

4.2 – SE/14/03783/OUT Date expired 9 March 2015

PROPOSAL: Outline application for mixed use development comprising up to 300 new homes, up to 2.6 hectares of public open space and vehicular access with some matters reserved.

LOCATION: Land North Of Railway Line And West Of St Johns Way, St Johns Way, Edenbridge TN8 6HF

WARD(S): Edenbridge North & East

ITEM FOR DECISION

This application has been referred to Development Control Committee at the discretion of the Chief Planning Officer, due to the scale of the development and wider public interest.

RECOMMENDATION A: That delegated powers are given to officers to grant planning permission, subject to the completion within 3 months of a S106 Agreement to secure affordable housing, off-site highways works, a travel plan monitoring contribution, and the provision, management and long-term maintenance of open space.

1) Details relating to the layout, scale and appearance of the proposed development and the landscaping of the site (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

2) The development to which this permission relates must be begun before: -The expiration of three years from the date of this permission; or -The expiration of two years from the final approval of the reserved matters, whichever is the later.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

3) Application for approval of the reserved matters shall be made to the District Planning Authority before the expiration of three years from the date of this permission.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

4) The reserved matters shall incorporate ridge heights for the proposed dwellings to be no higher than shown on the illustrative layout drawing submitted with this application numbered 3408 P 02.

To ensure a satisfactory appearance to the development, in accordance with Policy SP1 of the Sevenoaks Core Strategy, and EN1 of the Sevenoaks Allocations and Development Management Plan.

5) The layout and scale of the reserved matters shall be designed so that the density of development of dwellings adjacent to the western boundary of the site shall not exceed 30 dwellings per hectare, and the maximum height of any dwelling adjacent to the western boundary shall not exceed 8.5 metres in height.

To ensure a satisfactory edge to the development on the boundary with the green belt, in accordance with Policies SP1 and SP7 of the Sevenoaks Core Strategy, and Policies EN1 and H1(p) (Appendix 3) of the Sevenoaks Allocations and Development Management Plan.

6) No development shall take place until details of the phasing of the development have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

To ensure an acceptable sequence of development in order to safeguard the amenities of the area and the provision of affordable housing within the development, in accordance with Policies SP1 and SP3 of the Sevenoaks Core Strategy, and Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted

7) The reserved matters shall provide for a mix of housing units. At least 50% of all units across the development shall be two bedrooms or less.

To ensure an appropriate mix of housing units to meet identified needs within the District, in accordance with Policy SP5 of the Sevenoaks Core Strategy.

8) The development shall be designed and constructed so that at least 50% of the total number of units hereby approved are in accordance with the Lifetimes Homes Standard. Details of measures to meet lifetime homes standards shall be provided with the reserved matters.

To make provision for a range of housing that can be adapted to meet the needs of older persons and those with disabilities, in accordance with Policy SP5 of the Sevenoaks Core Strategy.

9) The reserved matters shall include full details of resident and visitor parking, which shall be designed to accord with the Council's parking standards as set out in Appendix 2 of the Sevenoaks Allocations and Development Management Plan. No units within any phase of the development shall be occupied until resident and visitor parking has been provided in accordance with the approved details. The approved parking spaces shall thereafter be maintained solely for vehicle parking only.

To ensure suitable parking provision for the development, in accordance with Policy T2 of the Sevenoaks Allocations and Development Management Plan.

10) No development shall be carried out within any phase until samples of the materials to be used in the construction of the external surfaces of the buildings within that phase have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure a satisfactory appearance to the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and SP1 of the Sevenoaks Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

11) No development or demolition works shall be commenced until measures to protect all trees to be retained on site have been submitted to and approved in writing by the Local Planning Authority. The protection measures shall be designed to be in accordance with BS5837: 2012. No works shall be carried out, nor any fires lit, or vehicles, materials or equipment stored within the protected areas. The protection measures shall remain in place for the duration of construction works unless agreed otherwise in writing by the Local Planning Authority

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

12) The landscaping details required under the reserved matters shall incorporate -- planting plans (identifying existing planting, plants to be retained and new planting); a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); a scheme to provide a landscaped buffer zone along the western boundary of the site; and a programme of implementation. The development shall be carried out in accordance with the approved details. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by Policy SP1 of the Sevenoaks Core Strategy, and Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

13) No development shall take place within any phase, until details of proposed site and slab levels for that phase have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To safeguard the visual appearance of the area as supported by Policy SP1 of the Sevenoaks Core Strategy, and Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

14) No development shall be carried out within any phase until full details of the surface materials for all roads, accesses, driveways, parking areas, paths and other hard surface areas for that phase have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To safeguard the visual appearance of the area as supported by Policy SP1 of the Sevenoaks Core Strategy, and Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

15) Prior to the installation of any external lighting serving any phase of the development, full details of the lighting for that phase shall be submitted to and approved by the Local Planning Authority and the development shall be carried out in strict accordance with those details. Such lighting shall be designed to accord with recommendations within the ecology report submitted with the application, to be sensitive to wildlife and minimise light spill..

To safeguard the visual appearance of the area, and to protect wildlife, as supported by Policies SP1 and SP11 of the Sevenoaks Core Strategy, and Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

16) Before development commences in any phase, full details of all boundary enclosures to be erected within that phase (or in relation to the commercial land), shall be submitted to and approved in writing by the local planning authority. No walls, fences or other means of enclosure shall be erected beyond the front elevation of any dwelling or building on site, unless agreed in writing by the local planning authority.

To safeguard the visual appearance of the area as supported by Policy SP1 of the Sevenoaks Core Strategy, and Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

17) The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

In the interest of Security, Crime Prevention and Community Safety and in accordance with Policy SP1 of the Sevenoaks Core Strategy, Policy EN1 of the Sevenoaks Allocations and Development Management Plan, and guidance within The Kent Design Initiative (KDI) and protocol dated April 2013. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted

18) The layout of the reserved matters shall be designed so that any proposed residential units adjacent to the industrial units on Enterprise Way would achieve internal and external noise levels in accordance with the World Health Organisation Community Noise Guidelines, as set out in Table 2 of the WSP acoustic report no: AC/70003999/A1 revision 2 dated 19 March 2015 submitted with the planning application. No development shall take place until full details of noise levels together with acoustic protection measures necessary to achieve these Guidelines have been submitted to and approved in writing by the Local Planning Authority.

To ensure a satisfactory level of amenity can be provided to future occupants of the development, and that the existing industrial units can operate as existing without likelihood of future complaints, in accordance with policies EN1, EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue

before development commences and that without this safeguard planning permission should not be granted.

19) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:- Provision of compensatory flood storage on / or in the vicinity of the site to a 1 in 100yr climate change level. (Drawing 3999-FLD-01 in appendix H of the FRA)

To prevent flooding elsewhere in the locality, in accordance with the National Planning Policy Framework.

20) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100yr critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall:- Specify the responsibilities of any party for the implementation of the SUDS scheme- Specify a timetable for implementation- Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall subsequently be implemented in accordance with the approved details.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

21) The reserved matters shall include full construction details of any bridges to be built over the St Brelades stream. The bridges shall be designed to avoid obstruction to the free flow of flood water through the site and to avoid increased flood risk elsewhere in the locality. The development shall be carried out in accordance with the approved details.

To prevent an increased risk of flooding, in accordance with the National Planning Policy Framework.

22) No development shall take place until a detailed assessment of the capacity of the local sewer network, and any works required to increase capacity to service the needs of the approved development, has been submitted to and approved in writing by the Local Planning Authority. No residential unit in any phase of the development shall be occupied until it has been demonstrated that sufficient capacity in the local sewer network has been provided.

To ensure that existing sewer facilities are not overloaded, and to provide sufficient facilities to service the development, in accordance with Policy SP9 of the Sevenoaks Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

23) No development in any phase shall be commenced until details of the proposed means of foul and surface water sewerage disposal for that phase have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

To ensure the provision of suitable drainage facilities, in accordance with the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted

24) All dwellings with vehicle parking within the residential curtilage shall be provided within an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles prior to the occupation of any such unit.

To encourage the use of low emission vehicles, to reduce CO2 emissions and energy consumption levels within the District, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

25) All residential units with communal parking shall be provided with access to communal electric charging points. Full details of the number and location of such points in each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase, and shall be provided as approved prior to the occupation of any unit within that phase.

To encourage the use of low emission vehicles, to reduce CO2 emissions and energy consumption levels within the District, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted

26) The development shall be constructed to provide on-site modern communication and technology infrastructure, which should include Broadband, high speed internet cabling and digital TV cabling. Details relating to the provision of such infrastructure shall be submitted prior to the commencement of each phase of the development. No residential unit in any phase shall be occupied until the approved infrastructure has been provided in each relevant phase.

To provide residents with modern communication infrastructure, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

27) Construction traffic in relation to the development hereby approved shall only access and exit the site via Enterprise Way. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials storage of plant and materials used in constructing the development the erection and maintenance of security hoarding including decorative displays and

facilities for public viewing, where appropriate wheel washing facilities measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and construction works

To safeguard the amenities of surrounding residential properties and in the interests of highways safety, in accordance with Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

28) The reserved matters shall include full details of road layouts, which should be designed to emphasise pedestrian and cycle movement through the site. The proposed road through the area of open space shall be designed to be "under-engineered" in order to downplay the impact of the road through the open space.

To ensure a suitable layout and permeability through the site for all users, and to ensure that the road design does not dominate the open space, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

29) Before development commences, full details of the following off-site highways works shall be submitted to and approved in writing by the local planning authority:- widening measures to the Four Elms Road / Station Road junction, to facilitate a right turn lane on Station Road when travelling north.- measures to provide traffic calming on St Johns Way adjacent to the area of open space, to improve pedestrian safety No residential unit within the development hereby permitted shall be occupied until the off-site highways works have been completed.

In the interest of highways and pedestrian safety and the free flow of traffic, in accordance with Policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

30) No development in any phase shall be commenced until a detailed mitigation strategy for Great Crested Newts and reptiles, based on the findings of the Corylus Ecology survey submitted with the application, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation strategy.

To safeguard protected species and in the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy and G11 of the Sevenoaks Allocations and Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

31) No development shall take place until a detailed ecological management and enhancement plan has been submitted to and approved in writing by the local planning authority. The plan shall include measures for management of open space for biodiversity, including the grassland as identified by Corylus Ecology in their letter dated 20/03/15, and shall include biodiversity enhancements measures across the entire site. The development shall be undertaken in accordance with the approved details.

To safeguard protected species and in the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy and G11 of the Sevenoaks Allocations and

Development Management Plan. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

32) No development shall be commenced until the following components to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority: 1. A detailed site investigation scheme, based on the findings of the WSP Preliminary Environmental and Geotechnical Risk Assessment submitted with this application, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2. Details of a remediation strategy giving full details of the remediation measures required to deal with any contamination identified under (1), and how they are to be undertaken. 3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components shall require the express written consent of the local planning authority. The scheme shall be implemented as approved.

To ensure the appropriate identification and treatment of contamination risks on site, in accordance with the National Planning Policy Framework. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

33) No occupation of any phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy for that phase, and the effectiveness of the remediation, has been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

To ensure the appropriate identification and treatment of contamination risks on site, in accordance with the National Planning Policy Framework.

34) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

To ensure the appropriate identification and treatment of contamination risks on site, in accordance with the National Planning Policy Framework.

35) No residential unit hereby permitted shall be occupied until a full Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The Travel Plan shall be based upon the findings and recommendations of the Interim Travel Plan by WSP submitted with this

application. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling, in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 03303030119) or www.southernwater.co.uk.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- 2) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

RECOMMENDATION B: That, in the event a S106 Agreement has not been signed within 3 months, planning permission is refused on the following grounds –

In the absence of a completed S106 Agreement to secure the provision of affordable housing, off site highways works, a travel plan contribution, and the provision, management and maintenance of land as public open space, the development would fail to provide suitable housing and necessary on/off site infrastructure and open space, contrary to policies SP2, SP9 and SP10 of the Sevenoaks Core Strategy, and Policies H1, G11 and T1 of the Sevenoaks Allocations and Development Management Plan.

Description of Proposal

- 1 This application seeks outline planning permission for up to 300 new dwellings, together with the provision of up to 2.6 hectares of public open space. Means of access are to be considered at outline stage, with the appearance, layout, scale and landscaping of the site reserved for future consideration.
- 2 The application includes an illustrative site layout, which defines two means of access to the development via St Johns Way and Enterprise Way. These would join a link road through the site, allowing both points of access into and out of the site to be used by all properties.
- 3 The illustrative plans show that the residential development would be concentrated in the northern and southern parts of the site, with the central area, which falls within a flood zone, designated as open space / allotments. The layout shows how a mix of unit sizes could be incorporated on the site, and illustrates provision for 15 x 1 bed units, 110 x 2 bed units, 130 x 3 bed units and 45 x 4 + bed units. These are shown to be accommodated in a mix of detached, semi detached, terraced and flatted buildings, and in a mix of single storey, 2, 2.5 and 3 storey buildings. The building heights would range from 5 metres maximum (single storey) to 11.5 metres maximum (three storeys).
- 4 The application proposes that 40% of the development would be provided as affordable housing. This is shown to be split 65% as social rented and 35% intermediate housing.
- 5 The central area of the site is shown to contain a large area of open / natural space, consisting of landscaped areas, a new pond, a kick-about area, a Local Equipped Area of Play and 14 x allotments. The St Brelades stream runs through this area. In addition, two Local Areas of Play are shown to be provided in the north and south housing developments respectively.
- 6 The application has been submitted with the following supporting statements –
 - Planning statement
 - Design and Access statement
 - Landscape and Visual Impact Assessment
 - Noise Impact Assessment

- Protected Species / Habitat Survey
- Tree survey and Tree Protection Plan
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Utilities Assessment
- Soakaway Feasibility Assessment
- Contaminated Land Assessment

Description of Site

- 7 The application site is a 10.86 hectare area of land, roughly rectangular in shape, sited to the west of the residential development at St Johns Way and the industrial estates on Enterprise Way. The land is bounded to the north and south by the two railway lines that run through Edenbridge.
- 8 The land consists of open fields in agricultural use. The majority of the site has most recently been largely used for arable farming, whilst the north part of the site is partly in use for horse grazing. An agricultural building stands on the north section of the land, otherwise it is free from buildings.
- 9 The northern part of the site wraps around Hamsell Mead Farm, which is excluded from the application site. This property is in residential use and no longer part of a working farm.
- 10 The land further to the west of the site is open countryside.
- 11 The central part of the site falls within a designated flood zone, and the St Brelades stream runs through this part of the site before entering culvert by the industrial estate. This flood zone area extends to 2.6 hectares in total.
- 12 The application site falls outside of the existing Edenbridge Town confines, but has been excluded from the green belt, given its status over many years as safeguarded / reserve land for long term future development. Two trees within the southern part of the site are protected by a Tree Preservation Order.

Constraints

- 13 Two trees protected by a Tree Preservation Order
- 14 Part of the land is designated as an Air Pollution Control Site
- 15 The central part of the site falls within a designated flood zone.

Policies

Sevenoaks Allocations and Development Management Plan:

- 16 Policies – SC1, EN1, EN2, EN5, EN6, EN7, H1 (P), GI1, T1, T2.

Sevenoaks Core Strategy:

17 Policies – LO1, LO6, SP1, SP2, SP3, SP5, SP7, SP9, SP10, SP11

Other:

18 National Planning Policy Framework

19 Edenbridge Town Design Statement

Planning History

20 SE/09/03027 - Erection of building for provision of nursing care and accommodation for older persons, associated access road, car parking and circulation areas, landscaped gardens and tree planting – Refused. Allowed on appeal.

Consultations

Edenbridge Town Council

Original comments - Objection:

Reasons:

- 21 Although members welcome the commitment from the applicant that if development goes ahead there will be a second entrance to the site from Enterprise Way, they object to this proposal on multiple grounds.
- 22 The number of dwellings proposed exceeds the number in the allocations DPD and members would wish to see housing of similar density to that existing on the Beeches Estate, as this would be in keeping with the area.
- 23 Members would wish to see more shared ownership properties included in the 40% affordable housing balance. The need for social housing is also acknowledged.
- 24 Members would wish to reserve judgement on the proposed height and scale of the development due to the varying levels of the proposed site and visibility from existing properties. This is thought to be a particular concern from Shires Walk.
- 25 The other major concerns raised relate to the inadequacies of the current infrastructure and services within the town to support development of this size.
- 26 The current Doctors' Surgery is already running at an estimated shortfall of ½ a doctor and has an urgent need to find new premises. If the number of houses was to be reduced, to that proposed in the Allocations DPD, it may be possible to find space within the application site to meet this need.
- 27 Any expansion to the number of places required at local primary schools would require additional classrooms and other facilities being provided. Currently there is no secondary school in Edenbridge and insufficient places are available at schools within a reasonable distance. This would need to be addressed and solutions planned and implemented before construction could start. The Children's Centre is also at full stretch.

- 28 Commuter overcrowding on the Uckfield line from Edenbridge Town Station has been acknowledged and some additional capacity promised from 2015. A further assessment would be needed if this application was to be granted, to take into account additional travellers. It is suggested that the inclusion of a pedestrian and cycle route to access Edenbridge Station, on the Redhill - Tonbridge line from the new homes could be of benefit.
- 29 Members welcomed the inclusion of the sustainable urban drainage system included in the plans, but residents expressed strong reservations over the proximity of the pond and open water swales in relation to the proposed children's playground and amenity areas.
- 30 It is clear from the paperwork provided that additional capacity will be needed in regard to the removal of waste water, and recent power cuts have raised concerns over the electrical capacity.
- 31 A review of the policing levels should also be requested, to accommodate the increased number of residents.
- 32 In light of these shortcomings in the services and utilities, members request that should the application be granted, these issues should be resolved in advance and the building be phased at a maximum of 50 properties completed per year.
- 33 Members would wish to see opportunities offered to local companies to quote for building and service provision during the construction phase, and would wish to see the offer to restrict access during the build phase extended to make Enterprise Way permanently the premier access route once building is complete, with people directed to use the northern access.
- 34 To accommodate additional vehicles, improvements to the roundabout at Commerce Way and St John's Road should be made, at the very least aesthetically, and the junction from Enterprise Way and Station Road reconsidered in light of the application that has been granted for Sainsbury's supermarket.
- 35 Finally if allotments are to be provided, the soil will need improvement to be of a suitable condition and with a water supply installed.
- 36 Most importantly, without the statutory reports from utility providers and only an indicative layout, it is impossible for members of Edenbridge Town Council and the local community to properly assess this application. Members request that copies of statutory reports be provided, as they are received, and request the opportunity to be consulted and make further comment on design, layout, heights, etc if the proposal is to be taken forward.

Further comments (following the submission of further information) –

- 37 Members object.
1. The developer still has not prepared a response to Southern Water's reason for objecting, namely that there is insufficient capacity in the sewers to take the foul water which will be produced.
 2. The Town Council agrees with Upper Medway Internal Drainage Board that the surface water run-off should be stored above ground in ponds and swales rather

than underground in oversized pipes, because the former can be readily maintained for the life of the houses, whereas underground storage methods tend to get blocked with silt etc and are very difficult to clear. The Town Council is of the opinion that this issue must be dealt with at the outline stage of the planning process, as it should be a matter of principle whether the proposal is acceptable, and not left to later stages.

3. The Town Council is disappointed that the developer has not taken the opportunity to improve the appearance of the junction of St Johns Way and Station Road in line with NPPF 17 "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings."

External Consultees

Kent Highways

- 38 The proposed development site is located on Land North Of Railway Line And West Of St
- 39 Johns Way St Johns Way Edenbridge, Kent, TN8 6HF and this is in response to an outline planning application for mixed use development comprising up to 300 new dwellings, up to 2.6 hectares of public open space and vehicular access with some matters reserved.
- 40 The proposed development site is in a sustainable location and is well served by local public transport services. Two train stations - serving both regional and local destinations - are located within a 15 minute walk of the site. Local bus services provide links to three secondary schools by way of dedicated school services.
- 41 Proposed access by way of two existing points of vehicular access is acceptable to the Highways Authority. The primary access is through the existing residential area via St. Johns Way, the secondary access being via a light industrial/business park along Enterprise Way.
- 42 St.Johns Way was also designed to serve the future development of the site. All of the local roads adjacent to the site have footways and/or Homezone areas that provide connection onto Station Road and other connecting routes.
- 43 St. Johns Way is a residential road with a carriageway width of 6.7m and currently facilitates access to 106 dwellings. The nature of the area is very much that of a "Home Zone" with a 20mph speed limit in place along the road and surrounding streets. Vertical deflection traffic calming measures by way of a series of raised speed cushions are in situ.
- 44 Adjoining streets to St. Johns Way reflect the Home Zone approach with the shared surface arrangement affording a level of improved pedestrian safety. The main site access spine road has a carriageway width of 5.5m which accords with Kent Design Guide standards. Enterprise Way has a carriageway width of 7.3m and an existing 30mph speed limit, with footways provided on both sides and currently provides access to the industrial estate. A review of the local accident records was undertaken and this demonstrated the good safety record of the existing local highway network.

- 45 The level of parking proposed is sufficient with a total of 543 resident spaces to be provided within curtilage which will help discourage on-street parking. All houses are provided with 2 parking spaces and some 47 houses will also benefit from their own garage, although these have not been counted towards the minimum parking levels. Proposed flats are provided with separate communal parking areas that are located adjacent to the buildings and provided for the minimum standard of 1 space per unit, in addition to a visitor parking at a level of 0.5 spaces/unit. This accords with KCC vehicle parking standards (Interim Guidance Note 3 to the Kent Design Guide [KDG] Residential Parking Standards and KDG review 2008). Cycle parking provision is acceptable and reflects KCC design guidance. As per pre-application discussions, the applicant has agreed to provide covered facilities particularly for communal areas/flats, with 1 space per unit (flats) and 1 space per bedroom (houses).
- 46 Pedestrian safety will be further improved in the future by way of a signalised pedestrian crossing to be provided across Station Road immediately to the north of Fircroft Way with a pedestrian refuge island crossing provided to the south. Existing and new residents will benefit from these local improvements. It is noted that a school crossing patrol operates north of the Station Road / Station Approach signal-controlled junction during school opening and closing hours.
- 47 KCC welcomes the submission of an interim Travel Plan supporting this application. The measures presented should be reflected in the full Residential Travel Plan which should encompass a fully costed, practicable and deliverable suite of measures to support the sustainable transport aspects of the development going forward. Measures presented in the full Travel Plan should be delivered by an appointed Travel Plan Coordinator. The delivery of the full Travel Plan, measures contained therein and the Travel Plan Coordinator should be secured by way of a planning condition and form part of the S106 Agreement.
- 48 The proposed development will have a negligible impact on the local highways network.
- 49 One area of slight concern is the impact the development will have on the Station Road / Four Elms junction. Development traffic adds 0.04 to the Ratio of Flow to Capacity (RFC) figures. However, even without the development traffic, in future years this roundabout will be operating with an RFC value of 0.88. Development traffic would increase this to an RFC of 0.92. In general terms, roundabouts are said to be operating satisfactorily if all arms of the intersection operate with RFC values below 0.85.
- 50 The applicant has proposed mitigation which reduces the RFC at the aforementioned roundabout back to a value of 0.84. This involves localised widening at the junction so that vehicles waiting to turn right into the Four Elms Road do not block the through flow of northbound vehicles. This would serve to improve the existing situation, meaning that existing residents would also benefit from reduced queuing at this location. Measures should be secured by way of Planning Condition / future S278 Agreement. The mitigation described should be constructed/completed by the developer prior to first occupation of the first dwelling.
- 51 So as to relieve some vehicular movements from St. Johns Way, and to facilitate movement relating to future residents that wish to turn left out of the site and travel north-bound on the A2026, the Enterprise Way access should be

constructed so that it is suitable for car use, and not solely Emergency Vehicle access or to act as pedestrian/cyclist link. This should be secured by way of a planning condition linked to any future planning permission.

- 52 Construction access is proposed via Enterprise Way access and KCC Highways is in agreement that this is a far more suitable route than St. Johns Way. A construction management plan should be submitted and agreed prior to construction and this should detail permitted access routes, hours of operation and wheel washing facilities). This should be secured by way of a condition linked to any future planning permission.
- 53 In conclusion, the impact of the proposed development upon the existing highways network would be negligible. The local highways network would be able to efficiently accommodate the increase in local (vehicular) trip generation associated with the proposed quantum of development and resultantly there are no highways or transportation objections to this planning application.

Environment Agency

- 54 Original comments – Thank you for your consultation, which we received on 18 December 2014. We object to the proposal for the following reasons.
- 55 There should be no houses, garages or outbuildings constructed within Flood Zone 3b; the functional floodplain. This is land that should be allowed to flood during an event and will flood as often as 1 in 5 years (20% Annual Exceedance Probability).
The road, allotments, kickabout area and other communal areas, which are located within Flood Zone 3b, would therefore be flooded on a regular basis and will be waterlogged – wet for most of the year and may prove to be unusable. No changes in drainage arrangement would be permitted.
- 56 The road and communal facilities should be built in a way that does not result in a net loss of floodplain storage, does not impede water flows and does not increase flood risk elsewhere. Therefore, any raising of land in this communal zone between the housing areas is not permitted. No land raising for the purpose of road construction is permitted.
- 57 No houses should be permitted to be constructed within the 1% AEP CC modelled flood outline. This is not clear within Drawing 3408 P02 and should be clearly indicated on the plans that no houses will be built in this zone.

Overcoming our objection:

- 58 You should demonstrate that surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event and so not increase the risk of flooding both on or off site. Satisfactory storage and disposal of surface water from the site should be demonstrated. As this site is entirely Greenfield, the drainage should be proven to mimic that of Greenfield land.
- 59 It should be shown that there will be no raising of ground levels in flood zone 3b.
- 60 There is very little provision of SUDS within this development. Surface water run-off should be controlled as near to its source as possible through a sustainable
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drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

- 61 The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles.
- 62 Erection of flow control structures or any culverting of a watercourse requires the prior written approval of the Environment Agency under s.23 of the Land Drainage Act 1991 or s.109 of the Water Resources Act 1991. The Environment Agency resists culverting on nature conservation and other grounds and consent for such works will not normally be granted except for access crossings.
- 63 It should be demonstrated that the bridges to be built over the St Brelades stream, do not prevent the free flow of flood water through the site and do not increase flood risk in surrounding areas. Construction details of the bridges should be provided to ensure all flows can pass through the site without increase flood risk.
- 64 Further comments (dated 16/03/15) - Further to our recent correspondence, we can now remove our objection.
- 65 The proposed development will only be acceptable if the following measure(s) as detailed in the Flood Risk Assessment and the additional drainage details submitted with this application are implemented and secured by way of a planning condition on any planning permission.
- 66 *Condition 1:* The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
- Provision of compensatory flood storage on / or in the vicinity of the site to a 1 in 100yr climate change level. (Drawing 3999-FLD-01 in appendix H of the FRA)

Reason: To prevent flooding elsewhere

- 67 *Condition 2:* No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100yr critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of

surface water from the site.

- 68 We would encourage greater use of SuDS within this development than is currently proposed. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SuDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.
- 69 The variety of SuDS techniques available means that virtually any development should be able to include a scheme based around these principles.

Informatives:

- 70 Erection of flow control structures or any culverting of a watercourse requires the prior written approval of the Environment Agency under s.23 of the Land Drainage Act 1991 or s.109 of the Water Resources Act 1991. The Environment Agency resists culverting on nature conservation and other grounds and consent for such works will not normally be granted except for access crossings.
- 71 It should be demonstrated that the bridges to be built over the St Brelades stream, do not prevent the free flow of flood water through the site and do not push the flood risk to surrounding areas. Construction details of the bridges should be provided to ensure all flows can pass through the site without increase flood risk.

Upper Medway Internal Drainage Board

- 72 The site of the above development proposal, whilst being located outside of the Upper Medway Internal Drainage Board's district, drains to it via the St Brelade's Stream. The proposal therefore has the potential to affect the Board's interests.
- 73 The applicant proposes to restrict runoff to that of the Greenfield site with on-site storage to be provided to accommodate the 1 in 100 year storm + Climate Change, which is fairly standard and appropriate. However, it is disappointing that storage is predominantly proposed to be provided underground (by permeable paving and oversized pipes), other than for the inclusion of a small swale. On a site of this size, nearly 11 hectares, the applicant should be requested to maximise the use of open SuDS (ponds and swales) due to the additional benefits open systems provide to local biodiversity and amenity.
- 74 Other than stating that that runoff will be controlled by installing a complex control structure, there is very little detail available at this stage. Also, exceedance arrangements for the final SuDS must be detailed. Future maintenance of the SuDS must also be assured. If the Council is minded to approve this application it is requested that details of drainage be made subject to a condition requiring separate LPA approval taking the above points into account.

- 75 The proposal appears to include development within the floodplain. Details of any such development proposal must be agreed with the Environment Agency to ensure that flood risk, both on and off-site, is not exacerbated.

Further comments:

- 76 I note the applicant's comments in respect of floodplain issues, and also note that the Environment Agency has removed its objection related to this.
- 77 It is disappointing that the applicant is unwilling to consider the use of open storage of surface water and remains intent on providing underground storage (probably to maximise the number of new units). As I stated in my original response, on a site of this size (nearly 11 hectares) the use of open SuDS (ponds and swales) is considered appropriate and deliverable, and I believe would result in a much improved final development. I note that the Environment Agency has also encouraged the greater use of open SuDS. The Council may in future, if it does not already have a specific SuDS policy, benefit from liaising with Ashford Borough Council which has adopted an excellent SuDS SPD which is helping to deliver high quality and more sustainable developments.
- 78 The applicant has provided no more detail of the drainage system, although it is acknowledged that this application is for outline permission. I would be grateful to be consulted further on detailed drainage proposals in due course; in particular exceedance arrangements (a concern raised to which the applicant has not responded). It is agreed that future maintenance of the SuDS can be agreed at a later stage, but this should be specifically conditioned for separate LPA approval.

Southern Water

- 79 Please find attached a plan of the sewer records showing the approximate position of a public foul and surface water sewer within the access of site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

-No development or new tree planting should be located within 3 metres either side of the centreline of the public foul sewer and all existing infrastructure should be protected during the course of construction works.

-No development or new tree planting should be located within 3.5 metres either side of the centreline of the public surface water sewer and all existing infrastructure should be protected during the course of construction works.

-No new soakaways should be located within 5 metres of a public sewer.

- 80 Due to changes in legislation that came in to force on 1 st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

- 81 The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
- 82 Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development.
- 83 Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.
- 84 Should this application receive planning approval, please include, as an informative to the permission, the following requirement:
- "The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 03303030119) or www.southernwater.co.uk".
- 85 The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 86 The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.
- 87 We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not 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 in consultation with Southern Water."

Original Comments

88 Thank you for the opportunity to comment on this application. We have the following response to make:

Under the Natural Environment and Rural Communities Act (2006), “*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”. In order to comply with this ‘Biodiversity Duty’, planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

89 The National Planning Policy Framework states that “*the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.*”

90 Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that “*It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.*”

91 Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

92 We are satisfied with the protected species surveys which have been carried out within the proposed development site however prior to determination we advise that there is a need for clarification on classification of the grassland within the site.

Grassland

93 The *Extended Phase 1 Habitat Survey* identified that the grassland included areas of semi-improved grassland. Information from the 2012 and 2003 Kent Habitat Survey shows the area to have been identified as neutral semi-improved grassland – which suggests that the grassland may be more species diverse than highlighted within the ecological survey.

94 There is potential for the timing of the survey to have resulted in key Lowland Grassland species not being present, as the initial survey was carried out in August 2013. However we acknowledge that updated surveys in May 2014 – please provide clarification if the updated survey also carried out a botanical survey of the site.

95 Please provide additional information clarifying why the ecologists are satisfied with the conclusions of the submitted reports and identify if there is a need for additional botanical surveys to be carried out.

Great Crested Newt

- 96 The great crested newt surveys have established that there is a good population of GCN within the pond to the north of the site. Although the pond will not be directly impacted, the proposed development will result in a loss of suitable terrestrial habitat for GCN.
- 97 A detailed mitigation strategy has not been submitted but the submitted information has confirmed that there will be sufficient terrestrial habitat within the proposed development which can be enhanced to maintain the GCN population within the local area and ensure the continued ecological functionality of the newts in the local environment.
- 98 We advise that this is sufficient to determine the outline planning application but we advise that if planning permission is granted a detailed mitigation strategy is submitted as part of the reserve matters.

Reptiles

- 99 Slow worms and common lizards have been recorded within the proposed development site and the majority of habitats will be lost or impacted by the proposed works. A detailed mitigation strategy has not been submitted however the submitted information has confirmed that there is sufficient information within the proposed open space area to include an on-site receptor site.
- 100 We advise that this is sufficient to determine the outline planning application but we advise that if planning permission is granted a detailed mitigation strategy is submitted as part of the reserve matters.

Bats

- 101 Bat activity surveys have been carried out and identified that bats were foraging within the majority of the site but the main areas of bat usage are the northern boundary, the south eastern corner and along the mature hedgerows through the centre of the site. The survey results highlight that the main impact will be from lighting and we advise that the lighting must be designed to incorporate the recommendations within the ecological report and ensure that *light sensitive areas* have minimal light spill.

Breeding Birds

- 102 The site has suitable habitat for breeding birds and all nesting birds and their young are legally protected under the Wildlife and Countryside Act 1981 (as amended). As such all the work impacting suitable nesting habitat must be carried out, outside of the breeding bird season – March to August inclusive. If that is not possible an ecologist must examine the site prior to works starting and if any nesting birds are recorded all works in that area must cease until all the young have fledged.

Protected Species surveys

- 103 Please be aware that there may be a requirement for updated protected species surveys to be carried out if there is a delay in the submission of the reserve matters (if planning permission is granted.) We advise the applicant takes advice from their ecologists.

Ecological Management and Enhancement Plan

- 104 The proposed site plan details that an area of open space is proposed for the development. We advise that if planning permission is granted a detailed ecological management plan for the areas is submitted as part of the reserve matters.
- 105 It must take in to account the management requirements of the species detailed above.
- 106 One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity in and around developments should be encouraged”.
- 107 We advise that the ecological management and enhancement plan must be provide details of any ecological enhancements which must be incorporated in to the proposed development.

Further comments

- 108 We are satisfied that sufficient information has been provided to determine the planning application.

Grassland

- 109 The *Extended Phase 1 Habitat Survey* identified that the grassland included areas of semi-improved grassland. Information from the 2012 and 2003 Kent Habitat Survey shows the area to have been identified as neutral semi-improved grassland. As a result we had some concerns that the grassland may be more species diverse than highlighted within the ecological survey.
- 110 The ecologist has provided memo detailing why they are satisfied that the majority of the grassland is species poor with fragments which are more species rich. The additional information has detailed that the grassland within the west of central section does have an area of higher diversity and has the potential to develop in to high quality grassland – this area of grassland will be retained within the proposed development.
- 111 We advise that if planning permission is granted this area is managed to create high quality species rich grassland. We recommend that the management of the grassland is included within the Ecological Management and Enhancement Plan.

The following comments provided on the 5th January are still relevant:

Great Crested Newt

- 112 The great crested newt surveys have established that there is a good population of GCN within the pond to the north of the site. Although the pond will not be directly impacted, the proposed development will result in a loss of suitable terrestrial habitat for GCN.
- 113 A detailed mitigation strategy has not been submitted but the submitted information has confirmed that there will be sufficient terrestrial habitat within the proposed development which can be We advise that this is sufficient to determine

the outline planning application but we advise that if planning permission is granted a detailed mitigation strategy is submitted as part of the reserve matters.

Reptiles

- 114 Slow worms and common lizards have been recorded within the proposed development site and the majority of habitats will be lost or impacted by the proposed works. A detailed mitigation strategy has not been submitted however the submitted information has confirmed that there is sufficient information within the proposed open space area to include an on-site receptor site. We advise that this is sufficient to determine the outline planning application but we advise that if planning permission is granted a detailed mitigation strategy is submitted as part of the reserve matters.

Bats

- 115 Bat activity surveys have been carried out and identified that bats were foraging within the majority of the site but the main areas of bat usage are the northern boundary, the south eastern corner and along the mature hedgerows through the centre of the site.
- 116 The survey results highlight that the main impact will be from lighting and we advise that the lighting must be designed to incorporate the recommendations within the ecological report and ensure that *light sensitive areas* have minimal light spill.

Breeding Birds

- 117 The site has suitable habitat for breeding birds and all nesting birds and their young are legally protected under the Wildlife and Countryside Act 1981 (as amended). As such all the work impacting suitable nesting habitat must be carried out, outside of the breeding bird season – March to August inclusive. If that is not possible an ecologist must examine the site prior to works starting and if any nesting birds are recorded all works in that area must cease until all the young have fledged.

Protected Species surveys

- 118 Please be aware that there may be a requirement for updated protected species surveys to be carried out if there is a delay in the submission of the reserve matters (if planning permission is granted.) We advise the applicant takes advice from their ecologists.

Ecological Management and Enhancement Plan

- 119 The proposed site plan details that an area of open space is proposed for the development. We advise that if planning permission is granted a detailed ecological management and enhancement plan for the areas is submitted as part of the reserve matters. It must take in to account the management requirements of the species detailed above.
- 120 One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity in and around developments should be encouraged”.

- 121 We advise that the ecological management and enhancement plan must provide details of any ecological enhancements which must be incorporated in to the proposed development.

Natural England

- 122 Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

- 123 The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites, landscapes. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

- 124 We would, in any event, expect the LPA to assess and consider the possible impacts resulting from this proposal on the following issues when determining this application:

Protected species

- 125 We have not assessed this application and associated documents for impacts on protected species.
- 126 Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.
- 127 You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
- 128 The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.
- 129 If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this

application please contact us at with details at
consultations@naturalengland.org.uk.

Local sites

- 130 If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

- 131 This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

Impact Risk Zones for Sites of Special Scientific Interest

- 132 Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the Natural England website.
- 133 Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Kent Wildlife Trust

- 134 I note that development of this site appears to be generally consistent with policy, considering that its allocation is a proposed modification to the Allocations and Development Management Plan. For this reason, I will not comment further upon policy matters.
- 135 Kent Wildlife Trust welcomes the proposed biodiversity enhancements outlined and the public open space set out as part of the development scheme. The information provided in the Extended Phase 1 Habitat Survey and the Protected Species Survey Report appears to be satisfactory and appropriate to the

development site concerned. However, mitigation measures have not been included in the scope of these surveys as yet.

- 136 The Trust would strongly recommend to Sevenoaks District Council that a Mitigation Plan should be drawn up for this site, alongside the full planning application. This should be supported by condition. Given the outcome of the Protected Species Survey, the mitigation should focus in particular on great crested newts and reptiles. Retention of species-rich hedgerows throughout construction and their subsequent enhancement should be included. Avoidance of light spill at boundaries and existing hedgerow edges in order to avoid negative impact upon foraging bats should also be considered.
- 137 Kent Wildlife Trust looks forward to receiving more information on this at the full application stage. The Trust offers no objection to the outline planning permission, subject to the above recommendations.

Sport England

- 138 The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), therefore Sport England has considered this a non-statutory consultation.
- 139 It is understood that the application proposes the provision of 300 dwellings and up to 2.6 hectares of public open space and vehicular access.
- 140 No formal sports facilities are currently proposed as part of the proposed development.
- 141 Sport England has assessed the application against its adopted planning policy objectives. The focus of these objectives is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. The occupiers of any new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should be required to contribute towards meeting the demand they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment.
- 142 This requirement is supported by the Governments National Planning Policy Framework, which states:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. (Principle 12 is) that planning should:

Take account of and support local strategies to improve health, social, and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.” [Paragraph 17]

“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments...*
- *Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” [Paragraph 70]*

143 The population of the proposed development is 750 (based on the national average occupancy rate of 2.5 people per dwelling). This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with paragraphs 203 – 205 of the National Planning Policy Framework (NPPF), Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

144 You may be aware that Sport England’s Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 750 will generate a demand for 0.04 swimming pools (£122,024), 0.05 sports halls (£138,271), 0.06 indoor bowls centres (£17,145) and 0.02 artificial turf pitches (£19,248 3G or £16,964 Sand).

145 Furthermore, the requirement for natural turf playing pitch provision arising from the proposed population should be considered.

146 Securing planning obligations towards the provision of indoor and outdoor sports facilities would be supported by Sevenoaks District Council Core Strategy (February 2011) policies SP9 (Infrastructure Provision) and SP10 (Green Infrastructure, Open Space, Sport and Recreation Provision). Furthermore, the requirement of this provision is also supported by Saved Local Plan (July 2008) Policy H9 (6).

147 In light of the above, Sport England wishes to object to this application.

UK Power Networks

148 No objections.

Kent Police

149 I have considered the planning application detailed above with regards to Crime Prevention Through Environmental Design (CPTED) matters, in accordance with the DCLG Planning Practice Guidance March 2014 (Para’s 10 & 11) – Crime Prevention and the Kent Design Initiative (KDI) - Design For Crime Prevention document dated April 2013.

150 I would like the following comments and recommendations to be taken into consideration to ensure that CPTED and the KDI protocol are fully addressed:

- 151 The applicant/agent has not fully considered crime prevention and has not attempted to apply the seven attributes of CPTED in their Design and Access Statement (D&AS), and to date we have had no communication from the applicant/agent and there are other issues that need to be discussed and addressed including a formal application for Codes, BREEAM and Secured By Design (SBD) if appropriate.
- 152 I would be grateful if you could draw the applicant's attention to the Kent Design Initiative (KDI), which will also assist them with Crime Prevention and Community Safety. I would welcome a meeting with the applicant/agent to discuss Crime Prevention in more detail and any notes from a meeting/consultation will be passed back to the Planning Officer dealing with the application as part of my full response to this planning application.
- 153 If the applicant fails to contact us, this may have an effect the development with regards to Secure By Design (SBD), Codes for Sustainable Homes (CfSH) and BREEAM, as awarding these items retrospectively can prove difficult and costly. This could also have knock on effects for the future services and duties of the Community Safety Unit (CSU) and local policing.
- 154 If this planning application is given approval and no contact has been made to the Crime Prevention Design Advisors (CPDAs) by the applicant/agent, then we would suggest that a condition be included as part of the planning approval to ensure that Crime Prevention is addressed effectively:
- 155 If a condition is to be used we suggest something similar to :
- The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.
- Reason - For the condition: In the interest of Security, Crime Prevention and Community Safety and in accordance with Policies of the Borough/District Council's Core Strategy Plan (dated, page, section) and the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013.
- 156 Alternatively if you have already undertaken pre-application discussions with the applicant/agent you might want to consider issuing a letter including the below statement:
- 157 The applicant/agent is advised to seek the input of the Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that all efforts are made to incorporate the principles of Designing out Crime (A Kent Design Guide for Developers Designers and Planners) into the high quality design of any proposal.
- 158 The contact details of the Kent Police CPDAs are ; John Grant & Adrian Fromm, Kent Police Headquarters, Sutton Road, Maidstone ME15 9BZ email: pandcr@kent.pnn.police.uk Tel No- 01622 653209/3234
- 159 If neither a condition nor letter is appropriate, we suggest you consider using an informative, something similar to the below, to encourage the applicant/agent to contact the CPDA:

- 160 Prior to the submission of any reserved matters application, the applicant, agents, or successors in title, are encouraged to undertake pre-application (reserved matters) discussion with the local Planning Authority. As part of this pre-application discussion, it may well be necessary to consult with external bodies such as Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety.
- 161 The contact details of the Kent Police CPDAs are ; John Grant & Adrian Fromm, Kent Police Headquarters, Sutton Road, Maidstone ME15 9BZ email: pandcr@kent.pnn.police.uk Tel No- 01622 653209/3234
- Note that this informative would only be imposed upon outline planning permissions prior to the submission of reserved matters application.
- 162 The use of a condition, a letter or an informative will address both our statutory duties under Section 17 of the Crime and Disorder Act 1998 and will show a clear audit trail for Design for Crime Prevention and Community Safety.
- 163 Please be advised that the information contained within this response is provided by Kent Police Crime Prevention Design Advisors and refers to situational crime prevention. This advice focuses on Designing out Crime and improving Community Safety with regards to this specific development/planning application.
- 164 It is possible that you may receive additional comments from Mr Trevor Hall of Kent Police with regards Community Infrastructure Levy and 106 Agreements in response to core strategies and local/neighbourhood plans. Please note that such matters and any queries surrounding them need to be addressed with Mr Hall who coordinates these issues on behalf of Kent Police.

NHS Property Services

- 165 NHS Property Services Ltd is now the body which will request Section 106 health care contributions on behalf of NHS England (Kent and Medway Area Team). Just as NHS West Kent had historically worked with Sevenoaks Borough Council our approach is the same in securing Section 106 (s106) healthcare contributions and working with our local partners on healthcare issues to ensure that healthcare provisions improve the health and wellbeing of our population.
- 166 NHS Property Services Ltd wishes to continue to apply for such assistance and a healthcare contribution is therefore requested in accordance with the recognised Planning Obligations Guidance for Communities and Local Government and the adopted Sevenoaks Borough Council development plans.
- 167 Inevitably, any increase in the local population has a knock-on effect in terms of health care and NHS Property Services Ltd would seek to apply this s106 contribution to meet these extra demands placed upon the local primary and community health service.
- 168 In terms of this particular application, a need has been identified for contributions to support the delivery of investments highlighted within the Strategic Service Development Plan. These improvements to the primary care infrastructure will enable support in the registrations of the new population, in addition to the commissioning and delivery of health services to all. This proposed development noted above is expected to result in a need to invest in a number of local surgery premises:

-Edenbridge Medical Practice

The above surgery is within a 4 mile radius of the development at St Johns Way. This contribution will be directly related to supporting the improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity.

- 169 NHS Property Services Ltd will continue with NHS West Kent formulae for calculating s106 contributions for which have been used for some time and are calculated as fair and reasonable.
- 170 NHS Property Services will not apply for contributions if the units are identified for affordable/social housing.
- 171 The application identifies unit sizes to calculate predicted occupancy multiplied by £360 per person. When the unit sizes are not identified then an assumed occupancy of 2.34 persons will be used.

Predicted Occupancy rates

1 bed unit @ 1.4 persons

2 bed unit @ 2 persons

3 bed unit @ 2.8 persons

4 bed unit @ 3.5 persons

5 bed unit @ 4.8 persons

- 172 NHS Property Services Ltd therefore seeks a healthcare contribution of £176,760 plus support for our legal costs in connection with securing this contribution. This figure has been calculated as the cost per person needed to enhance healthcare needs within the NHS services.

Network Rail

- 173 The proposed development site is located in close proximity to Edenbridge and Edenbridge Town railway stations. The proposed mixed use residential development which contains up to 300 new homes is likely to result in an increase in usage of the stations. Network Rail would therefore be interested in reviewing information and figures that detail how the development will impact on the usage of the stations. It appears that this information has not been included within the application's Transport Assessment. Therefore I would be very grateful if the applicant could provide Network Rail with this information?

Internal Consultees

Environmental Health (Contaminated Land)

- 174 As recommended in the conclusion in the WSP geotechnical risk assessment dated November 2014, a phase II(intrusive) investigation should be undertaken. Due to the intended final uses on the site a remediation proposal to be agreed by the local planning authority prior to commencement of works on the site.

- 175 On completion of all works the applicant must submit a validation report detailing all investigations and remediation works undertaken for final approval by the local planning authority.

Environmental Health (Noise)

176 I believe that further acoustic assessment of the site is required as the potential impact of the adjacent Enterprise Way commercial/industrial area has not been adequately assessed. BS4142:2014 assessments should be undertaken to demonstrate that any proposed residential area is not exposed to noise likely to give rise to complaints from the existing commercial site. Unfortunately noise modelling does not effectively portray annoyance and the psychoacoustic effects of some types of tonal and cyclic industrial noise.

177 Consideration should also be given to the need for expansion or further development of Enterprise Way for commercial and industrial use and how this might impact on the proposed development.

178 Further comments - I have considered the new information, it doesn't actually meet the requirements of BS4142:2014, the reporting not meeting the requirements of section 12 of the standard. However the additional monitoring does indicate that compliance with WHO community noise standards is likely. Despite the shortcomings of the acoustic assessment there is sufficient information to suggest that a standard condition relating to acoustic protection can cover all eventualities.

179 A condition such as:-

"The applicant shall submit details of acoustic protection to ensure that the WHO Community Noise Guidelines are achieved both internally and externally as per Table 2 of the WSP acoustic report no: AC/70003999/A1 revision 2 dated 19 March 2015. The proposal and assessment to be agreed in writing by the planning authority prior to installation."

Planning Policy

180 There is no planning policy objection to this outline application, subject to the comments below.

181 The key strategic planning policy issues are considered to be:

Compliance with Core Strategy policy LO6 and proposed modification to ADMP site allocation H1(p) and associated development guidance including:

- Housing density
- Layout
- The provision of affordable housing
- Access
- Flood risk and surface water run off
- The provision of open space

- Impact on the Green Belt and open countryside

- 182 Core Strategy policy L06 allocates the application site as reserve land to be brought forward for development after 2015 only if required to maintain a five year supply of housing land in the District. However, following examination of the Allocations and Development Management Plan (ADMP), the Inspector considered that there is a need for a more flexible policy to bring forward the reserve site now to boost the supply of housing in the District, in accordance with the NPPF.
- 183 Therefore, the allocation of this site is a proposed modification and it is anticipated that the ADMP will be adopted in February 2015. As such, the development of this site is considered consistent with policy.

Housing density

- 184 The site is allocated for approximately 276 dwellings. Core Strategy policy SP7 requires new residential development in this area to achieve a density of 40 DPH, however due to the edge of settlement location of this site, and in order to minimise the impact of development on the adjacent Green Belt and countryside, it was considered that a more appropriate density would be 30 DPH, as set out in ADMP policy H1(p). The application proposes 300 dwellings, increasing the density to 33 DPH. It is considered that this is broadly in line with policy H1(p) and is therefore considered acceptable, subject to an appropriate site layout.

Layout

- 185 The development guidance set out in ADMP policy H1(p) sets out the requirements for how this site should be developed, including layout, landscaping, access, provision of open space and infrastructure considerations. Once adopted it will form part of the development plan for the District. The development proposed as part of this application should be in accordance with this development guidance.
- 186 Core Strategy policy SP1 promotes high quality design and once built out, this site will be subject to a Building for Life assessment. It is considered that a design stage Building for Life assessment would be beneficial at this stage.

The provision of affordable housing

- 187 Core Strategy policy SP3 requires 40% affordable housing for residential developments of 15 dwellings or more. In addition, of the 40% affordable housing, at least 65% of the units should be social rented. The proposal is in accordance with policy SP3 in terms of the quantity of provision and the tenure split.
- 188 The development guidance in ADMP policy H1(p) states that the site is considered suitable for housing designed for older people (including those with special needs). A small section of the site has extant planning permission for accommodation for older persons, but it is unclear whether this permission will be implemented. In any case, the applicant should consider the provision of older persons housing. Whilst the Planning Statement suggests that housing designed and suitable for older persons is proposed, a quantity is not specified nor does the illustrative site layout plan demonstrate where this will be located.

Access

- 189 The applicant proposes that the site is accessed via St Johns Way and Enterprise Way, with only Enterprise Way being used during the construction phase. This approach is in accordance with policy H1(p). A transport assessment has been submitted which supports the approach taken.
- 190 Consideration should be given to any improvements required in respect of walking and cycling routes from the site into Edenbridge town centre and to Edenbridge and Edenbridge Town train stations.

Flood risk and surface water run off

- 191 A flood risk assessment has been submitted with the planning application. The assessment has informed the illustrative site layout plan, which locates development in flood zone 1 only, mitigating the risk of fluvial flooding. The applicant also proposes suitable and appropriate sustainable drainage systems (SuDS), to be located within the area of open space, on some of the lower and wetter parts of the site.
- 192 These approaches are in accordance with policy H1(p).

The provision of open space

- 193 Up to 2.6 hectares of open space is proposed including natural and semi-natural green space, amenity green space, children and young people space and allotment space. This proposed provision is in accordance with Core Strategy policy SP10 and the Open Space Study 2009.

Impact on the countryside and natural environment

- 194 The site is located adjacent to the Green Belt boundary and open countryside. Core Strategy policy LO8 is concerned with the conservation of the countryside and the protection and enhancement of the distinctive features that contribute to the special character of its landscape, and requires all development to conserve and enhance local landscape character and that appropriate mitigation is provided where damage to local character cannot be avoided. The application proposes varied building heights and density of development across the site, in accordance with the development guidance under policy H1(p), in order to minimise the impact on the Green Belt and open farmland to the west.
- 195 The Development Management team would need to be satisfied that the proposed development does not negatively impact on the adjacent Green Belt and countryside or its distinctive features.

Tree Officer

- 196 The answer in general terms to the question of whether up to 300 homes could be constructed on this site is yes. The implications and possible costs to the landscape have to be taken into account however when forming an official response to this outline application.
- 197 There are two Protected mature Oak trees located within the southern sector of the land shown for development (TPO 9 of 2010), both of which I am pleased to see have been incorporated within the scheme. Indeed a large percentage of the

important site vegetation is shown to be retained. It is important to understand that the hedgerows shown to be retained within proposed rear gardens will be cut back to the basic linear boundary. No future resident will accept the gardens as shown inclusive of such a wide self generated hedge. I would therefore like to see this acknowledged by the applicant and shown on any future drawings. A large number of the existing boundary hedges are shown for retention but their management needs to be addressed i.e. what height are they to be managed at.

- 198 A number of conditions although not fully relevant at this stage will need to be attached to any future full application, such as; tree pruning, tree protection including no dig construction driveways, soft and hard landscaping, boundary treatments. The timing of any vegetation removals will be important to avoid disturbing nesting birds.
- 199 I have noted the proposal for the construction of dwellings 295-300. This construction is shown to be located immediately adjacent to a linear planting of mature boundary Conifers. These Conifers appear to be growing outside of this site and therefore outside of the control of the applicant. They could be an issue for any future residents who move into this block. This would be especially so for any new residents residing in the eastern elevation against this line of trees.
- 200 Also of note is the proposal to construct car parking to the north of block 178-189. This construction is shown to be within the flood zone and adjacent to a mature Oak tree. As such there is the potential for harm to befall the Oak. The aforementioned issues need to be addressed at the full application stage, should this application proceed further.

Housing Policy

- 201 The provision of 40% affordable housing is welcome. The Strategic Housing Market Assessment 2008 identified an annual need for 646 new affordable homes. The 2015 SHMA will provide updated needs information, alongside data from the Sevenoaks District Housing Register and any other local needs surveys.
- 202 It is expected the affordable housing will be secured through use of the Council's template legal agreement.
- 203 As per Core Strategy policy SP3, it is anticipated 35% of the affordable homes will be for intermediate housing and 65% for rented housing. It is noted and welcomed that the application refers to 65% social rent homes. It is expected the exact tenure mix will be subject to future discussion and agreement with the Council when the outcome of the 2015 SHMA is known, and the selected Registered Provider (RP). In particular, the need for accommodation suitable for older people will need very careful consideration following the outcome of the SHMA 2015 and it may be that in any future application, a proportion of the affordable housing will be sought for this client group.
- 204 It is noted a range of unit sizes, 1 bedroom to 4 bedrooms, is proposed. This is welcomed. All affordable housing must comply with the HCA standards, see attached. The affordability of any 3 and 4 bedroomed intermediate homes would need to comply with Help to Buy policies.

205 It is noted the owner has agreed to work with an SDC partner RP. This is welcome, although early identification of the RP is urged so that they can be fully involved in working up the scheme.

Representations

206 40 letters of objection received from neighbouring residents

- Lack of infrastructure – Edenbridge can't cope with the additional units
- Doctors and dentists are over-subscribed
- Police / Fire service are inadequate
- Sewage works are at capacity
- No room in primary schools and no secondary school in the town
- Train services are full
- Increased volume of traffic on St Johns Way will be dangerous to children
- Impact upon floodplain
- Loss of outlook for existing residents over undeveloped fields
- Concern that the development could increase the use of Sunnyside
- If approved, the design should be in keeping with existing properties
- St Johns Way was not originally built to accommodate the traffic generated by this development
- The additional traffic would change the character of the Beeches development
- Why has the number of units increased to 300?
- Access should be via Enterprise Way only
- Concern over surface water flooding and drainage across the site
- Disturbance from construction traffic
- The interim travel plan does not take account of train overcrowding
- Stricter traffic calming measures should be introduced on St Johns Way
- Light/ noise / traffic pollution to existing residents
- Impact upon wildlife
- Loss of privacy and outlook
- Impact upon community and social services
- Too much social housing

207 1 letter of objection received from a company operating from the trading estate –

- Concern regarding the ability to operate and use the adjacent industrial premises without concern being raised from future residents of the development.

208 1 letter received from local GP on behalf of the Edenbridge Medical Practice

- No objection pre se to the development, but an estimated 750 further patients would pose extreme difficulties to the practice, and would add 6% to the list size
- The existing practice is under-recruited by 0.5 doctors, but has space to expand
- A new surgery would be needed and we are applying to the NHS for a Stage 1 approval for a new surgery
- The care home previously granted is not considered necessary, and would add further strain to primary care

209 1 letter received from the local Patient Participation Group emphasising the need for expanded medical and welfare services in Edenbridge.

Chief Planning Officer's Appraisal

Principal Issues

The Planning Policy Background to this site

- 210 The site has been allocated by the Council as a development site in both the adopted Core Strategy and the adopted Allocations and Development Management Plan (ADMP). Previous to this, the site was designated in former development plans going back to 1990 as "safeguarded" land, and was earmarked for development in the long term.
- 211 Policy LO6 of the Core Strategy allocates the land as Reserve Land, to be brought forward for development after 2015 only if required to maintain a five year supply of housing land in the District.
- 212 However, since the Core Strategy has been adopted, the National Planning Policy Framework (NPPF) has replaced previous Government planning policy and advice. The NPPF seeks to significantly boost the supply of housing in the country, and requires local planning authorities to "use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing" as far as is consistent with the NPPF.
- 213 This emphasis on meeting assessed housing need in full is different to the previous Government guidance in Planning Policy Statement 3 which was in force when the Core Strategy was adopted, and which required the "provision of a sufficient quantity of housing taking into account need and demand." As Members will appreciate, there is a key difference in the emphasis to fully meet housing need between the NPPF and the former guidance in PPS3.
- 214 The key consequence of this change in government policy is that the housing figures contained within the Core Strategy would not meet the full objectively assessed needs for housing in the District, as far as is consistent with the NPPF.
- 215 As a result of this, and in order to address the need to boost housing supply, the site in Edenbridge has been brought forward for development in the adopted Allocations and Development Management Plan, and now forms an allocated development site for housing under Policy H1(p) of this plan.

- 216 Another material consideration is that planning permission exists to develop the southern part of the site for an extra care / nursing home. This would take the form of a large T shaped 3 storey building, providing 48 living apartments and a 40 bed nursing home, with access via St Johns Way.

Compliance with the Design Guidance for the site, set out in the ADMP

- 217 The key policy relating to this site is H1(p) of the ADMP which designated it as an allocated housing site. Appendix 3 of the ADMP sets out detailed design guidance for each allocated housing site within the Plan. The key criteria, and relevance of the application proposal to it, are set out below.

Site area

- 218 The defined area within the ADMP includes Hamsell Mead Farm in the north part of the site. However Members should take note that Hamsell Mead Farm is excluded from the application site. As a result, the site area subject to this application is calculated at 10.86 ha (gross). The net developable part of the site (i.e excluding the flood zone area) is 8.26ha. In short, the site area would be around 1 hectare smaller in size than the allocated site under H1(p) of the ADMP.
- 219 It should also be noted that the application site includes a small sliver of land in the south east corner of the site that is not shown within the defined allocation boundary under the ADMP. It is not clear why this area has been excluded. It falls outside of the green belt and there are no policy or practical reasons evident why it should not form part of the development site.

Density

- 220 The design guidance in the ADMP specifies that the site is capable of accommodating an approximate density of 30 dwellings per hectare (dph), based on a net developable area of the site of 9.2ha, equating to an approximate capacity of 276 dwellings.
- 221 As the application site excludes Hamsell Mead Farm, it is smaller in size than the allocated site in the ADMP. The net developable area of the application site is 8.26 ha. In addition, the application proposes up to 300 dwellings. This would equate to a housing density of 36 dph.
- 222 As a guide for Members, if the whole site as allocated in the ADMP was developed at this density (ie, including the land at Hamsell Mead Farm), the total number of units would be 336 – therefore 60 units more than the guidance in the ADMP.
- 223 The Council's Core Strategy policy SP7 states that new housing developments in Edenbridge should achieve a housing density of 40 dwellings per hectare, unless the impact upon the character of an area would dictate otherwise. If developed at a density of 40 dph the total number of units on this site would be 368.
- 224 As a guide to Members, the development of St Johns Way and surrounding roads was built at a density of 30 dph. The development of Albion Way nearby has achieved a density in the region of 70 dph. The existing established terrace of properties along Sunnyside equates to a density in the region of 48 dph.

- 225 The density and number of units within the proposed development would therefore sit between the Core Strategy density target and the approximate density provision in the design guidance for the site in the ADMP.

Layout

- 226 The development has been designed to avoid built form within the flood zone, as set out in the ADMP guidance. This central area forms a swathe of open and recreational play space, which again conforms to the guidance. The Environment Agency does not object to this application, which avoids siting housing within any floodzone.
- 227 The housing development would take place on the northern and southern sections of the site. Whilst the layout is reserved for future consideration, the developer has submitted an indicative layout to demonstrate how the site could be developed. This shows a range of housing to be provided on site, including terraced, semi detached, detached and flatted blocks.
- 228 The illustrative layout shows that the building heights would range from single storey (up to 5 metres) to three storeys (up to 11.5 metres). This would be reflective of building heights in the surrounding area, particularly those on the St Johns Way development which are primarily 2, 2 1/2 and 3 storeys in height. The relationship with the boundary to the green belt will be important, and as shown this would utilise rear gardens to provide a buffer between the green belt and the proposed dwellings. The illustrative site layout and context plan shows the development along the western boundary with the green belt to fall into two “character areas”, which are lower in density than other parts of the site (at around 28dph and 34dph). The impact upon the green belt can be further protected by limiting building heights in these parts of the site – I would suggest no greater than 2 storeys (8.5 metres) in height. Based on the information provided, I am of the opinion that the development is capable of providing a lower density and “softer” edge to the western boundary that would help with the transition between built form and the adjacent green belt. I consider that these factors would provide for an edge of settlement setting as advocated in the ADMP design guidance.

Housing Type

- 229 The ADMP Design guidance states that a range of housing types, sizes and tenures can be accommodated on the site. The illustrative layout has been designed with a significant bias towards units of 3 bedrooms or less. These housing types would make up 255 of the units illustrated on the plans, with 45 units of 4+ bedrooms. The provision of smaller units of accommodation would accord with Policy SP5 of the Core Strategy.
- 230 Members should note that the bias towards smaller units would have a natural impact on site density figures, insofar that smaller units of accommodation normally result in a higher density figure over a development site than larger units. For example, on the St Johns Way and surrounds developments, the number of 4 bed + units was around 40% of the total housing numbers. On this site, the number of 4 bed + units proposed would represent around 15% of the total number of units.

- 231 The application proposes that 40% of units will be provided as affordable housing, with a proposed split of 65% rented and 35% intermediate units. This would be fully compliant with Policy SP3 of the Core Strategy, and with the ADMP Design guidance.
- 232 The ADMP guidance also states that the site is suitable for housing designed for older people. The developer has stated that the site will include such housing, although no further details of such have been given.
- 233 Policy SP5 of the Core Strategy states that an increased proportion of housing should be designed to the lifetimes homes standard that can easily be adapted to meet the needs of older people and those with disabilities. It also states that sheltered housing and extra care housing will be encouraged on suitable sites close to a range of services.
- 234 The affordable housing proposed on the site would normally be secured with a requirement that it would all conform to the lifetime homes standard. In addition, I would recommend that 10% of the open market housing should also conform. This can be secured by planning condition and would ensure that 50% of the total number of dwellings would be provided to lifetime homes standard. This would provide accommodation suitable for older persons or those with disabilities, and would comply with SP5 of the Core Strategy.
- 235 Members will note the comments from Housing Policy, which state that the tenure mix of affordable units would be subject to future discussion following production of the 2015 Strategic Housing Market Assessment (SHMA). This assessment will provide updated needs for older persons housing, and that a proportion of the affordable housing may then be sought for this group. The number of affordable units would be subject to a S106 agreement and this could include flexibility for use of a proportion of units as affordable housing.

Conclusions on proposed density, layout and house type

- 236 Whilst the density of the site would be greater than the immediate adjacent development in and surrounding St Johns Way, the difference would be relatively small, at 36dph compared to 30dph. In addition, the density is largely driven by the type of housing units proposed, with an emphasis on smaller units of accommodation which results in a higher overall density figure.
- 237 The layout of the development is not under consideration at this stage. The question to consider now is whether a suitable layout could be accommodated on the site for up to 300 units. Subject to control measures to achieve a lower density development along the western boundary of the site with the green belt, I consider that the site is capable of accommodating 300 units within a satisfactory layout, on the basis that there would be an emphasis on smaller units of accommodation. I consider that this would allow for a high quality scheme and layout to be provided at reserved matters stage that could meet the policy requirements under SP1, SP5 and SP7 of the Core Strategy, and EN1 and H1(p) of the ADMP.

Landscape

- 238 The existing site includes two trees within the southern section protected by a TPO which would be retained as part of the development. Remaining landscaping is

concentrated along the southern and western boundaries, and within the centre of the site, as well as landscaping on the north and east boundaries that falls on neighbouring land. This would be supplemented by new landscaping across the site.

- 239 The Council's tree officer has commented that retaining large swathes of landscaping within relatively modest rear gardens would not be practical, and that the most likely scenario would be for hedgerows to be cut back to the boundary line. Further detail of hedgerow retention would be subject to a reserved matters detail, as would the precise relationship between dwellings, gardens and the boundary of the site. There is no reason at outline stage why the development could not retain existing important site features (as illustrated on the plans), or provide sufficient new landscaping.

Open Space

- 240 The development would provide up to 2.6ha of open space, including natural and semi-natural space, amenity green space, children's / young persons play space, and allotment space. The use of such space within the river corridor would provide a dual use for biodiversity and recreation, as well as the primary purpose of the land as functional flood plain. Such dual use would accord with the Design guidelines for the site within the ADMP.
- 241 The provision of allotments within the site would directly respond to a shortfall in such provision within Edenbridge, as identified in the Council's Open Space and Recreation Study (2009).
- 242 The provision of open space and green infrastructure within the development would accord with Policy SP10 of the Core Strategy and policy GI 1 of the ADMP.

Access

- 243 The development would be accessed via both St Johns Way and Enterprise Way, and an internal link road would connect both access points, allowing occupants and visitors to the development to access and exit the site from either point. It is a requirement of the development that all properties can access St Johns Way, as this would provide a dry escape route in the event of flooding to the central part of the site, which would not be available via Enterprise Way. This need for multiple accesses is a requirement of the ADMP design guidance.
- 244 Policy EN1 of the ADMP states (inter-alia) that new developments should provide satisfactory means of access for vehicles and pedestrians, and provide adequate parking and refuse facilities. Policy T1 seeks for new developments to mitigate any adverse travel impacts, including impact on congestion and safety and environmental impacts. Policy T2 requires vehicle parking to be provided in accordance with KCC adopted standards.
- 245 The site is located in a sustainable town location, close to two railway stations and within walking distance of the town centre. As such the site is capable of promoting less reliance on the car.
- 246 The suitability of both St Johns Way and Enterprise Way to accommodate the increase in vehicle generation through the two respective roads is accepted by Kent Highways, who also state that St Johns Way was specifically designed to accommodate further development. The additional traffic generated onto the

local highway network is considered by Kent Highways to be negligible. It has been identified that the development would add to traffic using the Station Road / Four Elms Road junction, and the developer has proposed mitigation to locally widen this junction, allowing northbound vehicles on Station Road to pass those turning right onto Four Elms Road. This would also improve the operation of this junction for existing users.

- 247 On the basis of comments received from local residents, the applicant has also agreed to fund / provide traffic control measures on St Johns Way opposite the existing area of green space. The purpose of such measures is to improve pedestrian safety, particularly children crossing the road to the open space. This would most likely take the form of a raised table, designed to reduce vehicle speeds further.
- 248 Works to the junction and to St Johns Way would help mitigate impacts arising from the development, in accordance with Policy T1 of the ADMP.
- 249 The Transport Assessment submitted with the application states that all houses would be provided with 2 parking spaces (some 47 houses will also benefit from their own garage, although these have not been counted towards the parking levels). All proposed flats would provide 1 space per unit. In addition visitor parking would be accommodated. This would accord with the Kent Parking standards and in turn with Policy T2 of the ADMP.

Infrastructure

- 250 Members will note that the impact of the development on local infrastructure has been a key area of concern raised by the Town Council and local residents.
- 251 Policy SP9 of the Core Strategy states that development should make provision for new infrastructure where necessary. However the Community Infrastructure Levy (CIL) has now been introduced, which places a mandatory charge on new residential developments to be used to fund infrastructure projects within the District. The Council has produced the following list of infrastructure types that will be funded through CIL receipts (known as the Council's Regulation 123 List) –
- Transport schemes other than site-specific access improvements;
 - Flood defence schemes;
 - Water quality schemes;
 - Education;
 - Health and social care facilities;
 - Police and emergency services facilities;
 - Community facilities;
 - Communications infrastructure (beyond that directly secured by agreement between the developer)
 - Green infrastructure other than site-specific improvements or mitigation measures (for example improvements to parks and recreation grounds).

- 252 The amount of money required under CIL is based on the floor area of a development. Members should note that the floor area for this development is not

set under the terms of the outline application. However, as a rough guide to Members, and based on the likely housing mix and unit size specified on the illustrative plans, a CIL contribution in the region of £1.1 million would be likely to be generated from the development, which would be eligible to be used on schemes as listed above.

- 253 A number of objections have been received on the basis that the local GP surgery is full, that the area is not properly policed, and that there are no schools for children. In particular there are no secondary schools, and existing children in Edenbridge travel away from the town for their education, either to Sevenoaks or to neighbouring authorities, including Tunbridge Wells and Tonbridge.
- 254 Kent County Council are responsible for education services, and produce a Commissioning Plan for education, which forecasts the demand and supply of school places in the County. The Commissioning Plan recognises that there will be increased demand for both primary and secondary school places arising in the south west of the district, and seeks to plan for increased school capacity to cater for this.
- 255 Kent County Council would be entitled to bid for CIL money to help fund increases to school capacity within the catchment area of Sevenoaks District.
- 256 The NHS has submitted formal comments on this application, and seek a sum of money to be secured towards the improvement of primary care services in Edenbridge. Again, the provision of health and social care facilities now falls squarely under CIL, and the NHS would be entitled to bid for money to help fund the deliver of further primary care services in the area.
- 257 Likewise, CIL can be used to fund police / emergency service facilities.
- 258 Concern has also been raised from local residents over the adequacy of rail services to cope with additional demand generated from the development. In particular, peak hour train services are said to be at / over capacity. The developer has forecast that the proposed housing development would be likely to generate around 33 residents who would use train services at peak times.
- 259 The Core Strategy sets out a list of planned infrastructure improvements that would affect the District, and identifies that there are plans to increase the number of carriages for peak trains on the Uckfield to London line, which stops at Edenbridge. It would appear from some comments made by local residents that such lengthening proposals are still due to take place. Network rail has commented that the development would be likely to increase demand on rail services but, to date, has not objected to the proposal.
- 260 It should be noted that no infrastructure provider has formally objected to this proposal. Members should also note that government guidance on collecting contributions from developers is very clear – and that additional contributions towards infrastructure that is funded under CIL cannot also be sought by way of a S106 agreement – as this would amount to “double dipping”.
- 261 The development would deliver green infrastructure in the form of the public and open space within the development and the allotments. It would also deliver highways improvements directly related to the increase in traffic on the local network, through junction improvements and works to improve pedestrian safety

on St Johns Way via a S106 Agreement. Other infrastructure works are capable of being delivered using, in part, CIL contributions collected. This would be compliant with Policy SP9 of the Core Strategy.

Conclusion on compliance with design guidance under H1(p) of the ADMP

- 262 Taking the above factors into account, I consider that the site is capable of delivering a development of up to 300 units. Although this would be more than the approximate capacity specified in the guidance, it would remain lower than the 40 dph for Edenbridge specified in Policy SP7 of the Core Strategy. Given the mix of housing illustrated on the plans and supporting information, the bias towards smaller units of accommodation would mean that a suitable edge of town settlement could still be created, with an emphasis on lower density towards the west boundary with the green belt.
- 263 Whilst many concerns and objections have been raised in respect of Infrastructure, the development would be subject to CIL, and the whole purpose of this is to provide funding towards improvements to infrastructure.
- 264 Overall, I consider that the development would be compliant with the aims of the design guidance, and thus policy H1(p) of the ADMP.

Other matters

Neighbouring Amenities

- 265 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupants, and would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion, and where development would not result in an unacceptable loss of privacy or light to neighbouring properties.
- 266 The existing dwellings that would be most affected by the proposals are Hamsell Mead Farm, the dwellings on St Johns Way and surrounding roads, and those on Sunnyside.
- 267 Hamsell Mead Farm forms part of the allocated site for housing, although it is under separate ownership to the remainder of the site. As a result of this, the development site would surround Hamsell Mead Farm on three sides. The dwelling at Hamsell Mead Farm is sited to the east of the plot, with a range of old farm outbuildings running along the west boundary. Good levels of landscaping and screening exist on parts but not all boundaries of the plot. The dwelling stands around 30m distant from the southern boundary with the development site, around 20 metres from the west boundary, and 35 metres from the north boundary. These would all maintain suitable distances for privacy light and outlook. The illustrative layout shows some units to the east of Hamsell Mead Farm, at a distance of around 15 metres from the dwelling. This is the closest part of the development site to the dwelling, and it would be expected at reserved matters stage that the layout of the site was designed to avoid any direct overlooking relationships. Given the nature of the site, this should be easily achievable.
- 268 The development would clearly have an impact on this property as it would develop an existing large undeveloped area of land. The outlook to the property

would be significantly different, as would other aspects such as noise, activity vehicle movements, visual intrusion and privacy. However the planning system does not exist to protect absolutely existing levels of amenity that may be enjoyed by a property. The key issue is whether the development would maintain acceptable living conditions for this property. In this respect, the relationship between the dwelling at Hamsell Mead Farm and the development site would be typical of many relationships between houses, and I do not consider that unacceptable living conditions to Hamsell Mead Farm would arise.

- 269 The dwellings at Sunnyside are largely separated from the application site by Hamsell Mead Farm and by a well landscaped parcel of land to the east of the farm. The closest dwelling on Sunnyside to the site is around 50 metres away. At this distance, and across areas of existing landscaping, I do not consider that any direct unacceptable impacts upon the dwellings at Sunnyside would arise. There would be some longer-range impacts on outlook, and matters such as external lighting, noise and vehicle activity may be noticeable to these residents. However this would fall well short of being an unacceptable impact on the living conditions of these properties.
- 270 Some residents have raised concern that occupants of the development would use Sunnyside as a short-cut to the train station. However there is no direct access from the application site to Sunnyside, so this would not appear possible.
- 271 The existing residential properties on St Johns Way, Champions Road and Shires Walk would share an immediate boundary with the application site. The dwellings on Champions Way face towards the site, across an access road and landscaped boundary. The illustrative plan shows that these properties would face towards the rear gardens of proposed dwellings, at a distance of around 30 metres. I consider this would be a sufficient distance to maintain light, privacy and outlook to these existing units. Likewise the units on Shires Walk face across an access road towards a landscaped boundary with the application site. No 1 Shires Walk is physically closer, but orientated side-on to the application site, with main windows facing front and rear. Again, I consider the siting and orientation of these units to be such that a layout can be designed on the application site to avoid direct unacceptable impacts.
- 272 Likewise the development can be designed at reserved matters stage to avoid unacceptable impacts on the nearest properties in Hunters Way.
- 273 No 11 St Johns Way is a detached dwelling sited at the entrance to the application site. This is orientated at an angle, with its rear elevation facing onto the landscaped boundary with the site. The illustrative plan show that an area of space could be maintained around this property, to avoid direct unacceptable impacts upon outlook, privacy or light.
- 274 This property and others on St Johns Road would experience a significant rise in vehicle movements travelling to and from the application site. Whilst some journeys into the site may be via Enterprise Way, a larger percentage are likely to be via St Johns Way. A number of concerns have been raised on amenity grounds, relating to the increase in noise and vehicle movements that would arise. St Johns Way currently provides access to a limited number of units. Nonetheless, the existing properties on St Johns Road do not have unique characteristics that make them different or uncommon to many roads that provide a route to residential estates, nor has this been identified as part of the site allocation

process. Whilst undoubtedly the increase in traffic would be noticeable to existing residents, the impact of such traffic would not be to such an extent that could be described in planning terms as unacceptable. As a wholly residential development, the peaks and troughs in vehicle movements would be the same as for existing residents in St Johns Road and surrounding residential roads. There would naturally be fewer vehicle movements at night when people are most likely to be noise sensitive. The site and the access is also a longstanding residential allocated site, and the principle established for this site and its associated impacts.

- 275 Taking all of the above factors into account, whilst undoubtedly there would be impacts arising from this development in terms of factors such as outlook, noise and activity, vehicle movements and relationships between buildings, I do not consider that these impacts would be likely to cause unacceptable living conditions to existing properties. In this respect, I do not consider that the development would be in conflict with Policy EN2 of the ADMP.
- 276 In terms of the residential environment for future residents of the development, the illustrative layout shows that the development would provide suitable space and privacy distances between units, although this will be subject to detailed consideration at reserved matters stage. Some units are shown to be sited close to the industrial units on Enterprise Way, and an operator has written to raise concern about any impact this may have on their business. The applicant has submitted noise surveys to demonstrate that the development can be undertaken without unacceptable noise impacts to those properties closest to the industrial estate. The findings of this report are acceptable to the Council's Environmental Health Officer, subject to a planning condition.
- 277 As such, the development should be capable of providing an acceptable residential environment for future occupants, in accordance with Policy EN2 of the ADMP.

Drainage / flooding

- 278 The applicant has provided a Flood Risk Assessment and Drainage Strategy for the site. The Environment Agency has not raised objection to the development on flooding grounds. Whilst some points have been raised by the Environment Agency and Upper Medway Internal Drainage Board regarding the surface water drainage proposals, which rely on underground storage rather than more use of ponds / swales, this falls short of an objection to the development. Both organisations have recommended a condition on surface water drainage to explore this matter, and particularly exceedance rates, in greater detail.
- 279 The Government has recently passed new legislation relating to drainage, and there is now a requirement for consultation on major development sites to be carried out with the "Lead Drainage Authority". Kent County Council is the lead drainage authority, and have been consulted on this application. Their comments are awaited and, if received, will be reported to Members at committee.
- 280 Southern Water has identified a capacity issue with the existing sewer network between the application site and treatment works. It will be necessary for Southern Water to undertake a more detailed survey of the sewer to understand the nature of the capacity problems – at present their "baseline" survey is not detailed enough to pick up the exact reason why there is a capacity problem. For

example, it could simply be due to a short section of their sewer being of small diameter width which causes a bottleneck. Potentially, this could be easily resolved. Alternatively the capacity issue could be caused by a more significant problem – for example a long section of pipework that requires replacement.

- 281 Any improvements required would be subject to compliance with legislation under the Water Industry Acts. I would recommend that a “grampian” style condition be imposed to prevent occupation of any new units until sufficient capacity has been provided in the sewer network. This will place a responsibility on the developer to ensure that any capacity improvements are agreed with Southern Water.

Sport England

- 282 Members will note that Sport England has submitted an objection to the development unless funding is provided for the provision of off-site improvements to sports facilities.
- 283 Members should first note that off-site improved or new sports facilities would be funded via CIL.
- 284 Furthermore, the need for indoor / outdoor sports and recreation facilities within the District is set out in the Council’s “Open Space, Sports and Recreation Study”(2009) and the “Indoor Sports and Recreation Facilities Assessment” (2009). These documents identify a need for new allotments in the Edenbridge / Marlpit Hill area, and these are being provided in the new development. The above assessments do not identify any pressing needs, district-wide, for the type of facilities specified by Sport England. Therefore, even if funding towards such facilities was not covered by CIL, it would be unlikely that the Council could demonstrate that the development would have to make a contribution towards the improvement of sports and recreation facilities in the area.
- 285 Taking this into account, it is not considered that the development would be in conflict with SP10 of the Core Strategy, which seeks for new development to provide on site sports and recreation facilities or to contribute towards off-site facilities where required.

S106 requirements

- 286 The developer will be required to enter into a S106 agreement to secure the following –
- Provision of *affordable* housing
 - Off-site *highways* works
 - Provision of, and long term Management and maintenance of the public open space, play areas, natural green space and allotments.
 - Travel Plan contribution
- 287 These works are necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind, and as such meet the “tests” for Planning Obligations.

Construction traffic

- 288 Some concern has been raised by residents over access for construction traffic. The applicant has confirmed that construction traffic would utilise the Enterprise Way access, and not St Johns Way. This could be controlled via a condition relating to construction management.

Impact upon wildlife

- 289 Some residents have raised concern over the impact upon wildlife arising from the development. The developer has undertaken wildlife and ecological surveys to the satisfaction of both the KCC Ecologist and Kent Wildlife. Subject to conditions, it is considered that the development would not impact unacceptably on biodiversity in the area, and in this respect would comply with SP11 of the Core Strategy.

Conclusion

- 290 This is a major development site. The development of 300 units would add significantly to housing stock locally and within the district. Whilst this land has been reserved for future development over a long period of time, changes to Government legislation have resulted in the site being brought forward in the ADMP as an allocated housing site.
- 291 The number of units proposed, together with the likely mix and layout of housing, are considered to be acceptable for this location. The development would provide 40% of the units as affordable housing, making a significant contribution to the stock of such housing within the District.
- 292 The highways implications of the development have been investigated by Kent Highways, and are considered acceptable.
- 293 The impacts of the development on the flood zone that runs through the centre of the site are considered acceptable by the Environment Agency.
- 294 Although the impact of the development upon local infrastructure is a justifiable concern, the development would make a sizeable CIL contribution towards improvements to such infrastructure. The amount of CIL payable is set by the Council as the charging authority and is not negotiable.
- 295 Taking the above factors into account, and for the reasons as set out in detail in the report, the proposal is considered to comply with national and local planning policies.
- 296 Subject to the applicant entering into a S106 agreement within 3 months from the date of this committee, to secure affordable housing, off site highways works and the long term provision, management and maintenance of the open / green space and play areas, and subject to no objection being raised by Kent County Council as the lead drainage authority, I would recommend that outline planning permission should be granted.

Background Papers

Site and Block Plan

Contact Officer(s): Mr A Byrne Extension: 7225

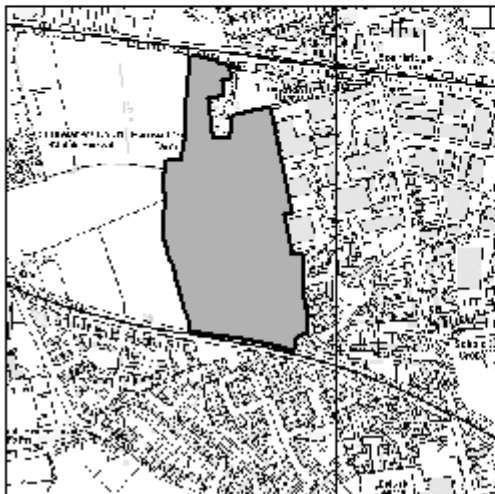
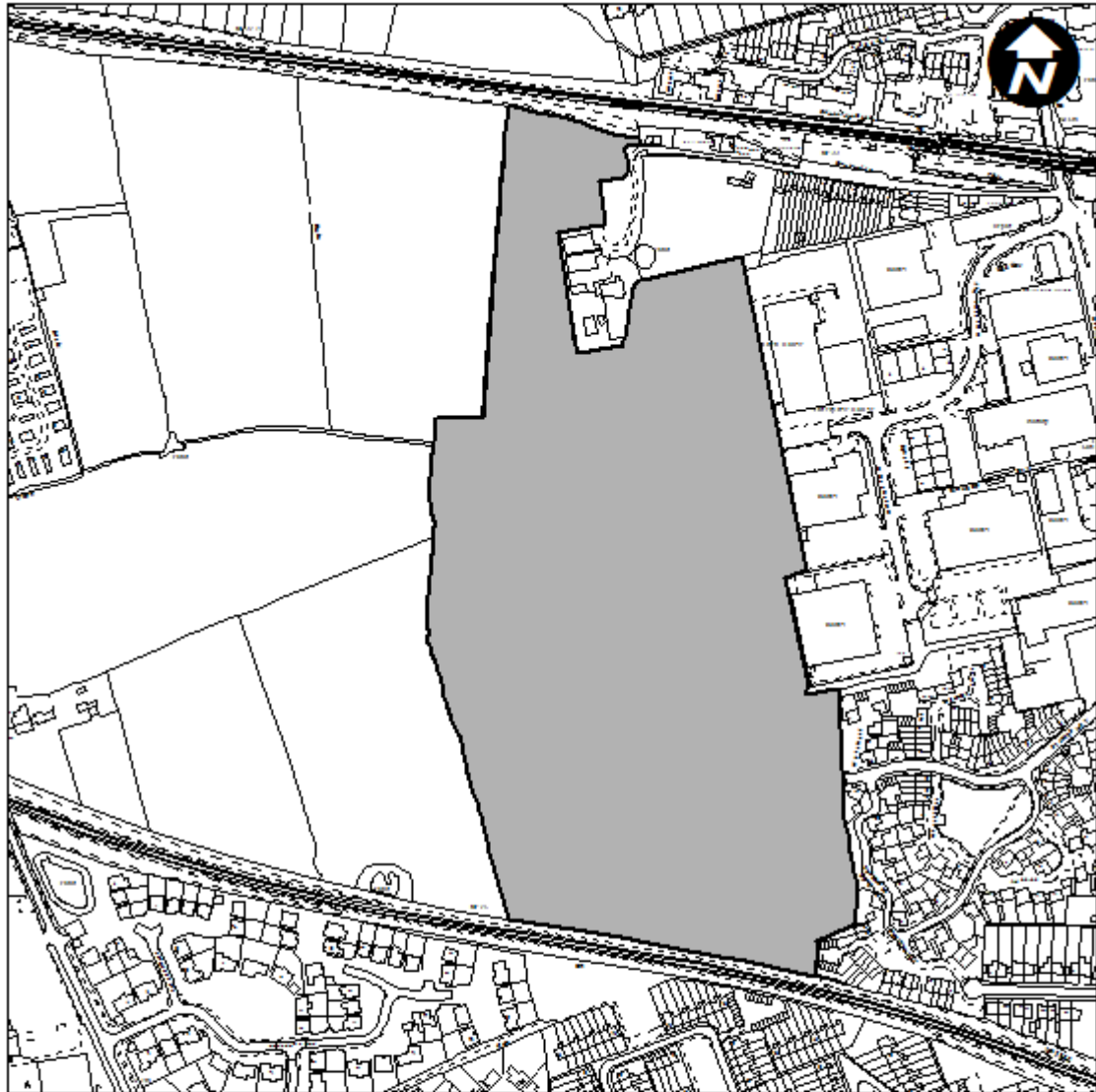
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NFZYAQBKHWT00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NFZYAQBKHWT00>



Site Plan

Scale 1:5,000

Date 12/05/2015



Sevenoaks
DISTRICT COUNCIL

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Ordnance Survey 100019428

