

Land off Old Ashford Road Lenham

Planning Addendum

On behalf of Dean Lewis Estates

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

HPPC Ref: 31153

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1 INTRODUCTION

- 1.1 This planning addendum is submitted to address changes made to the form of the development since the application 19/504724/HYBRID was originally submitted to Maidstone Borough Council in 2019. The subsequent requirement to achieve nutrient neutrality has resulted in the application requiring the provision of additional works to achieve mitigation. The accompanying technical reports have been reviewed and updated to reflect the impact of these additional works on their areas of technical interest. In addition, the Planning Addendum reviews the changes to Planning Policy and Planning Guidance that have occurred since the justification for the development in terms of planning policy was made at the time of the original submission of the application.

2 Submitted Document List

- 2.1 The table in Appendix 1 identifies the drawings and documents that currently are a part of the submitted planning application that are updated and superseded by the accompanying documents submission package (December 2024) including this addendum that seek to ensure that the application is accompanied by up-to-date technical information and a review of current planning policy and guidance to demonstrate the overall acceptability of the development proposals.

3. Planning Policy Update – The Development Plan

- 3.1 When originally submitted in 2019 the application made reference to policies contained within the Maidstone Local Plan adopted 2017 and to the guidance contained within the NPPF (revised February 2019). In addition, the Lenham Neighbourhood Plan was at the consultation draft stage.
- 3.2 During the course of the consideration of the application the Lenham Neighbourhood Plan has been adopted July 2021, and the Maidstone Local Plan has been subject to a review, which resulted in the adoption of a new Maidstone Local Plan Review in March 2024. The planning application is to be determined against the current development plan and current NPPF dated 12/12/24.
- 3.3 The NPPF requires that locally prepared plans can provide for housing in a sustainable manner. Preparing and maintaining up to date plans should be seen as a priority in meeting this objective. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 3.4 It is demonstrated that the application proposals fully accord with the relevant policies as set out within the Maidstone Local Plan Review, adopted 2024 and the Lenham Neighbourhood Plan adopted July 2021.

4. Planning Policy Assessment

Housing Requirement – Maidstone Borough Local Plan Review

- 4.1 Maidstone Borough Local Plan covering the plan period 2021-2038 was adopted in March 2024. At Paragraph 5.7 of the LPR the matter of 'Housing Needs' is addressed under the heading 'Requirements'. In this regard the LPR states that The Government, through the NPPF and associated Planning Practice Guidance, has introduced a new 'standard method' to calculate the borough's **minimum housing need**. This standard method has been reviewed in the Strategic Housing Market Assessment (SHMA) and, based on 2021 data, results in a local housing need for 1,157 dwellings per annum in Maidstone borough, which equates to **19,669 dwellings** over the proposed 2021-2038 plan period for the Local Plan Review.
- 4.2 **Policy LPRSS1** 'Maidstone Borough Spatial Strategy 2021-2038' deals specifically with this matter stating that, "Between 2021 and 2038, provision is made through the **granting of planning permissions** and the **allocation of sites** for a **minimum** of 19,669 new dwellings.
- 4.3 **Policy LPRSP6(D)**: states that Lenham has formulated a Neighbourhood Plan which **allocates land for circa 1,000 dwellings** across three areas (7 sites including H1(41)).

Lenham Neighbourhood Plan – Housing Delivery

- 4.4 The adopted Lenham Neighbourhood Plan remains extant which also identifies the application site as one of seven sites that seek to deliver **around 1000 houses** as part of the Lenham Broad allocation by 2031. Under the heading 'Strategic Housing Delivery Sites' at paragraph 11.1.2 it states that, "*MBLP identifies, at Policies SP8 (6) and H2 (3), that Lenham should be a broad location for housing growth **for the delivery of approximately 1000 dwellings up to 2031**. MBLP Policy SP20 makes it clear that 40% of the 1000 homes will deliver affordable housing to meet borough-wide need*". Policy SHDS also reconfirms that the housing delivery numbers are approximate, as does the text within 'Policy - Strategic Housing Delivery Site 1 - Land South of Old Ashford Road'.

Housing Delivery

- 4.5 The Local Plan deals specifically with the matter of housing delivery under **Policy LPRSP10** and provides specific guidance in respect of Designated Neighbourhood Areas. At item 7, It states, "**As a minimum**, and as set out in the table below in the supporting text, Designated Neighbourhood Areas are required to accommodate housing from any site allocations within

*their designated neighbourhood area boundary (or part thereof), as contained in Section 8 and Appendix 1 of this LPR”, of which the sites within the Lenham Neighbourhood Plan are included. The application of housing delivery numbers is further emphasised in item 8 which also states, “Any future Designated Neighbourhood Areas will be expected to accommodate, **as a minimum**, relevant housing requirements from: a. Site allocations within this LPR...”*

- 4.6 The Lenham Broad Allocation is identified in the LPR as a Designated Neighbourhood Area with a minimum requirement for 1,047 units (minimum). The housing delivery for Lenham is therefore to be considered as a minimum figure.

Density of Residential Development

- 4.7 In line with the NPPF the need to deliver more houses and make best use of land is addressed with LPR policy **LPRHOU5** (Density of Residential Development). It requires that all sites within or adjacent to the Rural Service Centres, Larger or Smaller villages, as defined under policies **LPRSP1** to **LPRSP8** (the application relates to a site addressed by policy **LPRSP5**) will be expected to achieve a minimum net density of 30 dwellings per hectare where that is compatible with the individual setting of those sites.

Site Development Principles

- 4.8 Policy **LPRSP5 (c)** sets out the specific approach required to the development of the housing at Lenham. This includes; (1) making efficient use of land, (7) to incorporate appropriate landscape treatment which ensures that the developments can be satisfactorily assimilated into the surrounding area and (8) Protect and, where possible enhance any features of biodiversity value on site or off site, (11) address nutrient neutrality and (13) mitigate any impacts on the setting of the Kent Downs. In respect of (8) it is also noted that policy **LPRSP14(A)** requires the delivery of a minimum 20% biodiversity net gain on new residential development.
- 4.9 Other policies of relevance to the consideration of the application contained in the LPR include a mix of housing, **LPRSP10(A)** and 40 % affordable housing provision **LPRSP10(b)**. Further policies relating to specific requirements for site development **LPRQD1** (water saving), **LPRQD6** (internal space standards, M4 (2), some M4(3) and **LPRQD7** (Private open space standards) can all be met, and will be demonstrated as part of the submission of the subsequent reserved matters for the site.
- 4.10 In terms open space and community requirements for housing developments the policies in

the LPR now include policy **LPRINF1** for open space provision, and for community facilities, policy **LPRINF2**. The application proposals demonstrably accord with these policies.

Other Material Considerations - Strategic Land Availability Assessment

- 4.11 As part of the evidence base to support the adoption of the new Local Plan the council assessed the capacity of the application site in the Strategic Land Availability Assessment. The site was assessed in tandem with the wider area of land in this location referred to as Land at East Lenham Farm Lenham - Site 188. The conclusions within the SHLAA confirm that the site is Available, Suitable and Achievable and is capable delivering 437 dwellings at density of 30 dwellings per hectare.

Conclusion – Compliance with the Development Plan

- 4.12 It is clear that the housing requirement across the borough increased since the application was originally submitted. Between 2021 and 2038, the Local Plan, through the granting of planning permissions and the allocation of sites, provides for **a minimum of 19,669 new dwellings**.
- 4.13 The application proposals, which are included as an allocation within the extant Lenham Neighbourhood Plan will assist with the delivery of this increased housing need for both market and affordable homes. Both the housing requirements and the capacity of adopted allocated housing sites are expressed as minimum requirements. Further the allocations are guided by a minimum density of 30 dwellings per hectare.
- 4.14 The proposals demonstrably also accord with development plan policies in this regard. Development of 100 dwellings at 31.5 dwellings per hectare average across the site accords with both local and national policy that requires housing developments to make best use of land.
- 4.15 In terms of the provision of community facilities, open space, and space standards, the proposals not only fully accord with the minimum requirements but make provision substantially above requirements. These are broadly unchanged and as previously advised it is considered that these matters will be fully addressed in the resultant detailed scheme.
- 4.16 A key change though is the requirement for this allocated site to developed at an increased density of 30 dwellings per hectare as part of the overall requirement of the LPR to ensure that all existing allocated sites contribute towards the overall increase in housing requirements across the borough.
- 4.17 The Information submitted in support of the proposals in respect of nutrient neutrality

demonstrates that the floating wetland treatment mitigation system delivers a nutrient neutral development. The design of the system and the efficacy of evidence necessary to demonstrate its capability has independently verified by Harper Adams University.

- 4.18 The proposal, will deliver the requisite Biodiversity Net Gains in line with policy. The empirical work to establish the baseline and gains when judged against the national metric is under preparation and will be submitted separately.
- 4.19 Overall, it is clearly demonstrated that the development proposals as submitted fully accord with the development plan when read as a whole and fully align with the relevant policies contained within the recently published National Planning Policy Framework.

5. Updated Drawings

- 5.1 The updated document list at paragraph 2.1 above identifies two revised drawings submitted as submitted. A revised site location plan, drawing NO. 7968-L-200 REV.G that reflects the necessary requirements for delivering the nutrient neutrality mitigation scheme. Secondly an updated parameters plan, drawing no. 768-L-11 REV. N that reflects recent discussions with the case officer in respect of the layout of the site which now secures a 30m landscape offset to be provided from the back of the highway in Old Ashford Road. The parameters plan also confirms the provision of open space against policy LPRINF1 of the LPR. Also, in this regard the 5m landscaping tree buffer on the north side of the A20 is reaffirmed.
- 5.2 The updated Design and Access Statement is also provided that clarifies and confirms the overall approach to the form of development intended, and which follows the ongoing discussions with and subsequent requirements of the case officer.

6. Updated Technical Reports

6.1 As listed at paragraph 2.1 above, the following technical reports have been updated and confirm the overall acceptability of the up to date development proposals to reflect the changes required in addressing nutrient neutrality.

- a) Flood Risk Assessment
- b) Preliminary Ecological Appraisal and implications for BNG
- c) Landscape Visual Impact Assessment
- d) Nutrient Neutrality Report
- e) Report to Inform Habitats Regulations Assessment

6.2 Each report demonstrates how each of these issues is addressed and provided the council with the information, conclusion and mitigations necessary to understand that the development is wholly satisfactory without any adverse impact to any of these specific matters.

Flood Risk Assessment

6.3 The accompanying FRA supersedes that originally submitted. It provides an assessment of the impact of the proposed development as now proposed, including the nutrient neutrality mitigation scheme on the flood risk. The FRA demonstrates the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere. The report concludes that the development should not be precluded on the grounds of flood risk, as well as surface water and foul drainage.

Updated Preliminary Ecological Appraisal and implications for BNG

6.4 The letter from the project Ecological Consultants, FPCR Environment & Design, dated 12th December 2024, provides an assessment of the current standing of the submitted ecological reports and how these relate to the form of development as now proposed. This assessment is carried out on a species-by-species basis and confirms how for each the current position and mitigation and whether is appropriately covered by the submitted ecological information. In addition, it is demonstrated that the submitted ecological information addresses the impact of the additional areas of land incorporated in the nutrient neutrality mitigation works. The proposed development contains significant areas of open space and landscape planting

zones as well as the wetland areas associated with the nutrient mitigation measures. These are large areas of formerly arable farmland land that would readily and significantly contribute to the bio diversification of the area, the scheme there has the potential to realise significant biodiversity enhancements.

- 6.5 Essentially it is confirmed that no additional ecological assessment is required and therefore a decision can be made on the information available to the Local Planning Authority.

Landscape Visual Impact Assessment

- 6.6 An addendum is provided for the originally submitted LVIA. The LVIA addendum addresses design changes to the proposed development and the adoption of the Maidstone Local Plan review.
- 6.7 The addendum identifies the following design changes,
- A wider landscape frontage of 30 m along Old Ashford Road
 - A separation in density between the eastern and western portions of the site to allow lower density to the east and higher density to the west, and,
 - A new area of wetland treatment works within a separate field to the south of Mill Wood.
- 6.8 Overall the design principles set out within the scheme have remained the same, with up to 100 dwellings provided at an average density of 31.5 dph in accordance with policy.
- 6.9 The addendum confirms how the increased landscape frontage to landscape frontage to Old Ashford Road has a positive influence on visual effects, however, it is not considered substantial enough to result in any changes to the judgement of visual effects for these receptors included within the submitted LVA. In respect of the change in the density of the layout, this is identified in the addendum as a relatively minor adjustment that will not be readily perceived and as a result no changes to the landscape and visual effects included within the LVA are anticipated to result from the proposed change.
- 6.10 The provision of the new area of wetland treatment works is identified as having a localised landscape effect upon this area. The provision of the associated landscaping on existing arable land will potentially bring positive landscape effects to this particular area of land in the long term as a result of increased habitat and biodiversity benefits. However, the addendum makes the judgement that landscape effects upon the overall site and its immediate context are not considered to change from that submitted in the LVA.

- 6.11 The LVA Addendum reviews the changes to the policies, specifically those resulting from the adoption of the Maidstone Local Plan Review. The addendum identifies that the replacement of policy DM19 (Publicly Accessible Open Space and Recreation) with policy LPRINF1 (Publicly Accessible Open Space and Recreation) results in limited changes and would not affect the judgements of landscape and visual effects as presented within the submitted LVA.
- 6.12 Overall the addendum confirms that there would be no changes to the judgements of landscape and visual effects nor the overall conclusion of the LVA.

Nutrient Neutrality Report

- 6.13 The submitted Nutrient Neutrality Report builds on the earlier iterations of the report and the subsequent comments received from Natural England. The report is considered to fully demonstrate how nutrient neutrality will be achieved and will remain in place for the lifetime of the proposed development.
- 6.14 The scheme which sees 1.9 ha of arable land converted to a 1.34 ha pond and associated Floating Treatment Wetland surrounded by 0.56 ha of fallow land. And which includes the following measures;
- Construction Environmental Management Plan which includes best practice methods for protecting the environment during construction;
 - Landscape Plan and Ecology and Landscape Management Plan to provide a framework for mitigation and management of open space/soft landscaping that will be enacted for the lifespan of the Proposed Development;
 - Surface Water Management Strategy to intercept and treat surface water run-off from carriageways, car parks, buildings and hard paved public areas through a variety of devices near the source of the run-off prior to infiltration or discharge from the Site;
 - Foul Water Drainage Strategy to limit the average water consumption per person to 110l/day; and
 - Creation of a Pond and Floating Treatment Wetland to remove nutrients from the Proposed Development's surface water run-off and the headwater tributaries of the Great Stour River.
- 6.15 The design measures ensure the removal of the nutrients from the proposed development as well as the nutrients within the headwater tributaries of the Great Stour that feed the proposed pond and associated Floating Treatment Wetland. In addition, measures including

those highlighted for the construction to be implemented in the CEMP will compliment towards achieving the overall aim of nutrient neutrality. The report demonstrates how the resulting Total Phosphorus budget of -1.02 kg TP/yr and the Total Nitrogen budget of -143.49 kg TN/yr will be achieved and confirms that the proposed development will achieve nutrient neutrality and there will be no adverse effect on the site integrity of Stodmarsh SPA, SAC and Ramsar.

6.16 The report concludes;

“There will also be no adverse in-combination effects associated with other residential or overnight accommodation developments within the Stodmarsh Catchment as each of the cumulative developments that could affect Stodmarsh SPA, SAC and Ramsar will be nutrient neutral in accordance with the Natural England Advice Note and therefore have no adverse effects on their own due to their locations and the mitigation and/or design measures being provided by each of the cumulative developments”.

Report to Inform Habitats Regulations Assessment

6.17 This report compliments the Nutrient Neutrality Report. It has the purpose to update and inform a Habitats Regulation Assessment (HRA) for the Proposed Development in compliance with Regulation 63 (1) of The Conservation of Habitats and Species Regulations 2017 (as amended)¹ to identify whether the Proposed Development on its own or cumulatively with other developments will have any adverse effects on the site integrity of Stodmarsh Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site (approximately 28km to the northeast downstream within the Stour Catchment). There are no other, SPAs, SACs or Ramsar Sites within 10km of the Site as discussed in the Ecological Appraisal (June 2019)² and Ecological Addendum (August 2021).

6.18 The report outlines how the latest information should be considered in respect of the HRA and particularly the sites “qualifying features.” Concluding, *“There will also be no adverse in-combination effects associated with other residential or overnight accommodation developments within the Stodmarsh Catchment as each of the cumulative developments that could affect Stodmarsh SPA, SAC and Ramsar will be nutrient neutral in accordance with the Natural England Advice Note and therefore have no adverse effects on their own due to their locations and the mitigation and/or design measures being provided by each of the cumulative developments.”*

7. Conclusion

- 7.1 The updated submission package contains clarification of all matters relevant to the consideration of this application since its original submission. The updated drawings and technical reports together with the summary of planning policies against which this application should be considered demonstrate the overall acceptability of the proposals to the extent that it is considered that all outstanding matters are fully addressed and provide the council with all the information necessary to approve this application without further delay.

December 2024 – Updated Documents	Superseded Documents
RED LINE - LOCATION PLAN - REV G	06 Jul 2022 & 05 Dec 2023 - Location Plan – Red Edged Site Plan - 7968-L-200 F
PARAMETERS PLAN - REV N	06 Jul 2022 - Parameters Plan - 7968-L-11 rev K
<p>Old Ashford Road Lenham Neutrality Report v3_Part 1</p> <p>Old Ashford Road Lenham Neutrality Report v3_Part 2</p> <p>Old Ashford Road Lenham Neutrality Report v3_Part 3</p> <p>Old Ashford Road Lenham Neutrality Report v3_Part 4</p> <p>Appendix 5 – Lenham Land P+N calcs 201124</p> <p>Appendix 5 – Nutrient_Calculator_Stodmarsh_SAC_and Ramsar_V_03_01_4 (2) Lenham 201124</p>	Marian Cameron Consultants Limited - 05 Dec 2023 - Nutrient Neutrality Report (Revision 2)
<p>Old Ashford Road Lenham – Report to Inform HRA v3 Part 1</p> <p>Old Ashford Road Lenham – Report to Inform HRA v3 Part 2</p> <p>Appendix 2 – Lenham Land P+N calcs 201124</p> <p>Appendix 2 – Nutrient_Calculator_Stodmarsh_SAC_and Ramsar_V_03_01_4 (2) Lenham 201124</p>	Marian Cameron Consultants Limited - 05 Dec 2023 - Report to Inform the Habitats Regulations Assessment (Revision 2)
<p>1_SHF 1528 004 R 001 D – Old Ashford Road Flood Risk Assessment Part 1</p> <p>2_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 2 -EA Surface Water Flow Paths</p>	<p>Enzygo – 05 Dec 2023</p> <p>Flood Risk Assessment, Part 1 -</p> <p>Flood Risk Assessment, Part 2</p> <p>Flood Risk Assessment, Part 3</p>

3_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 3 - Proposed Attenuation Basins and Appendix 1-4 4_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 4 - Appendix 4 continued – Appendix 6 5_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 5 - Appendix 7 6_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 6 - Appendix 7 continued 7_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 7 -Appendix 7 continued 8_SHF 1528 004 R 001 D – Old Ashford Road FRA Part 8 - Appendix 7 continued – Appendix 10	Flood Risk Assessment, Part 4 Flood Risk Assessment, Part 5 Flood Risk Assessment, Part 6
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December 2024 – Updated Documents – Addendum to Original Reports	Original Reports
Addendum to 18 Sep 2019 -Design and Access Statement	18 Sep 2019 -Design and Access Statement
Addendum to 18 Sep 2019 - Landscape and Visual Appraisal	18 Sep 2019 - Landscape and Visual Appraisal
Addendum to 18 Sep 2019 – Planning Statement	18 Sep 2019 – Planning Statement