

The background of the page is composed of several overlapping geometric shapes in shades of green, teal, and grey. A large green triangle points downwards from the top center, overlapping a teal triangle that points upwards from the bottom center. These two triangles meet at a white triangular space in the middle. To the left and right of this central white space are larger grey and teal shapes that also overlap, creating a complex, layered effect.

Land at Kenward Road, Yalding

Planning Statement (Including Affordable Housing Statement)

ON BEHALF OF HALLAM LAND MANAGEMENT

November 2023

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1. Introduction

- 1.1 This Planning Statement has been prepared on behalf of Hallam Land Management (“the Applicant”) in support of an outline planning application, with all matters reserved other than principal access to the highway, submitted to Maidstone Borough Council (“the Council”) for the following:

Removal of existing polytunnels on land north of Kenward Road and the construction of up to 112 dwellings (Class C3), associated infrastructure and landscaping, together with the change of use of land south of Kenward Road to provide informal / recreational open space, sustainable urban drainage features, landscaping, and ancillary works / infrastructure. (“the Proposed Development”)

At

Land at Kenward Road, Yalding (“the Site”).

Application Documentation

- 1.2 The planning application documentation submitted for approval comprises the following:

- Application forms and certificates;
- CIL forms;
- Site Location Plan (35214-101-P5);
- Parameter Plan (32514-201 P11); and
- Site Access Plan (10751-HL-01E).

- 1.3 This documentation should be read in conjunction with a range of supporting / illustrative material and drawings as set out below:

- Planning Statement (including Affordable Housing Statement);
- Statement of Community Involvement;
- Illustrative Site Layout;
- Design and Access Statement;
- Landscape and Visual Assessment;
- Heritage Statement;
- Flood Risk Assessment;
- Arboricultural Assessment;
- Ecological Appraisal, Landscape Environmental & Management Plan and Biodiversity Net Gain Report;
- Geo-Environmental Preliminary Risk Assessment;
- Climate Change and Sustainability Statement; and
- Transport Assessment.

- 1.4 The Application Site measures 9.51 hectares. As an outline application on a site greater than 2.5ha, the fee structure is £11,432 + £138 per 0.1 hectare over 2.5 hectare up to a maximum of £150,000.

- 1.5 As such, the appropriate fee is £21,230.00. The fee will be paid separately by the Applicant.

Environmental Impact Assessment

- 1.6 Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“EIA Regulations”) identifies that an Environmental Impact Assessment (“EIA”) is only required where an urban development over 5ha in size or more than 150 dwellings is likely to have significant effects on the environment by virtue of factors such as its nature, size and location.
- 1.7 On 10th December 2021 Nexus Planning submitted an EIA screening request to the Council pursuant to the EIA regulations for a development up to 125 dwellings. A formal screening opinion was received from the Council on the 20th January 2022 (reference: 21/506631/ENVSCR) (Appendix 1) confirming that an EIA is not required.

2. The Site / Context

- 2.1 The Site comprises two parcels of agricultural land on the western edge of the village Yalding.
- 2.2 The first parcel, to the north of Kenward Road, comprises 4.87ha of land that is extensively covered by polytunnels for the growing of soft fruit. The topography of this northern parcel gently rises from Kenward Road northwards. To the east are existing residential properties in Medway Avenue, whilst to the north and west are further agricultural fields (with those to the west also covered with polytunnels), and to the south are residential properties fronting Kenward Road. The topography is relatively flat with a slight incline in a southern direction.
- 2.3 The second parcel, to the south of Kenward Road, comprises 4.36ha of agricultural land. The topography of this southern parcel is generally flat, although it slopes gently down to the River Beult where the land is more largely undeveloped, primarily comprising overgrown scrub and trees. To the east are existing residential properties in Oast Close whilst to the south is the River Beult, and to the west is further agricultural land, now covered extensively by large polytunnels.
- 2.4 The Site is located outside of, but adjoining, the built-up area of Yalding. A large proportion of the southern land parcel, closest to the River Beult, falls within Flood Zones 2 and 3, the rest of the Site falls within Flood Zone 1. There are no listed buildings or designated heritage assets within the Site, but there are a number of Grade II Listed Buildings (The Mount, Hillside Cottages, Jasmine Cottage, Downs Farmhouse) located to the east of the northern parcel. There are also a number of Grade II Listed Buildings to the east of the southern parcel (Court Lodge and the Dairy House). A 'Landscape of Local Value' is located to the north, running in an east-west direction to the north of Yalding.

The Surrounding Area

- 2.5 Yalding is a settlement that is classified as a 'larger village' in the emerging Local Plan - behind Maidstone and the Rural Service Centres in the settlement hierarchy. There is a range of retail, commercial, leisure, health and community facilities within the village centre including a doctors' surgery, convenience stores, public houses, church, recreational grounds and sports clubs. Woodfalls Industrial Estate is located approximately 2km to the south of the Site.
- 2.6 There are three pre-schools, four primary schools and one secondary school available within 4.8km of the application site. The closest primary school, Yalding C of E Primary School, is located 500m from the Site.
- 2.7 The Institute of Highways and Transportation ("IHT") has prepared several guidance documents that provide advice with respect to the provision of sustainable travel in conjunction with new developments. Within these documents it is suggested that:
 - most people will walk to a destination that is less than one mile (Planning for Walking, 2015)
 - the bicycle is a potential mode of transport for all journeys under five miles (Planning for Cycling, 2015); and
 - walking distances to bus stops should not exceed 400 metres with people being prepared to walk twice as far to rail stations (Planning for Walking, 2015).
- 2.8 Given the above, each of above services in Yalding are within a reasonable walking and cycling distance of the Site.
- 2.9 Yalding railway station is located approximately 2.4km from the Site and provides regular services to London Bridge (58 minute journey time) and Maidstone (17 minute journey time). There is a bus stop approximately 400m from the

Site which provides services to Maidstone, Goudhurst, Laddingford, Benover and Paddock Wood. Yalding is located 9.2km southwest of the M20, providing links London and the south coast.

Planning History

- 2.10 The Site has been subject to a number of previous planning applications. However, these applications pre-date the emerging Local Plan and therefore do not relate to the most up-to-date planning policy context. As such, the planning history of the Site is not considered to be directly relevant to the Proposed Development.

3. The Proposed Development

3.1 This outline application, with all matters reserved other than principal access to the highway, seeks permission for:

“Removal of existing polytunnels on land north of Kenward Road and the construction of up to 112 dwellings (Class C3), associated infrastructure and landscaping, together with the change of use of land south of Kenward Road to provide informal / recreational open space, sustainable urban drainage features, landscaping, and ancillary works / infrastructure.” (“the Proposed Development”)

3.2 The general arrangement of the Proposed Development is set out on the Illustrative Masterplan (re. drawing 35214-306-P5) which demonstrates how a potential layout could provide:

- Up to 112 new homes with 40% affordable homes;
- Green infrastructure located on the southern parcel of the Site including children’s play provisions, recreational and informal open space, riverside landscaping and a sustainable drainage basin;
- Children’s play provision on the northern parcel;
- Pedestrian links through the Site; and
- Access from Kenward Road.

3.3 The indicative masterplan and parameters plan has been influenced by the Site’s constraints and opportunities, comments received from the Council during the pre-application stage and comments made through public and stakeholder engagement.

Indicative Housing Mix

3.4 Whilst the Proposed Development is an outline application and therefore housing mix is not for approval at this stage, the illustrative masterplan is based upon the creation of a well-balanced community that responds to local needs, as follows:

Dwelling type	No. of units	Percentage
1 bed flat	8	7.1%
2 bed flat	8	7.1%
2 bed house	16	14.3%
3 bed house	48	42.9%
4/5 bed house	32	28.6%
Total	112	100%

Access

- 3.5 The vehicular access is proposed into the existing highway network to be taken from Kenward Road in the form of priority T-junctions, designed in compliance with Design Manual for Roads and Bridges & Manual for Streets. A looped route through the development will allow emergency vehicles to negotiate through the development safely, should the main vehicle route become blocked.
- 3.6 The current 30mph speed limit along Kenward Road will be extended to include the location of the site access.
- 3.7 The existing agricultural access serving the southern and northern parcels are proposed to be retained in the same use.
- 3.8 A pedestrian crossing is also proposed from the northern parcel providing a connection to the southern parcel. A further pedestrian crossing is to be provided from the southern parcel, providing access for the existing dwellings on Kenward Road and connecting to the existing footpath on Kenward Road.

Market and Affordable Housing Statement

- 3.9 The Site is a greenfield development located within a high value zone and therefore requires a target rate of 40% affordable housing provision according to Policy LPRSP10(B) of the emerging Local Plan (“eLP”). The Proposed Development will provide up to 112 residential dwellings of which it is proposed, that up to 40% would be affordable (up to 45 dwellings).
- 3.10 As this is an outline application, with all matters reserved other than the principal access to the highway, the layout of the Site is yet to be determined. Accordingly, the location and precise mix of the affordable homes would be agreed at the reserved matters stage. However, it is expected that the quantum of affordable housing to be delivered, the tenure mix and an indicative affordable mix, will be secured through a Section 106 Agreement.

Sustainable Development

- 3.11 Paragraph 11 of the National Planning Policy Framework (2023) (“the Framework”) outlines that at the heart of the Framework lays a presumption in favour of sustainable development.
- 3.12 Paragraph 8 of the Framework identifies that there are three sustainable development objectives that the planning system must aim to achieve:
- An economic objective – to help build a strong, responsive and competitive economy;
 - A social objective – to support strong, vibrant and healthy communities; and
 - An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment.
- 3.13 The table below outlines how the proposed development meets the objectives of sustainable development, as outlined in the Framework.

Sustainable Development	Benefits of the Proposed Development
Economic	<ul style="list-style-type: none">• A significant capital investment to the local area;

Sustainable Development	Benefits of the Proposed Development
	<ul style="list-style-type: none"> • Generate Council tax revenue; • Increased spending by new residents in local shops, businesses and other services; • New housing to underpin existing and support new economic activity; • Provision of direct and indirect construction jobs.
Social	<ul style="list-style-type: none"> • Up to 112 new homes; including up to 45 new affordable homes; • Creation of a high-quality physical environment with Green Infrastructure in the form of children’s play provisions, , recreational and informal open space, riverside landscaping and SuDS; • Through establishing a high-quality framework for good, detailed design, a reduction in the fear of crime, opportunities for crime and anti-social behaviour.
Environmental	<ul style="list-style-type: none"> • An opportunity to provide a visually attractive development with enhanced landscaping and an obvious extension; • Limiting and improving surface run-off to existing greenfield rates to avoid any increase of flood risk on or off site; • Provision of public open space, which will be available to both future residents of the development and the wider community; • Delivering new and enhanced ecological habitats, and an overall Biodiversity Net Gain.

4. Stakeholder Engagement

4.1 The Maidstone Statement of Community Engagement (2020) states:

“The Council recognises that early and ongoing consultation and engagement with the local community, the development industry and infrastructure providers is an essential part of the planning processes.”

4.2 A Statement of Community Involvement accompanies this application and summarises the consultation that has taken place to inform the principles of the Proposed Development.

Maidstone Borough Council

4.3 Meetings have taken place with Planning Officers and the Head of Planning since February 2021. These meetings have focused on scheduled topics and directly informed the masterplan.

4.4 A pre-application meeting took place with representatives of Maidstone Borough Council on the 25th August 2021 and was attended by:

- Hallam Land Management
- Nexus Planning
- Broadway Malyan (Masterplanner)
- FPCR (Landscape Consultant)

4.5 Officers met with Nexus and the Applicant again on the 22nd July 2022 to discuss the proposals and the emerging Local Plan process.

4.6 The session covered a range of topics including:

- Local Plan process
- Site capacity
- Open space; and
- Landscape.

4.7 A pre-application written response was provided on the 1st August 2022 which presented detailed comments on the layout including but not limited to densities, heights of buildings and provision of open space.

4.8 A further meeting took place on the 7th November 2022 with representatives of Maidstone Borough Council. The meeting discussed the progression of the Local Plan in the examination hearings and identified that the Site (as an emerging allocation for approximately 100 dwellings in the Local Plan) forms part of the Council’s five-year housing land supply. It was agreed with the Council that a Members briefing meeting should be held ahead of the submission of a planning application to explain the development proposals.

4.9 A Members briefing took place on the 15th December 2022 with representatives of Maidstone Borough Council. Personnel from Hallam Land and Nexus Planning presented the application and answered questions raised by Members. The matters raised have been used to inform the evolution of the scheme.

Yalding Parish Council

- 4.10 An initial meeting took place with Yalding Parish Council in November 2019 to discuss early proposals for the Site. At this stage the proposals were for 165 dwellings across the entire Site, including dwellings on the southern parcel.
- 4.11 A further meeting took place on 16th March 2022, attended by members of the Parish Council, the Applicant, Nexus Planning and Broadway Malyan. The purpose of this meeting was to keep channels of communication open and present the emerging proposals which at this time were for up to 125 dwellings.

Public Consultation

- 4.12 A website (www.kenwardroad-yalding.org) was created to provide details of the emerging proposals to the general public. The website went live on 13th June 2022 for two weeks. The website was advertised via leaflet and was distributed to 818 properties on the 9th June 2022. The website provided an email address for people to provide their comments on the proposals to. A total of 92 people responded to the consultation. This has fed into a Statement of Community Involvement which accompanies the application.

5. Planning Policy Context

The Development Plan

5.1 The development plan for Maidstone Borough Council currently comprises:

- Maidstone Borough Local Plan 2011-2031 (adopted in 2017)
- Kent Minerals and Waste Local Plan 2013-2030 as amended by Early Partial Review (adopted in 2020)

5.2 In this case, however, the premise of this application is based on the site-specific housing allocation in the very advanced eLP. The review of the Maidstone Local Plan was submitted to the Secretary of State for examination on the 31st March 2022. Following a range of examination hearings, Main Modifications were published on 29th September 2023 (Appendix 2), which are currently out for consultation until 13th November 2023.

5.3 Having regard to paragraph 48 of the National Planning Policy Framework 2023, substantial weight can be given to this allocation as:

- The eLP is at a very advanced stage, having completed all examination hearings and with main modifications being consulted upon.
- There are no unresolved outstanding objections in relation to any strategic policies, or indeed to emerging Policy LPRSA248 which allocates the Site. Although it is noted that there are a few grammatical and factual errors in Policy LPRSA248. These are set out in representations submitted on behalf of Hallam Land Management to the Main Modifications consultation of the eLP and are appended to this planning statement in Appendix 3.
- The relevant emerging policies are consistent to those contained within the Framework.
- The application is not considered to be premature, given the modest scale of the development and the Site forming part of the emerging Spatial Strategy in any event, thereby not undermining the plan-making process.

5.4 On that basis this Planning Statement focusses generally on the compliance of the Proposed Development with the policies of the emerging Local Plan, in particular site allocation Policy LPRSA248.

Other Material Considerations

National Planning Policy Framework

5.5 A primary material consideration is the National Planning Policy Framework 2023 ("the Framework"). The Framework sets out the Government's planning policies and how these are expected to be applied. It sets out at Paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development.

5.6 At Paragraph 8 it sets out the three dimensions to sustainable development: economic, social and environmental which are independent and need to be pursued in mutually supportive ways. The Proposed Development's compliance with these sustainable objectives is set out in Section 3 of this Planning Statement.

5.7 Paragraph 11 of the Framework sets out that plans and decisions should apply a presumption in favour of sustainable development and approve development proposals that accord with an up-to-date development plan without delay.

- 5.8 Paragraph 60 of the Framework acknowledges that in order to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

National Planning Practice Guidance (PPG)

- 5.9 On 6th March 2014, the Government published the National Planning Practice Guidance (“PPG”). The PPG is a live document that is actively updated to ensure that it remains up-to-date. The PPG is divided into different topic areas, which provide advice and guidance to inform the understanding and approach to implementation of the NPPF.

Supplementary Planning Guidance

- 5.10 The Council has adopted a series of Supplementary Planning Documents (“SPDs”). Of relevance to the Proposed Development are the following:
- Affordable and local needs housing (2020);
 - Kent Design Guide (2005); and
 - Kent Design Guide Review: Interim Guidance Note 3-Residential Parking (2008).
- 5.11 The Council ran a consultation on its preferred options for a Design and Sustainability Development Plan Document, which closed on 12th June 2023. Given the early stages of this consultation, the document carries limited weight in accordance with Paragraph 48 of the Framework.

6. Planning Assessment

- 6.1 In this section of the Planning Statement we demonstrate the compliance of the Proposed Development with the relevant provision of the emerging Local Plan and, most specifically, Policy LPRSA248 which is the most important policy as it is specific to the Site and wide-ranging in terms of its requirements across a variety of technical issues.

Policy LPRSA248

- 6.2 The policy establishes the principle of development for the acceptability of approximately 100 dwellings at an average density of approximately 30 dwellings per hectare on land north of Kenward Road, together with associated open space and infrastructure on land south of Kenward Road.
- 6.3 The Policy contains a broad range of requirements which should be met. The following assessment will address each policy criterion in turn.

Design and Layout

The development shall provide approximately 100 dwellings, only to be provided on land north of Kenward Road at an average density of approximately 30 dph.

- 6.4 The Proposed Development comprises up to 112 dwellings, which complies with the policy requirements of the development to be approximately 100 dwellings. Furthermore, whilst layout is a reserved matter, the indicative layout demonstrates that these dwellings could be provided at a density of 33dph which aligns with the approximate density requirement of 30 dwellings per hectare. The Design and Access Statement which accompanies this planning application further demonstrates the acceptability of the number of units and density by showing the development to be of varied character, with good permeability, high quality landscaped areas and large areas of open space that compliments the existing settlement form and character.

The land south of Kenward Road shall be laid out as a new community open space, and BNG area, together with SUDS measures to mitigate the residential element, plus pedestrian crossing / access measures.

- 6.5 As demonstrated through the proposed parameter plans, the land to the south of Kenward Road is not proposed for any housing and only proposed new community open space, BNG and SUDS measures within this parcel of land. The Proposed Development therefore complies with this emerging policy criterion.

The development shall be subject to a single masterplan which demonstrates phasing and delivery of both built development and open spaces.

- 6.6 Whilst the proposed layout, phasing and delivery would be a consideration for the reserved matters stage, an indicative masterplan has been submitted for the entire allocation site which demonstrates that a future development could readily accommodate this policy requirement and the submitted parameters plan fixes the land uses across the Site.

The layout and form of the housing element shall be informed by an LVIA and incorporate both boundary and internal structural landscaping that responds to the site's topography

- 6.7 Scale and layout are not for approval at this stage and would form part of a future reserved matters application. However, this outline application is accompanied by a Landscape and Visual Appraisal prepared by FPCR.

- 6.8 In respect to the indicative scheme that has been presented in the application package, the LVA concludes that *“the development proposals reflected in the application material have been sensitively designed with consideration given*

to the baseline information and findings of the LVA". Resultant visual effects are assessed to be no more than Minor Adverse / Negligible in the long term.

- 6.9 Based on this, in combination with the parameters plan that fixes the uses across the site and building heights it has been adequately demonstrated that a future reserved matters application would therefore be readily able to accommodate the policy requirement.

Design of the site will need to ensure neighbouring resident's amenity is protected.

- 6.10 Whilst layout, scale and appearance are reserved matters, the indicative scheme demonstrates that a scheme, compliant with the proposed parameters plan, could be achieved on the application site which would provide sufficient separation distances from nearby neighbours and landscaping screening opportunities to ensure that their amenity is protected.

The layout and design of new dwellings shall incorporate measures necessary to mitigate the impacts of adjacent agricultural operations.

- 6.11 A future reserved matters application would be sensitively designed to ensure the layout of the scheme and design of buildings would mitigate any impacts from nearby agricultural operations. The indicative layout that has been put forward demonstrates that this could be achieved through generous landscaping buffers on the perimeter of the site and key planting locations throughout the site which would adequately mitigate the much of the impacts of agricultural operations on the future occupiers. Further mitigation strategies regarding noise, odour and other nuisances would be established as part of a reserved matters submission.

Landscape/Ecology

A phase 1 habitat survey will be required, which may as a result require on and/or-off site mitigation for the existing habitat of local fauna/flora.

- 6.12 An Ecological Appraisal by FPCR dated October 2023 is submitted alongside this outline planning application. The appraisal comprises of extended Phase 1 Habitat survey, desktop study and range of protected species surveys for the following species:

- a. Badger
- b. Bat
- c. Breeding bird
- d. Dormice
- e. Reptile
- f. Riparian Mammal

- 6.13 The report summarises key findings which are as follows:

- Habitats identified on the site are common and were considered to be no more than of local importance.
- The Site is situated outside of the 6.5km zone of influence of the North Down Woodland SAC.

- The Site provided some suitable habitat for a range of protected/notable species including bats, badgers, dormice, herptiles and breeding birds. Common and widespread bat species have been identified foraging and commuting through the site, with no roosts identified foraging and commuting through the site, with no roosts identified.
- No evidence of dormice or riparian mammals were observed during the surveys.
- Hallam Land Management has entered the Natural England District Level Licensing scheme for great crested newts, whereby the development provides a conservation payment to support conservation efforts away from the development in more favourable locations throughout Kent. The Site has been granted this licence and as such there are no constraints to the development, with regards to great crested newts.

6.14 The planning application is therefore accompanied by sufficient ecological to comply with the emerging site allocation policy, and to provide certainty that protected species will not be likely adversely affected as a result of the development, subject to mitigation and compensation as detailed in the Ecology Appraisal.

Development will be subject to a site-wide strategy to incorporate an appropriate level of biodiversity net gain in accordance with national and local policy.

6.15 The Ecological Appraisal by FPCR confirms the proposed development will result in a net gain of 6.17 biodiversity units (27.54%), 1.33 (26.22%) hedgerow units and 0.72 (28.22%) river units. The proposed development therefore significantly exceeds the BNG requirement as set out in the Environment Act and Emerging Policy LPRSP14A which requires 10% and 20% net gain respectively.

Public access to areas designated primarily as habitat in any landscape masterplan would normally be limited to maintenance purposes.

6.16 Whilst the landscaping is a reserved matter, it is expected that the areas primarily designated as habitat would have limited public access however such details would be expected to be set out within subsequent reserved matters applications and in line with the recommendations of the Landscape & Ecological Management Plan by FPCR submitted alongside this application. The proposed development would therefore be readily able to comply with this policy criteria.

Balancing ponds and swales shall not be counted towards on-site semi/natural open space needs unless it can be demonstrated that they provide appropriate and undisturbed ecological habitat.

6.17 The parameter plan confirms that the Proposed Development seeks to deliver 5.75ha of open space, including the drainage features. As this is an outline application the exact dimensions of the drainage features are not yet known. However, the proposed parameters give sufficient space for a reserved matters application to comfortably exceed the policy requirements for open space. This is demonstrated in the indicative masterplan which provides substantial areas of open space and is not reliant on the drainage features to meet policy requirements. This is discussed in further detail later in this statement.

All landscaping to be principally native planting.

6.18 Whilst planting species would be a matter for future reserved matters applications, the use of principally native planting could be readily accommodated within the proposed development.

The proposed open spaces and new habitat shall be the subject of a delivery strategy and long-term management plan.

6.19 The Landscape & Ecological Management Plan (LEMP) that accompanies this planning application sets out the long-term management and delivery strategy of the habitat and open spaces. The LEMP also seeks opportunities to maximise the nature conservation value of the site, and to promote connectivity for wildlife around the boundary and maintain permeability through the built development. It further aims to safeguard the longevity of planting and ensure these areas are managed to maximise their ecological and aesthetic value for those living or visiting the new housing development. The applicant is agreeable for the strategy and long-term management of the sites open spaces and habitat to be secured by condition.

Existing tree/hedgerow margins should be retained/enhanced in order to provide the opportunity for biodiversity habitat creation/enhancement.

6.20 The proposed development results in some minor pruning to the hedgerow identified as H4 in the submitted Arboricultural Assessment to facilitate appropriate access onto the site. The remaining trees and hedgerows are retained and reinforced as part of the proposed development. The overall biodiversity net gain is significant, exceeding 20%, which demonstrates that biodiversity habitat creation and enhancement will be present as part of the proposed development.

The development proposals shall be designed to take into account the results of a landscape and visual impact assessment undertaken in accordance with the principles of guidance in place at the time of the submission of an application.

6.21 Whilst the detailed layout would be determined at a future reserved matters application, the parameters plan submitted in support of this application has been carefully considered in light of the submitted LVA which has helped to inform the development parameters to ensure a successful development that integrates into the surroundings.

6.22 Furthermore, whilst the current layout is illustrative at this stage, the LVA considers that *“the development proposals reflected in the application material have been sensitively designed with consideration given to the baseline information and findings of the LVA. Resultant visual effects are assessed to be no more than Minor Adverse / Negligible in the long term”*.

6.23 This can give the Council confidence a future layout would be effectively informed by an LVA and sensitively respond to the character of the area.

Access, Highways and Transportation

Access points to the residential element (plus any maintenance or other access to the open space to the south) shall provide junction and sight lines designed to appropriate capacity and safety standards.

6.24 A vehicular access is proposed into the existing highway network to be taken from Kenward Road in the form of priority T-junctions, designed in compliance with Manual for Streets. A secondary emergency entrance will also be provided in the form of a looped route through the development which will allow emergency vehicles to negotiate through the development safely, should the main vehicle route become blocked. The design of these accesses is demonstrated in Appendix C of the Transport Assessment prepared by Brookbanks. Given their compliance with Manual for Streets, the junctions and sightlines provided by the access are considered to be appropriate for the capacity of the Site and provide sufficient safety standards.

The development shall provide appropriate pedestrian crossing points to Kenward Road to allow connectivity to existing footways.

6.25 As detailed in the illustrative masterplan, pedestrian crossing points have been provided to the northern and southern parcels and provide connections to the existing footpath along Kenward Road. Furthermore, improvements

to the local pedestrian network include the provision of a footway to the south of Kenward Road to link with an uncontrolled pedestrian crossing across Kenward Road which could be secured through a s106 agreement. This will provide a continual route between the site and the central area of the village

The southern site shall enable appropriate access to the adjacent agricultural holding in a manner that does not adversely impact upon the amenity and safety of residents and users of the open space.

6.26 As demonstrated on the parameters plan, the existing agricultural access on the southern parcel is proposed to be retained. A future reserved matters application would therefore be able to adequately accommodate mitigation such as planting and fencing that would ensure the safety and amenity of users of the open space.

The southern site shall provide parking for users of the open space in a manner that does not adversely affect the amenity of the surrounding area.

6.27 The parameters plan demonstrates that the proposed parking bays serving the users of the southern parcel would be situated directly adjacent to Kenward Road. Whilst the exact quantum of parking spaces would be determined at reserved matters, the illustrative masterplan demonstrates that seven additional parking bays could be set off Kenward Road and would not disrupt traffic nor visually clutter the road with parked cars.

Replacement provision shall also be provided for any loss of on-street residential parking.

6.28 The seven proposed parking spaces as shown on the illustrative masterplan serving the open space in the southern parcel demonstrates that any loss of parking as a result of the proposed development could adequately be compensated for.

The development shall deliver appropriate traffic speed management measures to the surrounding highway network.

6.29 The Transport Assessment by Brookbanks identifies that the current 30mph speed limit along Kenward Road will be extended to include the location of the site access, reducing the total area of 60mph unlit road and thereby increasing safety. The start of the 30mph speed limit will be emphasised by the provision of a gateway feature, details of which would be secured by condition.

Flood Risk / Drainage

The site should be designed to ensure that it has a positive impact on the River Beult catchment, and does not worsen local flood risks on Mote Road.

6.30 A sustainable drainage basin is proposed south of Kenward Road on the parameters plan which will have a number of filtration and mitigation measures to ensure that any water discharged along the associated swale into River Beult will have any pollutants removed and also will ensure that the discharge levels do not exceed the levels currently experienced on the Site, as confirmed by the Flood Risk Assessment and Drainage Strategy by Brookbanks. These measures, along with the enhancement to the River Beult catchment set out in the Ecology Appraisal demonstrates that the proposed development will have a positive impact on the River Beult.

6.31 The Flood Risk Assessment submitted in support of the application confirms through the proposed drainage strategy, the site will comply with the requirements set out in paragraph 9 of the Technical Guide to the Framework, with the discharge of surface water from the proposed developments not exceeding that of the existing greenfield sites, thus ensuring that there is no material increase in the flood risk to surrounding areas.

6.32 It should also be noted that there is a drafting error within this sub-criterion as Mote Road is not situated near the Site. This is expanded upon in the representations submitted to the Main Modifications consultation (Appendix 3).

The only vehicular access to the site is through Flood Zone 3. Any development will be dependent upon acceptable flood safety measures being agreed with the EA.

6.33 The proposed built development, including vehicular accesses, are situated entirely within Flood Zone 1 and areas of low surface water flooding, as confirmed by the FRA. It therefore should be noted again that there is a drafting error with this sub-criterion which has been addressed in Appendix 3.

6.34 No specific flood defence measures are necessary for the proposed development, however in order to ensure the Site appropriately responds to the key flooding and drainage matters, the objectives for site drainage will be:

- Implementation of a sustainable drainage scheme in accordance with current national and local policy together with principles of good practice design.
- Control of peak discharges from the site to a rate commensurate with the baseline conditions.
- Development of storm water management proposals that maintain water quality and biodiversity of the site.
- Implementation of the storm water management system prior to first use of the site.

Open Space

The provision of open space shall have regard to Policy LPRINF1

6.35 Policy LPRINF1 seeks for proposals to proportionally provide open space provision across new housing proposals. Assuming an average occupancy rate of 2.4 people per dwelling given this is an outline application, the below table sets out the open space requirement of LPRINF1 in relation to the Site.

Open Space Provision	Policy Requirement (ha/1000)	Proportionate Requirement for the Site (ha)
Amenity open space	0.7	0.19
Provision for children and young people	0.25	0.067
Publicly accessible outdoor sports	1.6	0.43
Allotments and community gardens	0.2	0.053
Natural/semi-natural areas of open space	Contribution towards borough target of 6.5ha/1000 population	-
Total		0.74

6.36 As the table demonstrates, Policy LPRINF1 requires the proposed development to accommodate 0.74ha of open space provisions. As demonstrated through the parameter plans, the development will provide over seven times this amount which represents a significant benefit of the scheme.

The proposed open spaces across both sites and new biodiversity areas shall be the subject of a delivery strategy and long-term management plan.

6.37 With the detail of the open space being addressed through the landscape reserved matters application, the delivery strategy and management plan will be secured at this stage.

The residential parcel north of Kenward Road shall incorporate both green amenity and play space in a location that is safe for children and well supervised, plus elements of semi natural informal open space.

6.38 The parameter plan provides significant provision of informal open space and playspace within the northern parcel. Given the proximity of this space to the residential area of the Site, the playspace will be well surveilled. The detail secured at reserved matters will ensure these spaces are designed to an adequately safe standard and include habitable windows overlooking such areas.

The land south of Kenward Road shall provide approximately 4.9 ha of public open space / habitat in the form of (to be determined through the submission of an Open Space Strategy in collaboration with the council and the Parish council), community allotments/growing areas, new Riverside landscape/habitat creation, informal open space, recreational open space, Sustainable Urban Drainage, Ancillary parking to support the open space.

6.39 As demonstrated on the parameter plans, the land south of Kenward Road is proposed to comprise open space/habitat in accordance with the policy requirement. It is expected that the Open Space Strategy will be secured at the reserved matters stage.

Utilities Infrastructure

The Applicant to demonstrate that adequate connections to the nearest points of the network are achievable and that adequate capacity exists/can be created for all utilities.

6.40 The Service Supply Statement by Brookbanks submitted as part of this application confirms that the Proposed Development on the Site has the potential to be supplied with normal network service supplies, noting that the detailed requirements will be secured at the reserved matters stage and/or by condition.

Where there may be limited capacity in the utility network, the occupation of the development will be phased to align with the delivery of infrastructure.

6.41 The Service Supply Statement submitted as part of this application identifies that some localised, non-prohibitive reinforcements may be necessary together with protections or diversions where existing plant is affected by the proposals. This will be confirmed at the reserved matters stage and conditions securing such improvements attached, as appropriate.

Conclusion on Policy LPRSA248

6.42 The above analysis demonstrates that the proposed development complies with the principle of development of approximately 100 dwellings at an average density of approximately 30dph. Furthermore, the parameter plan, indicative plans and accompanying reports either fully show the proposed developments compliance with LPRSA248 at this outline stage or adequately demonstrate that the requirements can be readily accommodated at the reserved matters stage when the detailed design is known.

7. Other Issues

- 7.1 Given the wide scope of emerging Policy LPRSA248, the majority of matters that are material to the proposed development have already been addressed in considering the schemes compliance with the emerging site allocation policy.
- 7.2 The remaining material matters not covered by LPRSA248 are addressed below.

Heritage and Archaeology

- 7.3 Emerging Policies LPRSP14(B) and LPRENV1 cover the historic environment in Maidstone, and broadly seeks to conserve and, where possible, enhance assets which reflects the requirements set out in Section 16 of the Framework.
- 7.4 A Historic Environment Desk-Based Assessment by Orion Heritage dated October 2023 has been submitted in support of the planning application. With respect to archaeology, the report confirms that there is a high potential for post-Medieval archaeological features in the far south and a moderate potential in the centre of the study site. There is a low potential for archaeological remains from all other periods throughout the site. The report states that the root action from orchards previously in place, alongside the construction of the existing polytunnels will have had an associated below-ground impact on any archaeological remains that may be present. The report does not consider any further archaeological evaluation to be necessary, but evaluation works may be required as a planning condition.
- 7.5 With regard to designated heritage assets, the report confirms that proposed area of housing will have no impact in the setting of the conservation area or any other designated heritage assets. The retention of the southern parcel of the study site as open land, this means that although this parcel of the land is close to the conservation area, there will be no effects on the contribution that the setting of any of the designated heritage assets in the study area makes to their significance.
- 7.6 Given the proposed development results in no harm to the archaeological and historic environment of nearby identified heritage assets, the proposal is wholly compliant with emerging policy LPRSP14(B) and the requirements set out in the Framework.

Geo-environmental

- 7.7 Paragraph 183(a) of the Framework requires that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 7.8 A Geo-Environmental Phase 1 Desk Study by Brookbanks accompanies the planning application. This report identifies that the overall contaminative risk at the to be Low-Moderate, due to the limited potential contamination risks identified in proximity of the Site and the Moderate risk of Unexploded Ordnance. Further Phase II ground investigations would accompany a reserved matters application once the detailed layout is known.
- 7.9 As the Proposed Development is subject to limited potential contamination risks, future residents would not be put at risk of harm from contaminants and is therefore acceptable in this regard.

Climate Change and Sustainability

- 7.10 Emerging Policies LPRQ&D1 and LPRSP14(C) requires new development to demonstrate how sustainability has been incorporated into the design, construction, and operation of the development, along with mitigating and adapting to climate change.
- 7.11 The planning application is accompanied by a Climate Change and Sustainability Statement by Brookbanks. This confirms that the Proposed Development will reduce the greenhouse gas emissions through lowering demand while improving energy efficiency. Meanwhile, overall sustainability will be addressed through a multifaceted approach to water management, open space provision and ecological considerations, among other factors. It is anticipated further details could be secured by condition and/or at the reserved matters stage. Therefore, the Proposed Development fully complies with Policies LPRQ&D1 and LPRSP14(C).

Conclusion of Planning Assessment

- 7.12 Given the above assessment in sections 6 and 7, the proposed development is fully compliant with emerging Policy LPRSA248, and the wider emerging Local Plan as a whole given the range and scope of the requirements of Policy LPRSA248. As this is the case, in line with paragraph 11 of the Framework, planning permission should be granted without delay.

8. Draft Heads of Terms

- 8.1 Draft Heads of Terms for a Section 106 Agreement, to provide a level of infrastructure to support the development in accordance with the Community Infrastructure Levy Regulation (CIL) (2010) (as amended), are set out below. The exact scope and content of any Agreement will need to be discussed and finalised during the application process.
- 8.2 The Council implemented CIL in October 2018, and this comprises the primary funding source for infrastructure necessary to support new development. Nevertheless, planning obligations, by way of a S106 agreement, are still required for securing site specific infrastructure.
- 8.3 In light of the above and subject to detailed discussions with the Council, it is anticipated that the S106 pursuant to this planning application will cover the following key areas:
- a. Affordable housing;
 - b. Off-site highway improvements;
 - c. Travel plan;
 - d. Biodiversity net gain off-setting; and
 - e. Open space management strategy
- 8.4 Discussions with the Council on the above will continue during the application process such that agreement of Heads of Terms can be reached by the time that this application is determined.

9. Conclusion

- 9.1 This Planning Statement has been prepared in support of an outline application with all matters reserved save for access, for up to 112 dwellings with vehicular access, public open space, ancillary works and associated infrastructure. The Site comprises two parcels, which are subject to an emerging allocation LPRSA248 in the draft Maidstone Local Plan, which is an advanced stage.
- 9.2 Given the advanced stage of the Emerging Local Plan, substantial weight should be afforded to its policies in line with paragraph 48 of the Framework, and as such this Statement has assessed the merits of the Proposed Development against the relevant policies of the emerging Local Plan, in particular Policy LPRSA248.
- 9.3 This statement has demonstrated that the Proposed Development would be fully compliant with emerging site allocation LPRSA248 and the wider emerging plan taken as a whole. The Proposed Development is therefore consistent with all relevant policies, and as such represents a sustainable development that it is respectfully requested planning permission is granted for in line with Paragraph 11 of the Framework.

Appendix 1 – Screening Opinion

Appendix 2 – Main Modifications to the emerging Local Plan

Appendix 3 – Representations to the Main Modifications Consultation

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