

Ref: 16/503775/FULL

Urgent Urgent Update

Introduction

This paper covers three topics:

1. Differences between the previous application 14/506264 and the current application
2. Clarification of traffic survey data
3. Appendix B of the above report (omitted from the main report)

1. DIFFERENCES BETWEEN PREVIOUS APPLICATION 14/506264 AND THE CURRENT APPLICATION

This full application is a duplicate of application 14/506264 for the same development which picks up on and addresses the issues and recommendations discussed by members at the committee meeting on the 14th July and as set out in the agreed minutes set out below in Appendix B. These are reported in full in the main report but are summarised for ease of reference below:

Heads of Terms

Rat Running – financial contribution for monitoring and mitigation

Development Monitoring Committee – financial contribution to set up and run Committee.

Bus improvements – financial contribution to extension of routes 12 and 82 serving Headcorn Railway Station, Bearsted Railway Station and the Cornwallis Academy.

Conditions

Air Quality Impact Assessment

Open Space & Provision of Play Area - open space shall be designated as 'public open space' and the provision of a childrens play area.

Provision of a Landscape and Ecological Management Plan (LEMP)

Building Materials – incorporation of Kent Ragstone into prominent elevations

Architectural detailing - further details of the to be provided

Surfacing to Public Footpath PROW KM94 – provision of a naturalistic surface material

Landscape Corridor Between Bicknor Wood and Belts Wood - that tree planting is provided to the north west corner of the site to create a landscape corridor between Bicknor Wood and Belts Wood as follows:

Provision of underground ducting

An additional condition is recommended related to provision of underground ducting prior to occupation of the development

AMENDED CONDITION 2

Due to the receipt of revised and additional plans since publication of the agenda, condition 2 is amended to incorporate the revised and new drawing numbers as follows:

2) Except as set out in these conditions, the development hereby permitted shall not be carried out except in accordance with the approved plans, drawings, reports and supporting documents:

- Planning Statement dated December 2014
- Icen Transport Technical Note dated March 2016
- Transport Assessment dated December 2014
- Extended Phase 1 Habitat Survey dated August 2014
- Bat Survey dated August 2014
- Reptile Survey dated August 2014
- Flood Risk Assessment & Drainage Strategy dated December 2014
- Draft Travel Plan dated December 2014
- Agricultural Land Classification and Soil Resources dated July 2016
- Air Quality Assessment dated December 2014
- Contamination Phase 1 Desk Study July 2014
- Noise Assessment dated December 2014
- Sustainability Report November 2014
- Cultural Heritage Desk Based Assessment dated December 2014
- Landscape and Visual Impact Assessment dated 4th December 2014
- Landscape and Ecology Mitigation Proposals – Landscape Design Strategy dated 13 July 2016 Rev 01
- Construction Traffic Management Plan dated November 2015
- Proposed Schedule of External Materials received 21.07.2016

- LLD1020/03-01 – Tree protection & retention plan sheet 1
- LLD1020/03-02 - Tree protection & retention plan sheet 2
- LLD1020/01-01 – Tree constraints plan sheet 1
- LLD1020/01-02 – Tree constraints plan sheet 2
- LLD1020/02-01 – TPO plan sheet 1
- LLD1020/02-02 – TPO plan sheet 2
- Existing Tree Schedule and Schedule of Tree Works received 21.07.2016
- Arboricultural Impact Assessment. Tree Protection – Method Statement received 21.07.2016

- 3642/2.03 A 'Langley' 3 bed 2 storey semi-detached or mews house plans & elevations
- 3642/2.04 A 'Thornton' 3 bed 2 storey semi-detached or mews house plans & elevations
- 3642/2.05 A 'Davenham' 4 bed 2 storey detached house plans & elevations
- 3642/2.06 B 'Holcombe' 4 bed 2 storey detached house plans
- 3642/2.07 A 'Banbury' 4 bed 2 storey detached house plans & elevations
- 3642/2.08 A 'Ashby' 3 bed 2 storey semi-detached house plans & elevations
- 3642/2.09 A 'Birch' 3 bed 2 storey semi-detached or mews house plans & elevations
- 3642/2.10 A 4 bed 2 storey semi-detached house plans & elevations
- 3642/2.11 A 'Cranford' 2 bed 2 storey mews house plans & elevations
- 3642/2.12 A 'Hartford' 4 bed 2 storey detached house plans & elevations
- 3642/2.13 A 'Hartford Regent' 4 bed 2 storey detached house plans
- 3642/2.14 A 'Knightsbridge 2' 5 bed 2 storey detached house plans
- 3642/2.15 A 'Latchford' 5 bed 2 storey detached house plans & elevations
- 3642/2.16 A 'Stratton' 4 bed 2 storey detached house plans & elevations
- 3642/2.17 A 'Westbourne' 4 bed 2 storey detached house plans & elevations
- 3642/2.18 A 'Knightsbridge A' 5 bed 2 storey detached house plans
- 3642/2.19 A 'Connaught' (front entry garage) 5 bed 2 storey detached house plans
- 3642/2.20 A 'Connaught' (side entry garage) 5 bed 2 storey detached house plans
- 3642/2.21 'Chester' & 'Chester 2' 4 bed 3 storey town house plans
- 3642/2.22 A 'Chester' & 'Chester 2' 4 bed 3 storey town house elevations
- 3631/2.26/1 D Streetscape
- 3642/2.26/2 D Streetscape
- 3642/2.26/3 D Streetscape
- 3642/2.26/4 D Streetscape
- 3642/2.26/5 D Streetscape

3642/2.26/6 D Streetscape
3642/2.26/7 D Streetscape
3642/2.26/8 D Streetscape
3642/2.27 A 3B LTH 3 bed 2 storey semi-detached house elevations
3642/2.28 B 2B LTH & 3B LTH 2 & 3 bed 2 storey semi-detached or mews house plans
3642/2.29 'Connaught' (front entry garage) 5 bed 2 storey detached house elevations
3642/2.30 'Connaught' (side entry garage) 5 bed 2 storey detached house elevations
3642/2.31 'Holcombe' 4 bed 2 storey detached house elevations
3642/2.32 A 'Hartford' (front entry garage) 4 bed 2 storey detached house elevations
3642/2.33 'Hartford Regent' 4 bed 2 storey detached house elevations
3642/2.34 'Knightsbridge 2' 5 bed 2 storey detached house elevations
3642/2.35 'Knightsbridge A' 5 bed 2 storey detached house elevations
3642/2.37 A 2B LTH & 3B LTH 2 & 3 bed 2 storey semi-detached or mews house elevations
3642/2.39 'Hartford' (side entry garage) 4 bed 2 storey detached house elevations
3642/2.40 Apartments 1 & 2 bed 2 storey plans
3642/2.41 A Plots 1-12 apartments 1 & 2 bed 2 storey elevations
3642/2.42 Apartments 1 & 2 bed 3 storey plans
3642/2.43 Apartments 1 & 2 bed 3 storey elevations
3642/2.44 Apartments 1 & 2 bed 3 storey plans
3642/2.45 Apartments 1 & 2 bed 3 storey elevations
3642/2.46 3B LTH (side entry) 3 bed 2 storey semi-detached house elevations
3642/2.47 2B LTH & 3B LTH (side entry) 2 & 3 bed 2 storey semi-detached or mews house plans
3642/2.48 2B LTH & 3B LTH (side entry) 2 & 3 bed 2 storey semi-detached or mews house elevations
3642 2.50 – Hartford front entry elevations Kentish Ragstone
3642 2.51 – Hartford side entry elevations Kentish Ragstone
3642 2.52 – Ashby Kentish Ragstone elevations
3642 2.53 – Langley Ragstone elevations
3642 2.54 – Westbourne Ragstone elevations
3642 2.55 – Stratton Ragstone elevations
3642 2.56 – Latchford Ragstone elevations
3642 2.57 – Holcombe Ragstone plans
3642 2.58 – Holcombe Ragstone elevations
3642/3.00 Q Site layout
3642/3.01 Location plan
22663A/SK01 – Coloured Site Layout Plan
22663A/SK05 – Site Sectional Elevations AA and BB
22663A/SK05 – Site Sectional Elevations CC and DD
22663A/SK05 – Site Sectional Elevations EE and FF

2. TRAFFIC SURVEY REPORT UPDATE

There was an inadvertent error in the presentation of the two totals of the overall vehicle movements in the relevant surveys covered in the Urgent Update report provided on 14th July 2016. The error was:

For Mallards Way, Downswood, the number of vehicles was Northbound 10,828 and Southbound 9,588 (over one week); rather than 9,588 in total as stated in the 14th July Update;

For Green Hill (Otham) the number of vehicles was Northbound 2,060 and Southbound 2,184 (over one week) rather than 2,060 in total as stated in the 14th July Update

In all other respects the relevant surveys were reported accurately and their analysis and conclusions, as presented in the Urgent Update report, was correct: that the surveys do not provide clear evidence of 'rat running'. Kent County Council Highways have commented on this issue as follows: *"The urgent update has provided factual clarification on the two-way traffic flows recorded as part of the traffic surveys. This clarification does not alter the associated analysis and conclusions presented in the urgent update"*. This error was

caused in part by the surveys only being made available to officers on the day of Planning Committee.

3. APPENDIX B – 14th JULY COMMITTEE MINUTES FOR APPLICATION 14/506264

The minutes of the 14th July planning committee for the previous application 14/506264 referred to in the officer report as included in Appendix B, is included with this urgent update instead AS FOLLOWS

91. 14/506264 - RESIDENTIAL DEVELOPMENT OF 271 DWELLINGS INCLUDING 30% AFFORDABLE HOUSING, ACCESS AND ASSOCIATED INFRASTRUCTURE (AMENDED 08.03.2016) - LAND AT BICKNOR FARM, SUTTON ROAD, LANGLEY, KENT

The Committee considered the report and the urgent update reports of the Head of Planning and Development.

Ms Lamb addressed the meeting on behalf of the applicant.

RESOLVED:

1. That the Planning Inspectorate be informed that if the applicant had not lodged an appeal against non-determination, the Council would have granted planning permission subject to the completion of a S106 legal agreement and the imposition of suitable planning conditions as necessary to make the proposed development acceptable in planning terms.

2. That the S106 legal agreement would have provided the following:

- The provision of 30% affordable residential units within the application site; the tenure split to be 38% shared ownership (31 units) and 62% social rented (50 units);
- A financial contribution of £798,095.00, as calculated in Appendix A to the report of the Head of Planning and Development, towards improvements to capacity at the junctions of Willington Street/Wallis Avenue and Sutton Road to be secured prior to commencement of development subject to final amendments to be negotiated between the Head of Planning and Development acting under delegated powers and developers;
- A financial contribution of £365,850.00, as calculated in Appendix A to the report of the Head of Planning and Development, towards the subsidy required to enable the improvement of the bus service on routes 12 and 82 out to Bicknor Farm and into the land south of Sutton Road development with the prioritisation of high quality bus services serving Headcorn Railway Station, Bearsted Railway Station and the Cornwallis Academy with Real Time Information, Fast Track etc., subject to final amendments to be negotiated between the Head of Planning and Development acting under delegated powers and developers;
- A financial contribution of £611,243.84 towards the land acquisition costs for provision of a new school at Langley Park and £905,000.00 towards construction costs;
- A financial contribution of £37,453.72 towards the community facility being delivered as part of the new school at Langley Park;
- A financial contribution of £533,904.75 towards the construction of a phase of extending the Cornwallis Academy, Maidstone;
- A financial contribution of £13,012.28 towards libraries to address the demand from the development for additional book stock;
- A financial contribution of £108,400.00 towards the improvement, maintenance, refurbishment and replacement of off-site facilities for play equipment and play areas, ground works, outdoor sports provision and pavilion facilities at Senacre Recreation Ground;
- A financial contribution of £210,960.00 towards the upgrade of facilities as required at the Wallis Avenue Surgery, Orchard Surgery Langley, Mote Medical Practice and Northumberland Court Surgery;
- Annual monitoring and reporting of the effect of displaced traffic on highway routes surrounding the site (“rat-running” monitoring);
- A financial contribution towards suitable mitigation measures to combat any significant adverse traffic flow conditions as may be established by the monitoring exercise to be conducted;
- The establishment of a “development monitoring committee” to be responsible for the review of all aspects of the development, including design, phasing, quality etc., with such

members to include an Officer of the Borough Council, Ward Member(s), representatives of the appropriate Parish Council(s) and a representative of the developers; and · A financial contribution towards the setting up and running of this “development monitoring committee”.

3. That the conditions that would have been imposed be as set out in the report of the Head of Planning and Development, as amended by the first urgent update report, and the additional conditions set out in the first urgent update report (relating to ducting, architectural detailing and air quality) with the amendment of conditions 8, 9 and 10 and an additional condition as follows:

Condition 8 (Landscape and Ecological Management Plan) (amended)

Add sub-section: l) Details of the management of an on-site play area. Condition 9

(Landscaping) (amended)

Add sub-section: v) Details of tree planting to create a strong boundary treatment to the immediate north of the site to create a landscape corridor between Bicknor Wood and Belts Wood.

Condition 10 (PROW KM94) (amended) Prior to commencement of development, full details of the alignment of public footpath PROW KM94 together with surfacing material details shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure a naturalistic approach to the surface of the footpath to include limestone chippings or bark surfacing, and not black top, and the footpath shall not be adopted. The works shall be carried out in accordance with the approved details prior to occupation of the first dwelling.

Reason: The submitted plan no 22663A/SK01 does not show the definitive alignment of the PROW and to ensure good quality connectivity and acceptable appearance through the site.

Additional Condition – On Site Play Area Prior to the commencement of development full details of an equipped children’s on-site play area to be provided as part of the public open space shall be submitted to and approved by the Local Planning Authority. The approved play area shall be available for use before the first occupation of the housing hereby permitted. The details shall include the location of the play area; and the arrangement and design of play equipment to be provided. Reason: In order to ensure that the occupiers of the housing are provided with adequately set out and equipped play space for children.

Voting: 4 – For 1 – Against 6 – Abstentions

4. That the Head of Planning and Development be given delegated powers in consultation with the Head of Legal Partnership to negotiate and agree the precise details of the S106 legal agreement to be submitted to the Planning Inspectorate as part of the appeal process.
Voting: 10 – For 0 – Against 1 – Abstention