

Our Ref: SD/31153

**Marion Geary MRTPI**  
**Principal Planning Officer Development Management**  
**Maidstone Borough Council**  
**Maidstone House**  
**King Street**  
**Maidstone**  
**ME15 6JQ**

5<sup>th</sup> February 2025

Dear Marion

**Outline application (all matters reserved except for access) for up to 100 dwellings with incidental open space, equipped play area and car park and one senior football pitch (with various improvements to local Highways and Public Rights of Way) with associated wetland scheme for nutrient reduction and full application for change of use of agricultural land for public sports and recreation with ancillary facilities.**

**LA Ref: 19/504724/HYBRID**

### **Planning Conditions and S106 – Nutrient Neutrality Credits**

Further to your recent meeting and discussions with the Tim Dean of Dean Lewis Estates Limited I write to confirm the proposed arrangements that we wish to be included with the S106 Agreement and accordingly the planning regarding the use of Nutrient Neutrality Credits as an alternative to the Floating Water Treatment proposals.

By way of background, Dace Environmental Limited and Greenshank Environmental Limited are working in partnership to deliver a Nutrient Neutrality mitigation scheme that will be secured with a standalone Section 106 agreement with Ashford Borough Local Planning Authority (LPA). Crucially their mitigation scheme is wholly within the River Stour Catchment.

The Stodmarsh Stream Enhancement scheme involves managing and improving small watercourses in agricultural environments. This approach is supported by a framework methodology that Greenshank were commissioned to produce for Natural England and was published in March 2024.

Specific site by site scheme locations are currently undergoing ecological assessments, in readiness for consent applications to be submitted to Ashford Borough, utilising the already approved Stream Enhancement framework adopted by Natural England.

In essence, we propose that the S106 agreement for our planning application (19/504724/HYBRID) will incorporate a clause which permits the developer to draw upon these credits, provided that they have been formally approved by Ashford Borough in consultation with Natural England. The S106 will have a

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requisite sign off mechanism ensuring that evidence of the availability of the credits is provided, and that the land producing the credits is securely covenanted to ensure the same.

The Planning S106 Agreement will then also incorporate a Planning Obligation which refers to area of land attributed to the proposed Floating Wetland Treatment system and also refers to those planning conditions which also directly refer to the FTW. This obligation will confirm that, should the Nutrient Neutrality Credits be used instead of the FTW, the Planning Conditions that apply to the FTW will no longer applicable. A mirror of this condition should also be included with the actual list of planning conditions for completeness.

Should you require any further information please do not hesitate to let me know.

Yours sincerely



**Steve Davies BA (Hons) Dip UP MRTPI**

For and on behalf of  
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