

Reference number: MA/14/0828

Amendments to conditions:

Conditions 3, 9, 13, 14, 16, 26 and 27 are to be amended in order to make them consistent with previously used conditions as follows:

*“(3) No development shall take place until details in the form of large scale drawings (at a scale of 1:20 or 1:50) of the following matters have been submitted to and approved in writing by the Local Planning Authority;*

- i) Details of the roof overhangs and eaves, which shall include rafter feet to dwellings in prominent locations within the site.*
- ii) Details of windows and doors and recesses/reveals (which shall be a minimum of 70mm).*
- iii) Details of the junction of the timber boarding and the brickwork.*
- iv) Details of the shop front to the retail unit.*

*The development shall be undertaken in accordance with the approved details and maintained thereafter;*

*Reason: To ensure a satisfactory appearance to the development and a high quality of design.*

*(9) The development shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy 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 site remediation criteria have been met. It shall also include a 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 in full as approved;*

*Reason: To prevent pollution of the environment and protect controlled waters.*

*(13) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority. The archaeological work shall be carried out thereafter in accordance with the approved details;*

*Reason: To ensure that features of archaeological interest are properly examined and recorded.*

*(14) The development permitted by this planning permission shall only be carried out in strict accordance with the approved Flood Risk Assessment prepared by Banners Gate, reference 13179 FRA, received 21st May 2014, and SuDS Methodology Statement prepared by Kirk Saunders Associates, reference 5699-D008 rev A, received 21st November 2014, subject to the details approved in writing in respect of the following:*

*The development permitted by this planning permission shall not commence until a detailed surface water drainage scheme for the site based on sustainable drainage principles*

*incorporating surface attenuation measures and an assessment of the hydrological and hydrogeological context of the development has been submitted to, and approved in writing by, the Local Planning Authority. Off site discharges should be restricted to greenfield QBAR values for all events up to and including the 1 in 100 year plus climate change event.*

*The drainage details submitted to the Local Planning Authority shall:*

*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; and*

*Relevant manufacturers' details on all SUDS features should be provided within the Flood Risk Management Plan and the Health and Safety Plan Operation and Maintenance manuals.*

*The development shall be carried out in accordance with the approved details and maintained thereafter unless with the agreement in writing of the Local Planning Authority;*

*Reason: To reduce the impact of flooding on the proposed development and prevent any impact from the development on surface water storage and flood, and future occupiers.*

*(16) The development shall not commence until details of foul water drainage, which shall include details of on-site drainage and off-site improvements to the local network, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The approved details shall be implemented in full prior to the first occupation of the development.*

*Reason: In the interest of pollution and flood prevention.*

*(26) The development shall not commence until details of the proposed materials to be used in the surfacing of all access roads, parking and turning areas and pathways within the site, and the design of kerb-stones/crossing points which shall be of a wildlife friendly design, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter alia, a minimum of three pedestrian access points between the interior of the site and the KH276 to the south of the proposed retail unit and associated service yard, and the provision of an alternative route to the KH276 to be extinguished, through the northern part of the site, as indicated on drawing number 061302-WARD-01 rev B received 27th January 2015. The development shall be undertaken in accordance with the approved details and maintained thereafter;*

*Reason: To ensure a high quality external appearance to the development, safeguard pedestrian rights of way and in the interests of ecology and biodiversity.*

*(27) No works to extinguish the KH276 Public Right of Way will be undertaken prior to the approval in writing of details of, and completion in accordance with the approved details, the alternative route for pedestrians to the south and west of the retail unit hereby permitted. The development shall be carried out in accordance with the approved details and maintained thereafter;*

*Reason: to prevent harm to pedestrian access to the open countryside and harm to the public rights of way network."*

In addition condition 11 should be amended to refer solely to Code for Sustainable Homes Level 4 and condition 41 to omit superseded drawings as follows:

*“(11) The dwellings shall achieve at least Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 or above has been achieved;*

*Reason: To ensure a sustainable and energy efficient form of development.*

*(41) The development hereby permitted shall be carried out in accordance with the following approved plans:*

*drawing numbers 061302-WARD-06, 061302-WARD-AB-E1, 061302-WARD-AB-P1, 061302-WARD-AC-E1, 061302-WARD-AC-P1, 061302-WARD-AD-E1, 061302-WARD-AD-P1, 061302-WARD-B-P1, 061302-WARD-BCS01, 061302-WARD-BLK4-P1, 061302-WARD-C-E1, 061302-WARD-C-E2, 061302-WARD-C-P1, 061302-WARD-CP01, 061302-WARD-CP02, 061302-WARD-CS01, 061302-WARD-E-E1, 061302-WARD-E-P1, 061302-WARD-G-E1, 061302-WARD-G-P1, 061302-WARDS-GAR01, 061302-WARDS-GAR02, 061302-WARDS-GAR03, 061302-WARDS-GAR04, 061302-WARDS-GAR05, 061302-WARD-J-E1, 061302-WARD-J-P1, 061302-WARD-K-E1, 061302-WARD-K-P1, 061302-WARD-SH01, 061302-WARD-SH02, 061302-WARD-SH03, 3094\_DR\_001 and 3094\_DR\_004 all received 21st May 2014; drawing numbers 061302-WARD-A-E4 rev A, 061302-WARD-A-P2 rev A, 061302-WARD-B-E1 rev A, 061302-WARD-BCS02, 061302-WARD-BCS03, 061302-WARD-BLK1-E1 rev A, 061302-WARD-BLK1-E2 rev A, 061302-WARD-BLK1-E4 rev A, 061302-WARD-BLK1-P3 rev A, 061302-WARD-BLK2-E1 rev A, 061302-WARD-BLK2-E2 rev A, 061302-WARD-BLK2-E4 rev A, 061302-WARD-BLK2-P3 rev A, 061302-WARD-BLK3-E1 rev A, 061302-WARD-BLK3-E2 rev A, 061302-WARD-BLK3-E3 rev A, 061302-WARD-BLK3-P3 rev A, 061302-WARD-BLK4-E1 rev A, 061302-WARD-BLK4-E2 rev A, 061302-WARD-BLK4-P2 rev A, 061302-WARD-BLK4-P3 rev A, 061302-WARD-CP03, 061302-WARD-D-E1 rev A, 061302-WARD-D-P1 rev A, 061302-WARD-L-E1, 061302-WARD-L-P1, 061302-WARD-RET-E1 rev A, 061302-WARD-RET-E2 rev A, 061302-WARD-RET-E3 rev A, 061302-WARD-RET-E4, 061302-WARD-RET-P1 rev A, 061302-WARD-SUB01, and 3094\_DR\_002 rev C received 21st November 2014; drawing numbers 061302-WARD-PLAN1 and 061302-WARD-PLAN2, all received 20th January 2015; and drawing numbers 061302-WARD-00 rev A, 061302-WARD-01 rev B, 061302-WARD-02 rev B, 061302-WARD-03 rev B, 061302-WARD-04 rev B, 061302-WARD-05 rev B, 061302-WARD-A-E3 rev B, 061302-WARD-A-P1 rev C, 061302-WARD-AA-E2 rev B, 061302-WARD-AA-E3 rev B, 061302-WARD-AA-P2 rev C, 061302-WARD-AA-P3 rev C, 061302-WARD-BLK1-E3 rev B, 061302-WARD-BLK1-P1 rev B, 061302-WARD-BLK1-P2 rev B, 061302-WARD-BLK2-E3 rev B, 061302-WARD-BLK2-P1 rev B, 061302-WARD-BLK2-P2 rev A, 061302-WARD-BLK3-E4 rev B, 061302-WARD-BLK3-P1 rev B, 061302-WARD-BLK3-P2 rev A, 061302-WARD-BS-01, 061302-WARD-F-E1 rev A, 061302-WARD-F-P1 rev A, 061302-WARD-H-E1 rev A, 061302-WARD-H-P1 rev A and 061302-WARD-MF-01 rev A, all received 27th January 2015 and*

*drawing numbers 13179/ATR05, 13179/ATR01 A, 13179/ATR02 A, 13179/ATR03 B, 13179/ATR04 B, 13179-110 and 13179-111, and an Arboricultural Impact Assessment (undertaken by Lloyd Bore, reference 3094\_RP\_003), Archaeological Desk-Based Assessment (undertaken by CgMs Consulting, reference DH/KB/16917), Design And Access Statement, Ecological Appraisal (undertaken by Aspect Ecology, reference ECO3367.EcoApp.dv6), Flood Risk Assessment (undertaken by Banners Gate, reference 13179 FRA), Hard Landscape Materials and Shared Surface Design Guide (undertaken by Lloyd Bore, reference 3094/RP/001), Landscape and Visual Impact Assessment, Noise Assessment (undertaken by Sharps Redmore, reference 1414270), Planning Statement, Reptile Survey Report (undertaken by Aspect Ecology, reference ECO3367.Rept Survey.dv6), Statement of Community Involvement and Transport Assessment (undertaken*

by DHA Transport, reference JSL/10140), all received 21st May 2014; and drawing numbers 061302-WARD-PER01 rev A, 061302-WARD-PER02 rev A, 061302-WARD-PER03 rev A, 061302-WARD-SS01 rev A, 061302-WARD-SS02 rev A, 061302-WARD-SS03 rev A, 061302-WARD-SS04 rev A, 061302-WARD-SS05 rev A, and 061302-WARD-SS06 rev A, and a Design and Access Statement Addendum, Planning Statement Addendum, Agricultural Land Assessment (undertaken Tim O'Hare Associates, reference TOHA/RWA), and SuDS Methodology Statement (undertaken by Kirk Saunders Associates, reference 5699-D008 rev A), all received 21st November 2014

Reason: *In the interests of clarity and to ensure the quality of the development is maintained.*"

Amendment to Recommendation:

The recommendation refers to outline planning permission; this is incorrect and the reference should be to full planning permission. As such I wish to amend the recommendation as follows:

*"That subject to the receipt of any statutory consultee party responses received prior to the expiry of the public advertisement of the partial extinguishment of the KH 276 Public Right of Way as set out above, and the prior completion of a Section 106 legal agreement in such terms as the Head of Legal Services may advise to secure the following:*

*The provision of 40% affordable residential units within the application site OR the provision of 39% affordable housing within the application site and the provision of a community facility fully fitted out for occupation and use by the Parish Council on plot 9; and*

*A contribution of £2,360.96 per 'applicable' house and £590.24 per 'applicable' flat towards the build costs of extending Harrietsham Primary School; and*

*A contribution of £148.68 per dwelling to be used to address the demand from the development towards additional book stock and services at libraries local to Harrietsham; and*

*A contribution of £30.70 per dwelling to be used to address the demand from the development towards the provision of new/expanded facilities and services both through dedicated adult education centres and through outreach community learning facilities local to the application site; and*

*A contribution of £8.44 per dwelling to be used to address the demand from the development towards youth services through increased centre based youth services local to the application site; and*

*A contribution of £63.56 per dwelling to address the demand from the development for adult social services to be used towards the provision of new/expanded facilities and services both on site and local to the development, including assistive technology and enhancement of local community facilities to ensure full DDA access; and*

*A contribution of £71,028 (based on £360 per predicted occupier of market dwellings) to be prioritised firstly towards healthcare facilities at The Glebe Medical Centre, Harrietsham and then The Len Valley Medical Centre, Lenham; and*

*A contribution towards highway improvements to the A20 in Harrietsham (final amount to be confirmed); and*

*A contribution of £200 towards the improvement and maintenance of public rights of way in the vicinity of the site; and*

*The provision of land identified on drawing number 061302-WARD-PLAN2 received 20<sup>th</sup> January 2015 for public allotments and a contribution of £907.80 per dwelling towards the improvement of parks and open spaces within 1km of the proposal site OR a contribution of £1,575 per dwelling towards the improvement of parks and open spaces within 1km of the proposal site.*

*the Head of Planning and Development be given delegated powers to grant planning permission subject to the conditions and informatives set out in the report.”*

Planning Policy Update:

The Council's Overview and Scrutiny Committee have recommended that the extent of the developed area of the proposal site be amended to accord with that of the application before Members, as discussed in paragraph 3.03 of the report on the agenda. This recommendation has subsequently been approved by Cabinet.

Recommendation:

Subject to the amendments set out above, my recommendation remains unchanged.