to its proximity to M20 and Aylesford train station just under 1 mile from the site, with regular direct services to London as well as neighbouring towns including Tonbridge and Maidstone.
- 6.2 The site is part a housing allocation namely Preston Hall and Royal British Legion Village made under Policy H3 of the DPADPD. The wider allocation, including the site, is considered appropriate for mixed-use, but predominantly residential, development with a capacity in the order of 180 dwellings in accordance with Policy H3. The application site forms part of a parcel of land known as Area R1 that was granted outlined permission in 2013 for 11, three-storey, five to six bed dwellings, reinforcing the suitability of the site for housing or housing led development.

- 6.3 Chapter 5 of the NPPF requires the planning system to support the Government's objective of significantly boosting the supply of homes, having regard amongst other things to the size, type and tenure of housing needed for different groups in the community, including older people (those who require retirement housing, housing-with-care and care homes). The proposal for 50 residential units would make a meaningful contribution towards the supply of homes while addressing the needs of older people specifically.
- 6.4 The Council cannot currently demonstrate a five-year supply of deliverable housing sites when measured against its objectively assessed need (OAN). As such, the policies most relevant for assessing the current proposal should be treated out of date and hence the provision set out in Paragraph 11(d) applies. For decision making, this means granting permission unless:

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

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."

- 6.5 Policies protecting areas or assets of particular importance are highlighted in Footnote 7 of the NPPF. They relate to

"habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change."

- 6.6 The site is not located in any of the protected areas identified in Footnote 7 nor is it occupied by any designated heritage assets or irreplaceable habitat. Albeit within the sight of Preston Hall, which is Grade II listed, the site's contribution towards the setting of this designated heritage asset is, as the Council's conservation specialist has advised, very low. Moreover, with it being an allocated site for housing under Policy H3 of the DPADPD and granted permission previously for 11, three-storey townhouses in 2013, the application of the heritage conservation policies contained in Chapter 16 of the NPPF is not considered to provide a strong reason for refusing the development on heritage ground.

- 6.7 For these reasons, the proposal should only be refused permission where the situation outlined in Paragraph 11(d)(ii) of the NPPF arise namely the adverse impact of granting permission significantly and demonstrably outweigh its benefits when

assessed against the policies in the NPPF, taken as a whole. The potential impacts and benefits of the proposal are assessed further in the rest of this report.

Housing Supply, Mix and Affordable Housing

- 6.8 The most up to date housing land supply position briefing note published in January 2025 indicates that the Council could only demonstrate a supply of deliverable housing sites of up to 2.89 years against its objectively assessed need. As such, there is undeniably a shortfall in the supply of new homes, which the Council must seek to address in accordance with Chapter 5 of the NPPF.
- 6.9 The proposal, if permitted, has the potential of delivering 50 new retirement homes in a highly sustainable location, where the Development Plan specifically Policy CP11 of the TMBCS and Policy H3 of the DPADPD seeks to encourage and facilitate. It would assist in meeting approximately 3.8% of the annual housing requirement, which together with other allocated and windfall sites would make a meaningful contribution towards mitigating the identified housing shortage. This factor must therefore be afforded substantial weight in the overall planning balance as per the NPPF.
- 6.10 Turning next to housing mix, the Strategic Housing Market Assessment 2025 provides the most up-to-date evidence base to inform decision-making. In relation to retirement housing specifically, the SHMA identifies modest current shortfalls in housing with support (such as sheltered and retirement housing) across both the market and affordable sectors, alongside a more significant shortfall in residential care provision. The study further notes that the provision and retention of a range of attractive housing options for older households is an important component of achieving a balanced housing mix. Accordingly, it recommends that a total of around 950 additional housing units with support, split equally between market and affordable housing, is provided between 2024 and 2042.
- 6.11 The proposal comprises a total of 50 retirement units: 27 one-bedroom flats and 23 two-bed flats. Although the proposal consists of a significant higher proportion of flats than demanded across the borough, given the age-restricted nature of the development, the sustainable location of the site and the importance to optimise the development potential of the allocated housing site, its yield and benefit, it is considered that the proposed house type could be acceptable on this occasion and broadly consistent with the overall housing needs, mix and tenure as identified in the evidence base referred to earlier.
- 6.12 Referring to the Planning Statement, the proposal would create a barrier-free environment, with all corridors, communal areas and living accommodation designed to be fully wheelchair accessible and therefore compliant with the M4(3) standard. As such, it would be suitable for its intended occupiers. The proposal would also assist in addressing the shortfall in housing supply by providing older people with the opportunity to downsize while remaining within their local community. In doing so, it could potentially release existing family-sized dwellings back onto the market and

help address the needs of groups with specific housing requirements, consistent with paragraph 61 of the NPPF.

- 6.13 Concerning affordable housing, Policy CP17 of the TMBCS states that in the urban areas, affordable housing provision will be sought on all sites of 15 dwellings or above or 0.5ha or above at a level of 40% of the number of dwellings in any scheme. This Policy is elaborated further through the Affordable Housing Supplementary Planning Document adopted in July 2008 and the Affordable Housing Protocol recently revised in May 2026.
- 6.14 The SPD reiterates that *“all new residential developments will therefore be expected to provide affordable housing in accordance with the adopted Core Strategy unless the developer can demonstrate that the site can only come forward if essential infrastructure needs to be provided first, or where there are other significant costs such as site remediation or flood alleviation works, for example, and that in these circumstances the provision of the required amount and type of affordable housing would make the development unviable.”*
- 6.15 *“In these exceptional cases, it will be for the developer to demonstrate that less affordable housing and/or a different mix of affordable housing should be provided, and this will be subject to a confidential ‘open book’ assessment and independent audit.”* The Affordable Housing Protocol revised in 2026 further states that *“reduced provision will only be considered where justified by a viability appraisal.”*
- 6.16 In this case, the proposal comprises all market housing, meaning there is no affordable housing either provided on site or off site. This application is accompanied by a Financial Viability Appraisal, which suggests that the proposal could not be viably delivered while meeting the affordable housing requirements set out in Policy CP17 of the TMBCS. In accordance with the SPD and Protocol, the Council has appointed an independent viability consultant (BNP Paribas) to scrutinise the FVA, with latest formal written advice received in August 2025
- 6.17 Contrary to the findings presented in the applicant’s FVA, BNP Paribas considers that the proposed development would generate a surplus of £528,309 against the viability benchmark of £1,047,672, with a profit margin of 17.5% of GDV, based on the Alternative Use Value (AUV) derived from the 11-dwelling approved in 2013. The most significant area of disagreement between the applicant and the Council’s viability consultant is in respect of the level of profit the developer should be expected to obtain from a scheme of this scale and nature, with the former suggesting 20% while the latter 17.5%.
- 6.18 In determining what constitutes a reasonable level of profit for this development, due consideration has been given to the viability position of other retirement housing schemes across the Borough that have been agreed by either the Local Planning Authority or the Planning Inspectorate, in addition to the advice received from BNP Paribas. Amongst these schemes is the proposal for 36 retirement living apartments for older persons on land to the rear of 78–80 High Street, Tonbridge, submitted by the same applicant and subsequently granted permission at appeal (21/01542/FL). In the appeal decision, the Inspector, whilst noting the differences between the parties in respect of the assessment of GDV, accepted a developer profit of 20% as a

reasonable margin for a comparable retirement housing scheme of 36 units. However, given the disagreement over GDV, the Inspector also supported the inclusion of a late-stage viability review mechanism to be secured through a legal agreement.

- 6.19 In light of the above, the Local Planning Authority initially proposed to accept a developer profit margin of 20% for this application, subject to the inclusion of a late-stage viability review mechanism, broadly consistent with the approach taken by the Inspector as outlined above. The applicant has since made a counteroffer to increase the financial contribution to £370,000, covering all potential planning obligations, in order to avoid the need for a late-stage review mechanism. The amount offered is marginally higher than £367,226, which represents the mid-point between the Council's adopted profit level and the applicant's preferred profit assumption.
- 6.20 Having regard to the above, it is considered that the applicant's offer of a £370,000 financial contribution represents a reasonable and pragmatic resolution to the viability discussions. The contribution marginally exceeds the mid-point between the Council's adopted profit assumption and the applicant's preferred profit level and therefore provides an appropriate balance between securing planning obligations and maintaining the viability of the development.
- 6.21 Whilst the removal of the late-stage review mechanism may reduce the ability of the Local Planning Authority to capture any windfall profit arising from an increase in Gross Development Value (GDV), this is partly offset by the uplift in the financial contribution offered upfront. In any event, the inclusion of a late-stage review mechanism does not guarantee an increased financial contribution but rather provides the opportunity for the Council to share in any windfall arising from a GDV uplift.
- 6.22 On this basis, subject to a legal agreement securing the aforementioned contribution towards, amongst other items, affordable housing, the proposal is considered, on balance, acceptable in respect of Policy CP17 concerning affordable housing, albeit without a late-stage review mechanism. The proposal would also deliver much need homes at a mix, type and tenure appropriate to its surroundings, compliant with Policy H3 of the DPADPD and Chapter 5 of the NPPF.

Quality of Accommodation

- 6.23 The proposal comprises 50 units in total, spreading across three floors. The smallest apartment has one bedroom measured 51.84sqm while the biggest one has two bedrooms measured 90.47sqm. The schedule of accommodation is as follows:
- 6.24 All new units would well exceed the minimum gross internal area stipulated by the Nationally Described Space Standards and many of which would have their own balconies, in addition to a communal garden south of the apartment block. Adequate outlook and natural light would be provided to each flat through appropriately sized windows
- 6.25 Being adjacent to A20 Lond Road means the occupants of the proposed development could potentially be exposed to noise from heavy and regular traffic flow

unless otherwise mitigated. Having reviewed the noise assessment and its addendum, the Council Environmental Health Protection Services are satisfied that the potential of noise could be adequately mitigated to avoid a significant adverse impact upon the living conditions of the future residents.

6.26 For these reasons and subject to a condition requiring compliance with the noise assessment and its recommendation including mitigation measures, the proposal could deliver its future occupiers a good quality of accommodation, complying with Policy CP24 of the TMBCS and Chapter 12 of the NPPF.

6.27 Design, Character and Appearance (including Heritage Consideration)

6.28 The proposed development comprises 50 retirement units contained within a part two-storey, part three-storey detached building arranged in an “L”-shaped formation. The building would be positioned broadly parallel to London Road, with the principal elevation facing north and the rear elevation facing south. A 39-space car park would be provided to the front while a communal garden area for the benefit of future residents to the rear. The building would be constructed using a mix of external materials including clay roof tiles, red brick, white render, and stone banding with stone trim/mouldings.

6.29 The wider Royal British Legion Village does not exhibit a clearly defined pattern of development. The grounds historically associated with the Grade II listed Preston Hall have been developed incrementally over time, resulting in a varied pattern of development of differing ages, layouts and architectural styles. A mix of two- and three-storey residential buildings, including both houses and apartment blocks, already exists within the Village and are readily visible within the surrounding context. In view of this, the presence of a part two-storey and part three-storey building is not considered to be out of keeping with the prevailing scale of development within the wider Village. Furthermore, the application site is of sufficient size to accommodate a building of the scale proposed without appearing cramped or overly dense when compared with development elsewhere within the Village.

6.30 It is also pertinent to note that the site previously benefited from outline planning permission granted by the Area 3 Planning Committee in 2013 for the erection of 11 townhouses arranged in a crescent formation – see plan below. No concerns were raised at that time regarding the principle of three-storey buildings within Parcel R1, which substantially overlaps with the current application site.



6.31 In the absence of any significant change in planning policy at either the local or national level, or to the spatial context of the site and its surroundings, there is no compelling reason to resist the current proposal on the basis of building height. In any event, when assessed on its own merits and having regard to the site-specific circumstances, the proposal is considered acceptable in terms of scale, layout and pattern of development.

6.32 Although larger in scale than some surrounding buildings, the proposed development would not appear overly bulky. Its overall massing would be broken down into smaller elements through a varied roofline and a staggered building frontage incorporating balconies and several three-storey gable features. The proposed material palette, together with quoin detailing and other architectural features, would provide a visually attractive and coherently designed façade when viewed from St Andrew Close and London Road. The overall design approach would be in keeping with the character of more recent development within the wider Royal British Legion Village, notably the three-storey Brenchley House located adjacent to the Grade II listed Preston Hall.

6.33 Preston Hall to the north of the site is Grade II listed so the development impact on its setting and heritage significance is pertinent to the assessment of this application. The Council Conservation Officer, having regard to the planning history of the wider housing allocation and the supporting documents, offers the following advice.

6.34 “The proposal is located at the furthest point of the avenue and does unfortunately enter into the space of the avenue. However, this has no old trees, and the avenue is of very low significance. The impact on the setting of Preston Hall by encroachment into this part of the avenue will be very low and would not be considered harmful. Correspondingly, there would be no harmful impact on Preston Hall or its associated listed structures”. As such, applying the heritage conservation policies contained in the NPPF does provide a strong reason for refusing this development proposal.

- 6.35 The proposal would retain all mature trees along the site boundaries, together with additional soft landscaping around the car park and a landscaped communal garden wrapping around the western corner of the building. The landscaping details shown on the submitted Landscape Proposals are considered broadly satisfactory from a visual amenity perspective. However, to ensure a high-quality and coherent landscape treatment upon completion of the development, a condition should be imposed requiring the submission and approval of a comprehensive hard and soft landscaping scheme, in line with the advice of the Council's Tree and Landscape Officer.
- 6.36 In addition, whilst the proposed materials of construction are acceptable in principle, full details (including colour, texture and finish) are required in order to ensure compliance with the design policies of the TMBCS and the NPPF. A condition requiring the submission and approval of a detailed schedule of external materials is therefore recommended
- 6.37 In conclusion, although the proposal would be relatively large in scale, it would be consistent with the prevailing building heights within the wider Royal British Legion Village and the established pattern and density of development. The design and appearance of the building are considered acceptable from visual amenity and heritage conservation perspectives. The proposed landscaping, particularly the retention of mature tree belts along the site boundaries, would provide appropriate mitigation against the potential visual impact arising from the scale of development. Subject to the imposition of the recommended conditions, the proposal is considered to comply with Policy CP24 of the TMBCS, Policy SQ1 of the MDEDPD, and Chapter 12 of the NPPF.

Residential Amenity of the Neighbouring Properties

- 6.38 The residential properties most likely to be affected by the proposed development are No. 7 St Andrews Close to the north, Nos. 196 and 198 London Road to the south, and Nos. 1–19 (odd) London Road East.
- 6.39 Starting with No. 7 St Andrews Close, this is a two-storey detached dwelling set perpendicular to the application site, with its side elevation facing towards the proposed development. Although the building would be visible from the rear garden of this neighbouring property, the intervening distance would be in excess of 20m, which is sufficient to mitigate the potential for significant overshadowing or overbearing impacts. This distance is also consistent with the separation distances recommended in the National Model Design Code. No. 7 St Andrews Close would continue to benefit from an open and largely unobstructed outlook to the front and rear and would therefore continue to receive adequate levels of natural daylight and sunlight.
- 6.40 The proposal would include three windows across the floors of the elevation facing the rear garden of No. 7; however, these would serve corridor areas rather than habitable rooms. As such, they could be fitted with obscure glazing to avoid any direct or significant overlooking impact on the neighbouring property. Subject to the

imposition of such a condition, no undue harm to the privacy of these neighbouring occupiers would arise.

- 6.41 Turning next to Nos. 196 and 198 London Road, these properties form a pair of semi-detached dwellings located to the south of the application site. The proposed development would have its rear elevation facing these houses; however, a separation distance of approximately 30m would be maintained between the buildings, together with the retention of the dense mature tree belt along the southern site boundary. As such, the potential for overlooking would be limited, and the proposal would comfortably exceed the separation distance of 15–20m recommended in the National Model Design Guide for back-to-back relationships between buildings. In addition, the outlook from the rear of these properties is already partially restricted by the existing tree belt. Consequently, the presence of a three-storey building approximately 30m away would not result in any significant additional harm to outlook or natural light available to these occupiers.
- 6.42 The impact on the residential amenity of properties on London Road East would also be minimal due to the intervening distance between the buildings and the presence of established wooded areas separating the site from these dwellings.
- 6.43 Due to the scale and nature of the development proposed, it is anticipated that a degree of noise and disturbance may arise during the construction phase unless appropriate mitigation measures are put in place. Consequently, it is reasonable and necessary to impose a Construction Management Plan condition to ensure that noise, disturbance, traffic impacts and potential pollution arising from construction activities are minimised as far as reasonably practicable, in accordance with the advice of the Council's Environmental Health Protection Service.
- 6.44 In summary, notwithstanding the concerns raised in the written representations regarding residential amenity, the above assessment demonstrates that the proposal could be implemented in a manner that avoids any significant adverse impact on the living conditions of neighbouring occupiers. Any residual impacts could be further mitigated through appropriately worded planning conditions relating to boundary treatment, obscure glazing and construction management. The proposal is therefore considered acceptable from a residential amenity perspective and would comply with Policy CP24 of the TMBCS and Chapter 12 of the NPPF.
- 6.45 Highway Safety and Parking
- 6.46 The proposal for 50 residential units would represent a significant intensification of use compared with the previously consented scheme for 11 townhouses and would therefore have a greater potential to affect highway safety and parking provision. The application is accompanied by a Transport Statement which assesses the likely trip generation associated with the proposed 50 retirement living apartments, the anticipated uptake of public transport, car parking demand, and other highway safety considerations. The Transport Statement has been independently reviewed by KCC Highways, who raise no objection to the proposed development, subject to the conditions set out in their consultation response.

6.47 It is also noted that pre-application engagement took place between the applicant and KCC, in its capacity as the Local Highway Authority, in October 2023. The pre-application response is included within the Transport Statement as Appendix A. Within this response, KCC Highways provided initial advice and assessment on the following matters:

Access (Vehicular and Pedestrian)

6.48 Access is proposed via a connection with the recently adopted road known as St Andrews Close. Such an approach is considered logical given how it would provide direct connectivity with the wider, high quality pedestrian network, whilst also avoiding the necessity for the creation of a new access onto the strategic road network. Consequently, the access strategy is acceptable in principle to KCC Highways.

Sustainability (Walking and Cycling and Public Transport)

6.49 KCC Highways note that an assessment of the site's sustainability credentials is contained in the TSN. This assessment that correctly identifies the fact that the site is within acceptable walking distance of many existing facilities including shops, bus stops and a train station. The development is therefore considered to be situated in a reasonably sustainable location, with good opportunities for travel by alternative, more sustainable means.

Trip Generation and Traffic Impact

6.50 The TSN anticipates that the development would generate up to 5 trips (combined arrivals and departures) in any peak hour. To derive these forecasts the TRICS database has been interrogated. Given how these forecasts focus on sites in a suburban or edge of town location, with similar locational characteristics to the development site they are considered acceptable for assessments purposes.

6.51 Whilst it is recognised that the network surrounding the development has been subject to long standing congestion, due to the development's limited levels of traffic generation, further assessment is not considered necessary. As such it is agreed that *the scope of assessment can be limited to a traffic forecasting exercise.*

Parking

6.52 Car Parking - 38 parking spaces are proposed. As set out in the TSN KCC Highways adopted standards (Supplementary Planning Guidance Note 4, Kent Vehicle Parking Standards) requires 1 space per resident warden and 1 space per 2 units. Therefore, based upon the proposed accommodation schedule a total of 26 car parking spaces are required. Owing to how the proposed provision would be in excess of adopted standards it is considered acceptable.

6.53 Cycle Parking - 2 cycle parking spaces are proposed. The TSN contends that a level of cycle parking that is less than adopted standards is acceptable based upon research commissioned by the perspective developer. Whilst this research is acknowledged a policy compliant level of cycle parking should be provided

Turning and Servicing

6.54 Confirmation that the existing turning head will be retained is welcomed. Although it is acknowledged that the swept path analysis confirms a small amount of overrunning of the footway by refuse vehicles, given their infrequent nature, this is not considered to represent a significant problem

Personal Injury Collision (PIC) Record

6.55 Whilst it is noted that some PIC analysis is contained within the TSN this is extremely dated (up to 2021). Any TS should contain up to date PIC analysis using the most recently available data. The scope suggested within the TSN for assessment purposes is considered acceptable.

6.56 It is evident from both the pre-application response and the subsequent consultation response from the Local Highway Authority that they are satisfied that the number of additional vehicular movements arising from the proposed development would not unduly disrupt the flow of traffic on London Road, nor undermine the effective operation of the wider local highway network. They are also satisfied with the level of parking provision and the sustainability of the site location. The proposed vehicular access, turning and servicing arrangements are considered acceptable and would pose no unacceptable risk to highway or pedestrian safety. In addition, National Highways has raised no objection to the application.

6.57 Reference has been made to a technical note prepared by Stantec UK Ltd, which questions the suitability of the vehicular access for the scale of development proposed. The note argues that St Andrews Close should be treated as a 'Minor Access Way' serving no more than 25 dwellings, in accordance with the Kent Design Guide. However, as the note itself acknowledges in paragraph 3.2, the road width falls between the classifications of 'Minor Access Way' and 'Minor Access Road'. Whether the 25-dwelling capacity limit applies is therefore a matter of professional judgment for the Local Highway Authority, which they have exercised in providing their advice of no objection to the Local Planning Authority.

6.58 Paragraph 116 of the NPPF 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, following mitigation, would be severe, taking into account all reasonable future scenarios." Therefore, even if the 25-dwelling capacity limit were applicable to St Andrews Close, it would be difficult to resist the development unless it can be demonstrated that exceeding this limit is likely to cause an unacceptable impact on highway safety. The Stantec UK Ltd technical note highlights potential shortcomings with the road width relative to the Kent Design Guide, but it does not substantiate that the development would inevitably result in an unacceptable highway safety impact.

6.59 Given the site's location on a busy classified A road, it is considered reasonable and proportionate to require the submission of a Construction Management Plan to ensure that construction traffic associated with the development is managed in a manner that minimises potential disruption to the local highway network. All other

conditions recommended by the relevant consultees would also be imposed in the interests of highway safety in the event that planning permission is granted.

- 6.60 In summary, notwithstanding the highway safety concerns raised by interested parties, the supporting technical evidence submitted by the applicant, together with the assessment of the Local Highway Authority, demonstrates that, subject to the recommended planning conditions, the development would not result in an unacceptable impact on highway safety or parking provision. The proposal is therefore considered acceptable in respect of Policy CP23 of the TMBCS, Policy SQ8 of the MDEDPD, and Chapter 9 of the NPPF.

Biodiversity and Trees

- 6.61 The application is accompanied by a Preliminary Ecological Appraisal, Landscape Proposals and a Statutory Biodiversity Metric, all of which have been reviewed by KCC Ecology. In respect of Biodiversity Net Gain (BNG), KCC Ecology is satisfied that the proposal could deliver the statutory minimum 10% net gain entirely on site. However, further details of the proposed habitat creation, management and monitoring arrangements are required. It is therefore recommended that a Habitat Management and Monitoring Plan be secured by way of a planning condition..
- 6.62 In addition to meeting the minimum BNG requirement, the proposal should also seek to incorporate ecological enhancement features that are not accounted for within the BNG metric. Such measures could include integrated bat and bird bricks or durable boxes, log piles, hedgehog homes and gaps within close-boarded fencing to facilitate wildlife movement. To ensure that opportunities for ecological enhancement are maximised as part of the development, KCC Ecology recommends that a Biodiversity Enhancement Plan be secured by condition. It is also considered necessary to secure details of an external lighting scheme to ensure that any lighting installations are designed to minimise potential impacts on bats and their habitats.
- 6.63 The site contains several mature trees that make a valuable contribution to the visual amenity of the area, particularly those located along London Road. A Tree Survey, Arboricultural Impact Assessment, Tree Constraints Plan and Tree Protection Plan have been submitted as part of the application. Having reviewed these documents, the Council's Tree and Landscape Officer confirms that the proposed development could be constructed without causing undue harm to adjacent trees. As such, there would be no justification to refuse the application on arboricultural grounds, subject to the imposition of planning conditions relating to finished levels, service runs, hard and soft landscaping, and the implementation of tree protection measures and an arboricultural method statement.
- 6.64 Overall, the proposal would not result in significant harm to biodiversity or existing trees and would therefore accord with Policies NE2 and NE3 of the MDEDPD and Chapter 15 of the NPPF.

Flood Risk, Drainage and Potable Water Supply

- 6.65 The site is not located within an area at risk of flooding from any source. A Drainage Strategy Report has been submitted in support of the application. The Lead Local

Flood Authority (LLFA), in its most recent consultation response, advises that it has no objection to the proposal on flood risk and drainage grounds, subject to the imposition of three planning conditions should the Local Planning Authority be minded to grant planning permission. These conditions would be imposed as recommended.

- 6.66 Policy SQ5 (Water Supply and Quality) MDE DPD expects all development to ensure adequate water and sewerage infrastructure is present or can be provided to meet future needs without compromising the quality and supply of services for existing users.
- 6.67 The proposal constitutes a major development, comprising a total of 50 retirement homes. South East Water's consultation response to the draft Local Plan is that there is sufficient capacity for up to 2566 dwellings from 2025 to 2029. Due to the scale of development proposed and its potential additional demand for water, further information was sought from the applicant to ensure that the proposal would have the necessary water infrastructure to meet the demand of the future residents at the time of occupation. A letter issued by South East Water was subsequently provided; this includes an estimate of the cost to provide new water connection on site, which remains valid until 1 August 2026.
- 6.68 Once the offer to connect has been accepted the relevant payment has been settled, the work, the letter indicates, should be finished within the financial year of 2026 to 2027. Based on the information provided, officers are satisfied that there is a realistic prospect of the scheme being provided with the essential water infrastructure in time to support its occupation as retirement homes. To mitigate the residual risk further, a Grampian style condition could be imposed requiring the submission of a strategy detailing the proposed delivery of potable water for the building together with an implementation timetable to the Local Planning Authority for approval.
- 6.69 For the above reasons and subject to the recommended condition, it is considered that the proposal could be made compliant with the relevant requirements set out in the local and national planning policies and acceptable in terms of flood risk, drainage and potable water supply.

Archaeology

- 6.70 The site of the proposed development lies within an area of archaeological potential associated with Iron Age activity, as well as Medieval and Post-Medieval activity connected to the Preston Hall manorial complex and 20th-century health and welfare heritage. Prehistoric remains have been found both to the north and south of the site, indicating Bronze Age and Iron Age occupation and settlement. Preston Hall itself was originally a medieval manorial complex, later developing into a high-status Post-Medieval residence. In the early 20th century, the estate was converted into a military hospital, notably treating gassed soldiers and those with tuberculosis. Many designated and historically significant buildings from these periods survive within the modern residential development.
- 6.71 However, the residential development around Preston Hall was not subject to any formal archaeological investigation. As such, our understanding of the archaeological

resource on the application site remains limited. It is therefore recommended that an archaeological field evaluation be secured by way of a planning condition.

Planning Obligations (Other than Affordable Housing)

- 6.72 Policy OS3 of the Managing Development and the Environment Development Plan Document (MDE DPD, adopted April 2010), which forms part of the Council's Local Development Framework (LDF), requires open space provision for all residential developments of five units or more (net) in accordance with the standards set out in Policy Annex OS3. Annex D of the MDE DPD sets out the methodology for implementing Policy OS3 in respect of development proposals.
- 6.73 Whilst some open space would be delivered as part of the proposed development, it would not fully meet the policy requirements relating to Parks and Gardens and Natural and Semi-Natural Green Spaces. As such, a financial contribution of £46,036 towards open space provision and enhancement is required to ensure that the relevant policy requirements are fully met.
- 6.74 Kent County Council has assessed the implications of the proposal in relation to the delivery of its community services and considers that the development would place additional demand on these services. These impacts require mitigation either through the direct provision of infrastructure or through the payment of appropriate financial contributions. The requested contributions relate to community learning and skills, library services, registration and archives services, adult social care and waste management. These services are considered directly relevant to the development and the request for financial contributions is therefore justified.
- 6.75 The financial contributions and the items they would fund are set out in the agreed Heads of Terms, which have been discussed and confirmed in writing by the applicant. The agreed financial contributions would be secured through a Section 106 Agreement in the event that planning permission is granted.
- 6.76 Conclusion and Planning Balance
- 6.77 Having regard to the above assessment, the proposal is considered acceptable and generally consistent with the aims of the Development Plan and the National Planning Policy Framework. If permitted, the development would contribute towards the provision of affordable housing, open space and other essential local facilities and services.
- 6.78 The proposal would make effective use of an allocated housing site in a sustainable location for new homes. In the absence of a five-year supply of deliverable housing sites across the Borough, the scheme's contribution to housing delivery and the optimisation of housing yield in a suitable location carry substantial weight in accordance with the National Planning Policy Framework. This, together with the socio-economic benefits associated with job creation, increased activity within neighbouring centres and additional consumer expenditure, weighs positively in favour of granting planning permission. A number of technical matters, including noise, biodiversity and drainage, can be satisfactorily addressed through the

imposition of appropriate planning conditions to ensure compliance with relevant policies.

6.79 Applying the tilted balance set out in paragraph 11(d) of the NPPF, it is considered that the benefits of the proposed development would significantly and demonstrably outweigh any potential harm, taking into account the mitigating effect of the recommended planning conditions and obligations. On this basis, it is recommended that planning permission be granted, subject to the completion of a Section 106 Agreement and the imposition of the recommended planning conditions.

7. Recommendation:

7.1 **APPROVE** subject to the following:

7.2 Heads of Terms

Developer to pay the Council's reasonable legal costs (amount TBC).

Payment of a Section 106 monitoring fee of £506.00, payable upon completion of the Agreement.

Payable upon occupation of the 13th dwelling

Community Learning and Skills - £1710.50

Library, Registrations and Archives Service - £3,131.50

Adult Social Care - £9,044.00

Waste - £2,600.00

Parks & Gardens – £33,269

Natural and Semi Natural Green Spaces - £12,767

Payable upon occupation of the 25th dwelling

Affordable Housing - £307,478

Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

TCP-01 Tree constraints plan received 29 Apr 2024

TPP-01 Tree protection plan received 29 Apr 2024
0002 Site location plan received 29 Apr 2024
0003 Proposed site layout received 29 Apr 2024
1000 Proposed ground floor plan received 29 Apr 2024
1001 Proposed first floor plan received 29 Apr 2024
1002 Proposed second floor plan received 29 Apr 2024
1003 Proposed roof plan received 29 Apr 2024
1500 Proposed site and floor plan areas received 29 Apr 2024
2000 Proposed north and east elevations received 29 Apr 2024
2001 Proposed south and west elevations received 29 Apr 2024
3000 Watercolour perspective 1 received 29 Apr 2024
3001 Watercolour perspective 2 received 29 Apr 2024
101 Proposed drainage plan received 29 Apr 2024
01 Proposed landscape plan received 29 Apr 2024
Tree survey and impact assessment received 29 Apr 2024
Preliminary ecological appraisal received 29 Apr 2024
Noise impact assessment received 29 Apr 2024
Site investigation report received 29 Apr 2024
Transport statement received 29 Apr 2024
Statement of community involvement received 29 Apr 2024
Planning statement received 29 Apr 2024
Financial viability appraisal received 29 Apr 2024
Energy statement received 29 Apr 2024
Covering letter received 29 Apr 2024
Archaeological assessment received 29 Apr 2024
Air quality assessment received 29 Apr 2024
Design and access statement 17 May 2024
Acoustic image production document received 9 May 2024
Biodiversity net gain metric received 9 May 2024
Acoustic report memorandum received 6 Jun 2024
Drainage strategy report stage 3 received 25 Jun 2024
Financial viability appraisal

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.

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

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

4. The residential units hereby approved shall not be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting

that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space

Reason: In the interests of highway safety

5. The development hereby approved shall not be occupied unless and until the bike/mobility scooter and bin stores as shown in the approved ground floor plan have been provided in accordance with the approved details. The bike/mobility scooter and bin stores shall thereafter be retained permanently for their intended purposes.

Reason: To ensure appropriate bin and bike storage facilities are provided to the future residents at the time of occupation and ensure they remain available throughout the lifetime of development.

6. The proposed vehicular access serving the residential units and the associated car park hereby permitted shall be provided, surfaced and drained in accordance with the approved Landscape Proposals (MCS770/Drg01 P2). Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position to preclude vehicular access

Reason: In the interests of highway safety, to ensure safe vehicular access is provided and maintained in support of the development proposal.

7. The development hereby permitted shall not commence until a Construction Management Plan comprising the following details has been submitted to and approved in writing by the Local Planning Authority.

- (a) Routing of construction and delivery vehicles to / from site.
- (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
- (c) Timing of deliveries, avoiding network and school peaks where possible.
- (d) Provision of wheel washing facilities.
- (e) Measures to prevent the discharge of surface water onto the highway.
- (f) Temporary traffic management / signage.
- (g) Environmental management control of all demolition and construction works

The Construction Management Plan shall thereafter be implemented strictly in accordance with the approved details throughout the construction phase.

Reason: In the interests of highway safety and to ensure the potential of disruption caused to the local highway network is minimised as far as reasonably practicable during the construction.

8. The measures for mitigation of environmental noise as set out in a) Noise Assessment (R10437-1 Rev 0, dated 16th February 2024) and b) Noise Assessment Memorandum (10437-2 Rev 0, dated 5th June 2024)) by 24 Acoustics Ltd shall be fully adhered to and a report containing photograph and written evidence confirming full implementation of the details of the acoustic work shall be submitted to and

approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason: In the interests of the protecting the amenities of the future residents of the flats.

9. The building hereby permitted shall be occupied until full details of the mechanical ventilation of the building have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the building to which it relates and shall be retained at all times thereafter.

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

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

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

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

Reason: In the interests of amenity and public safety.

11. Within 3 months of works commencing within the site a habitat creation and management plan must be submitted to the Local Planning Authority for written approval. The plan must include the following:

- Details of habitats currently on site
- Aims and objectives of the creation and management plan
- Plan of the habitats to be created
- Management requirements to create/enhance habitats on site.
- Overview of long term management requirements
- Rolling 5 year timetable to implement long term management
- Details of who will be responsible for implementing long term management
- Details of how it will be funded.

The plan must be implemented as approved.

Reason: To ensure the creation and long-term management of habitats on the site in order to protect and enhance biodiversity, in accordance with Policies NE2 and NE3 of the MDE DPD and Chapter 15 of the National Planning Policy Framework.

- 12.** Within three months of works commencing, detailed plans showing how the development will enhance and maintain biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include details of bat and bird durable boxes, log piles, hibernacula, and hedgehog homes and holes in close board fencing. The approved measures will be implemented and retained thereafter.

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 13.** Prior to occupation, a lighting plan which has been designed to minimise impacts on biodiversity shall be submitted to and approved in writing by the local planning authority. The plan will show how and where external lighting will be installed and provide commentary regarding how the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23: Bats and Artificial Lighting at Night' has been considered in the lighting design. It will be clearly demonstrated that areas to be lit will not impact protected species. All external lighting shall be installed in accordance with the specifications and locations set out in the plan and be maintained thereafter.

Reason: In the interests of visual amenity and to ensure the protection of wildlife species.

- 14.** Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Stage 3 Drainage Strategy Report prepared by Infrastructure Design LTD (Jun 2024) 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):

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

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

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

- 15.** 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 that the drainage system constructed is consistent with that which was 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 175 of the National Planning Policy Framework.

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

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

- 17.** a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation.

- 18.** a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority (the submitted information shall be based on the Stage 3 Drainage Strategy Report Land South of St Andrews Close, Aylesford, ME20 7FW on behalf of McCarthy and Stone Retirement Lifestyles Limited dated April 2023 (reference IDL/1182/DS/001) and the Proposed Drainage Plan Darwing No. LSE-2915-03-DE-101 Rev A, but include full and finalised details of details of proposed excavations for all services in relation to the trees).

b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature.

19. a) A scheme of hard and soft landscaping based on the Landscape Proposals Drawing No. MCS770/Drg01 Rev P2 and to comply with the species mix recommended in the enhancement measures specified at section 5.4 of the Land South of St Andrews Close, Aylesford Preliminary Ecological Appraisal dated 28/03/2024, and including finalised details of existing trees to be retained and size, species/cultivar, planting heights, densities and specific positions of any soft landscaping to, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development.

20. a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until a dimensioned tree protection plan based on the Tree Protection Plan Drawing No. 2130-KC-XX-YTREE-TPP01 Rev 0 with any necessary amendments to take account of finalised design and technical details and in accordance with Section 5.5 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) and a site specific arboricultural method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) and including, but not limited to, details of precautions and methodologies relating to preventing/minimising damage to trees during installation of services, any proposed level changes, no dig construction of new path(s) through Root Protection Areas of retained trees, details of a tree felling/pruning specification and details of an auditable/audited system of arboricultural site monitoring, have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these

fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

- 21.** The ground, first and second floor windows in the north elevation of the development hereby permitted which serve corridor areas shall be fitted with obscure glazing and, apart from any top-hung light, shall be non-opening below 1.7 metres above the internal finished floor level. The windows shall be installed prior to the first occupation of the development and shall thereafter be permanently retained in that condition.

Reason: To protect the privacy of the occupiers of neighbouring residential properties, in accordance with Policy CP24 of the Tonbridge and Malling Borough Core Strategy and the National Planning Policy Framework.

- 22.** Prior to the commencement of development, the applicant, or their agents or successors in title, will secure:

- i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii further 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; and
- iii programme of post excavation assessment and publication.

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

- 23.** No unit of accommodation shall be occupied at any time other than by a person aged 60 or older together with their spouse, partner or companion as appropriate, except that where a person aged at least 55 years is predeceased having resided within the development as a spouse, partner or companion, that person may continue to reside within the development.

Reason: To ensure that the development is retained and remains available to meet the identified need for retirement housing within the Borough, thereby supporting the maintenance of a mixed and balanced community, in accordance with Chapter 5 of the National Planning Policy Framework, in particular paragraphs 63 and 71.

- 24.** No development shall take place until a strategy detailing the proposed delivery of potable water for the building, together with an implementation timetable, has been submitted to and approved in writing by the Local Planning Authority in consultation with SE Water. The development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To ensure that adequate infrastructure is provided to meet the needs arising from the development hereby permitted.

Informative

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

2. During the demolition and construction phases, the hours of noisy working (including deliveries) likely to affect nearby properties should be restricted to Monday to Friday 07:30 hours - 18:30 hours; Saturday 08:00 to 13:00 hours; with no such work on Sundays or Public Holidays.
3. Although it would not be possible at this stage under Environmental Health legislation to prohibit the disposal of waste by incineration, the use of bonfires could lead to justified complaints from local residents. The disposal of demolition waste by incineration is also contrary to Waste Management Legislation. I would thus recommend that bonfires not be had at the site.

Contact: Josh Kwok