

17/500357

Parish Council Representation

A letter has been received raising the following (summarised) points:

- Do not consider sufficient adequate open space has been provided to allow for substantial landscaping as required by policy.
- Housing numbers not in line with the Local Plan and so opportunity lost to provide strategic landscaping.
- The children's play area (LAP) as not been indicated on any plans and there has been no consultation.
- The children's play area should not be located near to the A20 for safety reasons and have the highways authority been consulted.
- The cemetery opposite the site should not be included in the calculation of local open space as it is an 'open' cemetery.
- The application should be withdrawn from committee so full consultation can be made on these issues and further discussion can take place with the Parish Council.

Officer Comment

Issues relating to open space, landscaping and housing numbers have been fully considered in the main report. The cemetery opposite site was not included in the calculation of open space.

The children's play area is illustrated on the landscape masterplan and referred to in the Planning Statement although it is acknowledged that it could have been made much clearer by the applicant on the plans. As outlined in the report the LAP is proposed at the north end of the central open space, which the Parish Council is now aware of and has commented upon. The play area would not affect any local nearby residential properties.

The restricted byway meets the A20 at the north boundary of the site, which KCC PROW have clarified verbally should remain open. However, the play area itself would be enclosed and condition 13 can be amended to specifically require this so that there would not be any safety issues when children are using the play area. It is proposed outside plots 16-19 and the condition could also require that it is sited towards the south end of this space so it is as far as possible from the A20. KCC Highways have also verbally confirmed that they raise no objection on highways safety grounds.

Condition 13 is therefore amended as follows (changes in bold):

13. *No development above slab level shall take place until details of the equipping and laying out of the children's play area, **including the means of enclosure, and location (which shall be sited away from the A20)**, and the mechanism for the ongoing management and maintenance of all the public open space areas within the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.*

Reason: To ensure satisfactory public open space and its ongoing management and maintenance and in the interest of safety.

Additional Condition

No condition has been recommended requiring details of on-site renewables as firstly, none were proposed by the applicant. Secondly, in order to secure such measures on housing developments, the NPPF requires local policies to specifically require this. Policy DM2 of the Local Plan does not require decentralised energy on new housing developments to achieve increased energy efficiency or reduced carbon emission but requires new development to meet Building Regulations. Therefore we cannot insist on such measures.

However, Councillor Hardwood has queried whether the applicant is willing to provide renewables and having discussed this, they have agreed and now propose PV panels on garages and outbuildings (14 detached garages and 5 blocks serving 29 properties). This is considered to be appropriate so that they do not compromise the appearance of the houses where quality materials have been secured. This can be secured by condition as this now forms part of the applicant's proposal as follows:

No development above slab level shall take place on the detailed and outline phases until details of the locations of the proposed solar panels on garages and outbuildings for that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: For the purposes of clarity and to ensure an acceptable appearance to the development.

Amendment to Heads of Terms no. 7

The emerging Neighbourhood Plan, which will be published for consultation in mid-September, is proposing development of the William Pitt playing field. Whilst the Plan is at an early stage and may or may not continue/be adopted on this basis, it is considered appropriate to build in some flexibility for the off-site open space monies to go elsewhere in this scenario as follows:

- 7. £164,100 to deliver improvements to the children's play facilities, sports pitch & infrastructure at Ham Lane & William Pitt Field, or in the event that the this location is allocated for development under a Neighbourhood Plan/Local Plan, to deliver open space improvements at alternative public open space with the Parish that is provided under a Neighbourhood Plan/Local Plan.***

Open Space Clarification

A number of representations have suggested that the application is under-delivering on open space and that this is a negative factor against the development. This is incorrect for the following reasons:

- The site allocation policy seeks 0.34ha of open space - 0.7ha with a children's play area is being provided.
- Policy DM19 allows for an off-site financial contribution where off-site provision can't be made, or where site constraints or housing delivery expectations mean the full amount of open space (3.2ha) cannot be provided on site.
- There is no land off-site where the applicant can provide open space and site constraints/housing delivery means 3.2ha cannot be provided. The development will therefore provide £164,100 towards off-site open space.
- The proposal therefore complies with the site allocation policy and DM19 and so is in accordance with the Local Plan.

RECOMMENDATION

In addition to the changes to Recommendation 2 as per the first urgent update, condition 13 is amended as set out above, the additional condition is added, and Heads of Terms 7 is amended.