

REFERENCE NO - 21/505341/SUB		
APPLICATION PROPOSAL Submission of Details to discharge Condition 14 (Vehicular access strategy) of planning permission 20/502266/FULL		
ADDRESS Land Off Farleigh Hill Tovil Kent		
RECOMMENDATION Application Permitted		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed all-purpose T-Junction with Ghost Turning Lanes and pedestrian refuge islands on Farleigh Hill and emergency access to Straw Mill Hill has passed Stage 1 and 2 safety audits, has s278 Technical Approval and KCC has no highway safety concerns subject to adequate visibility splays and implementation prior to first occupation.		
REASON FOR REFERRAL TO COMMITTEE Called in by Cllr Wilby and Tovil PC due to highway safety concerns		
WARD South	PARISH/TOWN COUNCIL Tovil	APPLICANT PJBurke (Kent) Ltd AGENT MDAssociates
TARGET DECISION DATE 01/12/21		PUBLICITY EXPIRY DATE 26/01/22

Relevant Planning History

22/500967/NMAMD Non-material amendment: Minor alterations to the application boundary (relating to 10/0256 amended by 20/502266/FULL).
Pending Consideration

20/502266/FULL

Section 73 Variation of conditions 3, 4, 5, 6, and 10 of MA/10/0256 (Application to extend the time limit for implementing permission MA/01/0686 being "Outline application for the erection of dwellings with associated access with provision for community facilities and open space with all matters reserved for future consideration"), to amend the wording to "The development shall not commence outside of the hatched area on drawing MTL-127-14-rev B until...", to allow some development to commence on site prior to the requirements of each condition being met.
Approved 06.01.2021

20/503055/FULL

Section 73 -Variation of Condition 2 (Surface Water Drainage Scheme) and 3 (Arboricultural Method Statement) pursuant to application 15/509041/REM (- Approval of reserved matters (siting, design, external appearance and landscaping) following the outline approval dated 23 November 2012 (MA/10/0256) for the erection of 272 dwellings (planning conditions 1, 2, 7 and 8) to amend the wording to "The development shall not commence outside of the hatched area on drawing MTL-127-14-rev B until...", to allow some development to commence on site prior to the requirements of each condition being met.
Approved 30.10.2020

18/504575/FULL

Improvement of existing access to provide a new roundabout access to serve land off Farleigh Hill, Tovil.
Approved 23.05.2019

15/509041/REM

Approval of reserved matters (siting, design, external appearance and landscaping) following the outline approval dated 23 November 2012 (MA/10/0256) for the erection of 272 dwellings (planning conditions 1, 2, 7 and 8).
Approved 23.05.2019

10/0256

Application to extend the time limit for implementing permission MA/01/0686 being "Outline application for the erection of dwellings with associated access with provision for community facilities and open space with all matters reserved for future consideration" in accordance with planning application submitted on 17 February 2010 and the draft S106 agreement submitted on 21 April 2011.
Approved 23.11.2012

06/0919

Improvement of existing access and provision of a new roundabout for access to serve Walnut Tree Farm and Land off Farleigh Hill, Tovil as shown on drawing number(s) DHA/5736/01 and 1146/GA/03 Rev A received on 16/5/06 and as amended by additional document(s) being drawing numbers 1146-SD-1100-03, -39, -54 and -62, 1146-SD-1200-1, and 1146-GA-04 received on 19/7/06.
Approved 15.09.2006

01/0686/01

An application for approval of reserved matters pursuant to Condition 1 of MA/01/0686 (Outline application for the erection of dwellings with associated access with provision for community facilities and open space with all matters reserved) being details on siting, design, external appearance, means of access and landscaping in accordance with amended plans received on the 31st January 2008 numbered 2989 - PD001; 2989 - PD002; 2989 - PD023; 2989 - PD030; 2989 - PD031; 2989 - PD032; 2989 - PD100; 2989 - PD101; 2989 - PD102; 2989 - PD103; 2989 - PD104 together with attached proposed accommodation schedule received 06/02/2008.
Approved 03.04.2008

01/0686

Outline application for the erection of dwellings with associated access with provision for community facilities and open space with all matters reserved for future consideration as amended by letters of 01 June, 26 October and 02 November 2001, as shown on dwg No. DHA/3773/01 received on 01.05.01 and as amended by additional documents being letters of 01.06.01 and 26.10.01.
Approved 21.02.2005

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site has planning permission for 272 dwellings and is located on the south-western side of Maidstone, approximately 1 mile south of the town centre. It extends to an area of 6.3 hectares and has existing access to the B2010, Farleigh Hill.
- 1.02 There is a line of cottages on the NW boundary, being 129-147 (odds) Dean Street. To the north east of the cottages is a redundant highway used for informal parking as a 'layby'. Opposite is the Tovil Household Waste/Recycling Site off Burial Ground Lane.

2. PROPOSAL

- 2.01 Condition 14 requires an up to date assessment of the scheme in terms of highway safety terms because the applicant wishes to omit a roundabout originally approved as the main means of access. The details submitted now show primary access as a T-junction with a left/right staggered ghost island junction on Farleigh Hill (modifying the existing Burial Ground Lane ghost island). There will be a proposed pedestrian refuge island (uncontrolled crossing) to the right of the junction. The submission shows horizontal and vertical visibility is met in both directions.
- 2.02 The emergency access will be as originally approved and will pass through the neighbouring land to the east and then onto Straw Mill Hill. Visibility of that access needs to be 2.4m by 43m each way so some clearing is needed and regrading is needed to achieve vertical visibility beyond 30m to the east. The emergency access would only be for emergency vehicles and would be barriered/bollarded.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 DM21
Kent Minerals and Waste Local Plan 2013-30 as amended by Early Partial Review (2020)
National Planning Policy Framework (NPPF) Paragraph 111
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 CLLR WILBY: need TRO for double yellow lines to be progressed and confirmation of support for KCC booking system at Tovil Waste/Recycling site.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

Tovil PC:

- 5.01 Object and call in by the Planning Committee:
- Concern at safety of both drivers and pedestrians in an already busy area.
 - The brow of the hill means that drivers are dazzled during the winter months. and will not be able to see pedestrians crossing the road so the junction to be a no right turn (left turn only).
 - Concern that the traffic study was carried out in lockdowns
 - Issue with the KCC Household Waste Site queuing down Farleigh Hill.

KCC (H&T):

- 5.02 The reduction in the length of the turning lane for Burial Ground Lane is acceptable on the basis of the new booking system for the Tovil Waste Site. The GRTL that will serve the development will have a technically complaint deceleration lengths. No objections subject to:
- Provision and maintenance of the visibility splays shown on the submitted plans drawing number: 36812/C/SK01 Rev P3 and 36812/C/SK02 Rev P1) with no obstructions over 0.6 metres above carriageway level within the splays, prior to the use of the site commencing.

- Completion and maintenance of the access shown on the submitted plans (drawing number: 36812/C/SK01 Rev P3) prior to the use of the site commencing.

6. APPRAISAL

Main Issue

- 6.01 The proposed scheme is in accordance with Manual for Streets, has passed Stage 1 and 2 safety audits, has s278 Technical Approval and KCC is satisfied the overall design is acceptable in highway safety terms subject to visibility splays and implementation of the new junction before any occupation of the site.
- 6.02 Concerns from the Ward Cllr and Tovil PC in terms of queues from Tovil Waste site has been eliminated as it is now bookable only. A TRO for double yellow lines to the cottages in Dean Street opposite Burial Ground Lane is already required by legal agreement.

PUBLIC SECTOR EQUALITY DUTY

- 6.03 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The proposed all-purpose T-Junction with Ghost Turning Lanes and pedestrian refuge islands on Farleigh Hill and emergency access to Straw Mill Hill has passed Stage 1 and 2 safety audits, has s278 Technical Approval and KCC has no highway safety concerns subject to adequate visibility splays and implementation prior to first occupation.

RECOMMENDATION

APPROVE DETAILS

INFORMATIVES

- 1) This decision is based on the following:
- | | |
|---------------------|---|
| CCF_000088 | Emergency Exit |
| 36812/C/SK01 Rev P3 | S278 Works Visibility Splay |
| 36812-C-SK02 Rev P1 | Emergency Access Visibility Splays |
| 36812/C/001 Rev P5 | S278 General Arrangement |
| 36812/C/002 P3 | S278 Works Site Clearance |
| 36812/C/003 P3 | S278 Works Levels, Drainage, Signing and Lining |
| 36812/C/004 P2 | S278 Works Existing Utilities |
| 36812/C/005 P3 | S278 Works Construction Plan |
| 36812/C/006 P2 | S278 Works Agreement Plan |
| 36812/C/007 P2 | S278 Works Construction Details |

36812/C/008 P2 S278 Swept Path Analysis

Email From Agent re KCC dated 09.03.22

- 2) You are reminded that the legal agreement signed 6 January 2021 requires reasonable endeavours to secure a traffic regulation order for parking restrictions in the form of double yellow lines to be placed in front of 129 — 147 (odd numbers) Dean Street within 12 months of the Commencement of Development.
- 3) You are advised that the approval is based upon:
 - Provision and maintenance of the visibility splays shown on the submitted plans (drawing number: 36812/C/SK01 Rev P3 and 36812/C/SK02 Rev P1) with no obstructions over 0.6 metres above carriageway level within the splays, prior to the use of the site commencing.
 - Completion and maintenance of the access shown on the submitted plans (drawing number: 36812/C/SK01 Rev P3) prior to the use of the site commencing
 - Lockable bollards/gate to the emergency access.

Case Officer: Marion Geary