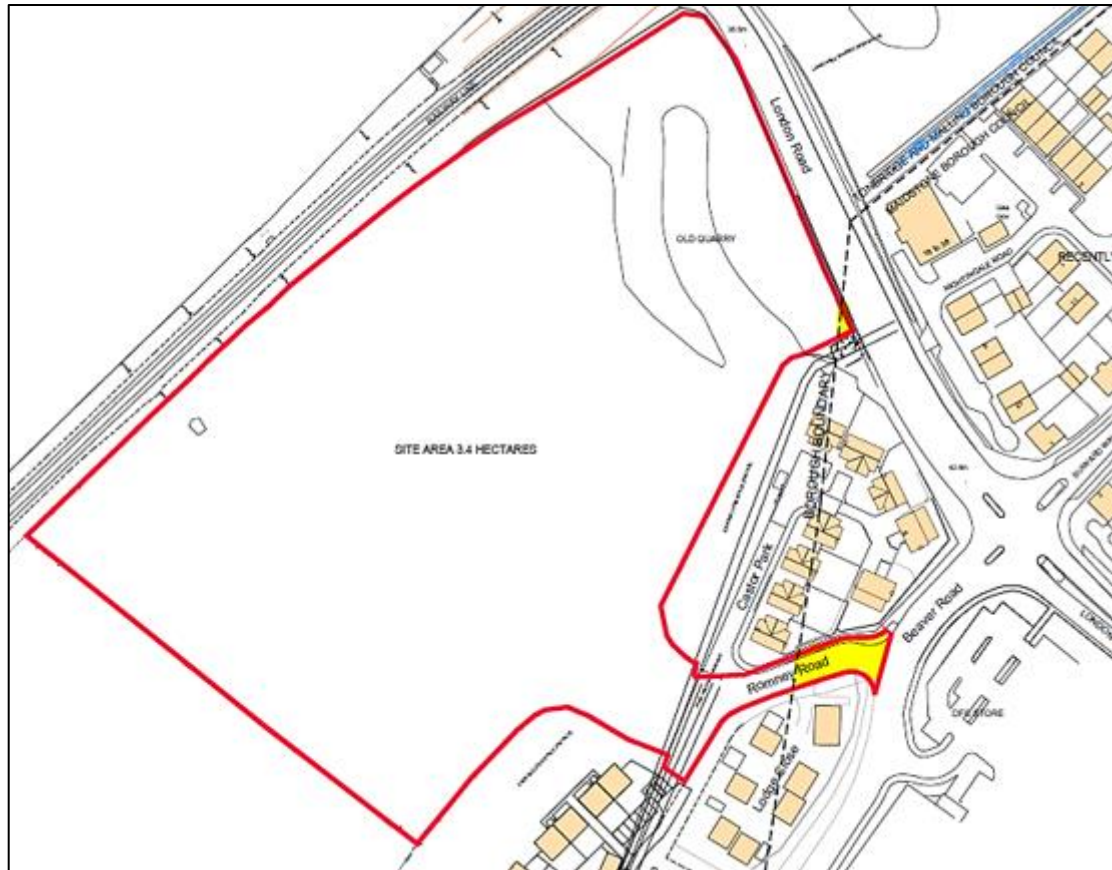


REFERENCE NO - 19/500769/EIOUT			
APPLICATION PROPOSAL			
Outline application for a residential development 106 units comprising a mix of 1, 2, 3, 4 bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (Access being sought).			
ADDRESS			
Land South West of London Road and West of Castor Park, Beaver Road, Allington.			
RECOMMENDATION – APPROVE WITH CONDITIONS			
SUMMARY OF REASONS FOR RECOMMENDATION			
<ul style="list-style-type: none"> The Council is only determining those parts of the application that fall within the Borough boundary being a short section of the access (which already exists) and a small corner of the site which is indicated as being 'natural green space' where existing trees would be retained and no physical development is proposed. The use of the proposed access through Castor Park and onto Beaver Road has been assessed by KCC Highways and no objections have been raised in terms of highway or pedestrian safety. There are no objections in terms of traffic impact subject to improvements to the Beaver Road/A20 junction which will be secured under the Tonbridge & Malling resolved planning permission. This is in accordance with policies SP23 and DM21 of the Local Plan. The small area of land indicated as being 'natural green space' would not cause any harm to the visual amenities of the local area in accordance with policies SP17 and DM1 of the Local Plan. 			
REASON FOR REFERRAL TO COMMITTEE			
<ul style="list-style-type: none"> Councillor Robertson has requested the application is considered by the Planning Committee for the reasons set out in her comments. 			
WARD Allington	PARISH COUNCIL N/A	APPLICANT Clarendon Homes & Trustees of Andrew Cheale Estate AGENT Clarendon Homes	
DECISION DUE DATE: 11/06/21	PUBLICITY EXPIRY DATE: 10/05/21	SITE VISIT DATE: 30/04/21	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
TM/19/003 76/OAEA	Tonbridge & Malling Application - Outline Application: Permission for a residential scheme of up to 106 units, associated access and infrastructure.	T&MBC PLANNING COMMITTEE RESOLUTION TO APPROVE	28/01/21

1.0 DESCRIPTION OF SITE

1.01 The site is to the west of, and accessed off, Beaver Road through 'Castor Park', in Allington. The site location plan below shows the site and the parts that fall within MBC highlighted in yellow.



1.02 As can be seen, the application site is mainly within Tonbridge & Malling Borough Council's (TMBC) jurisdiction but because part of the access and a small corner of the site falls within MBC, the applicant is required to make planning applications to both authorities. MBC can only consider the development which falls upon its land being part of the access and a small parcel that is proposed to be 'natural green space'. All the housing falls within TMBC.

1.03 TMBC resolved to approve permission for the proposed 106 houses within their part of the site at their Planning Committee in January 2021 and it is understood the legal agreement is currently being finalised before the decision will be issued. MBC officers have waited for TMBC to decide their application for the main development before making a decision on this application.

1.04 The main part of the site within TMBC forms part of a wider allocation in their draft local plan (draft policy LP28) for residential led development of approximately 1000 dwellings which also includes provision of a new primary school and associated improvements to local infrastructure. To the northwest of the site permission has already been approved by TMBC for up to 840

houses (Whitepost Field development) as part of this wider draft allocation. The part within MBC falls just outside the defined urban settlement boundary and so falls within the 'countryside' for policy purposes.

2.0 PROPOSAL

2.01 This is an outline application for 106 houses with only access being sought at this stage and all other matters reserved for future consideration.

2.02 Whilst permission must be sought for the whole development from MBC, it is reiterated that the Council can only consider those parts that fall within the Borough boundary. The access road already exists but because application sites must extend to the adopted highway (and the road is not adopted) it must be included in the application. However, no physical development or change of use of land is required. No physical development is proposed within the other small section of land but the use would technically change from agricultural/nil use to 'open space'.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan (2011-2031): SS1, SP17, SP23, DM1, DM6, DM21
- Kent Waste and Minerals Plan (amended 2020)
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

4.0 LOCAL REPRESENTATIONS

4.01 **Local Residents:** 50 representations received raising the following (summarised) points:

- Increased traffic and congestion.
- Roads and junctions cannot cope with more traffic.
- Highway and pedestrian safety.
- Parking.
- Lack of infrastructure (schools, doctors, green spaces).
- Area cannot cope with more development.
- Pressure on Maidstone's infrastructure rather than TMBC.
- Too many houses.
- Traffic pollution.
- Traffic noise.
- Harm to area.
- Harm to wildlife.
- Loss of green space.
- Vandalism to historic pill box.
- Noise and disturbance during construction.
- Loss of privacy.
- Loss of views.
- Coalescence between Maidstone and Aylesford.
- Question the need for more houses.
- Surface water flooding.
- Should consider better active travel links.

- Could help support project Merlin.
- Opportunity for active travel routes and car journey reduction.

4.02 **'New Allington Action Group'** makes the following (summarised) points:

- Main impact will be in MBC and not TMBC.
- Increased traffic and congestion.
- Roads and junctions cannot cope with more traffic.
- Should be no left turn onto the A20.
- Further traffic analysis should be requested.
- The proposed splitter island does not accommodate the expected traffic flow.
- KCC Highways respond in a piecemeal fashion.
- MBC should require 'green corridor' as per TMBC approval.
- Lack of improvements to public transport.
- Lack of infrastructure (schools, doctors, green spaces).
- Air pollution.
- Lack of public consultation.
- Loss of green space.
- Loss of biodiversity.

4.03 **Councillor Robertson** requests the application is considered by the Planning Committee and states as follows:

"The proposal is contrary to Policy CP5 of Tonbridge and Malling Borough Council's adopted core strategy. The effect of the proposal on the adjoining Allington Ward and the wider area needs to be considered by Maidstone Borough Council."

4.04 **Former Councillor Lewins:** Raises objections for the following reasons:

"1. Although this application is situated in Tonbridge and Malling, with access in Maidstone, the facilities used by any new residents would be in Allington which is already heavy developed.

2. Allington is already at capacity, with no infrastructure in place, including a lack of Doctors Surgeries.

3. Congestion on the roads, especially at peak times.

4. Beaver Road access has taken a huge hit with over development these past few years. This area is already densely populated/over-crowded.

5. Where is the strategic gap.

6. There is a distinct lack of open space in Allington due to heavy development. Plans need to be made to refuse this application and retain what little we have remaining. By cooperating with Tonbridge and Malling, semi natural open spaces could be created incorporating the Blue and Green corridors for wildlife, reducing pollution and increasing the wellbeing of our existing resident's needs."

5.0 CONSULTATIONS (relevant to MBC consideration of application)

(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)

5.01 Highways England: No objections.

5.02 KCC Highways: No objections subject to conditions securing signal mitigation for the A20/Beaver Road/Bunyard Way junction; CMP; Travel Plan; parking; and EV charging.

5.03 MBC Environmental Health: No objections re. air quality.

6.0 APPRAISAL

6.01 As stated earlier in the report, MBC can only consider the development within its boundary this being part of the access and small area of 'natural green space'. No development is required for the access but vehicles will use it and use roads/junctions within MBC so the suitability of the access, traffic and air quality impacts are considered.

Access/Traffic & Air Quality

6.02 The use of the access from Castor Park and onto Beaver Road has been assessed by KCC Highways and no objections have been raised in terms of highway or pedestrian safety.

6.03 In terms of traffic impacts, the development has been assessed using KCC's 'A20 Corridor Junction Assessment' report which has been agreed by KCC Highways. Improvements are proposed to the traffic light junction at Beaver Road with the A20. This will involve a splitter island being installed to provide a dedicated left turn lane from Beaver Road onto the west bound carriageway of the London Road, separating this from the other lane which will allow for forward and right turning traffic. The proposed changes have passed a safety audit and would suitably mitigate the impact of the development such that all arms of the junction would remain within capacity apart from the Beaver Road (ahead/right) arm which would be just over capacity (101%) in the PM peak. KCC Highways have raised no objection to the traffic impact subject to securing the junction improvement and I agree this is not a 'severe' impact at the junction. This will be secured under the TMBC planning permission via a planning condition with the improvements required prior to any occupation and so there is no need for MBC to secure this.

6.04 For other junctions in the wider area (Poppyfields Roundabout, Coldharbour Roundabout, A20/Hermitage Lane, A20/Castle Road) the applicant's Transport Assessment (TA) concludes that the development would not result in the roundabouts being over capacity subject to mitigation either secured via other development (Poppyfields) or being carried out by KCC (Coldharbour), or traffic would not have a significant impact (A20/Hermitage Lane and A20/Castle Road). For the Fountain Lane/A26 junction the applicant predicts that there would be a low number, if any, vehicle movements

through the junction. KCC Highways have advised that because of the low number of peak hour traffic movements and proximity to the Fountain Lane junction (approximately 2.5 miles away), that upon leaving the site, the impact will be diluted down once it reaches this junction, and so mitigation/financial contributions have not been requested which is reasonable. Overall, KCC Highways agree with the conclusions of the TA and raise no objections to any wider traffic impacts.

- 6.05 Highways England have raised no objections to the impact of traffic on the strategic highway network (Junction 5 of the M20).
- 6.06 TMBC will also secure a Travel Plan to promote car sharing and public transport use.
- 6.07 For the above reasons and subject to the mitigation that will be secured by TMBC, the access and traffic impact would be acceptable in accordance with policies SP23 and DM21 of the Local Plan.
- 6.08 An air quality assessment has been carried out which concludes that the development would have a negligible impact upon existing receptors in the locality (mainly along the A20 in MBC) which has been accepted by both MBC's and TMBC's Air Quality officers. TMBC will secure EV charging and a Construction Management Plan which would suitably mitigate any impacts upon air quality in MBC in accordance with policy DM6 of the Local Plan.

Area of 'Natural Green Space'

- 6.09 This is indicated as being an area of 'natural green space' with trees retained so no physical development is proposed but the use of the land would technically change from agricultural/nil us to open space. This proposed change would not result in any visual harm to the local area and so is in accordance with policies SP17 and DM1 of the Local Plan. Although a very small area within MBC, for completeness, a condition will be attached requiring the reserved matters landscaping details for this area, which would essentially be to retain existing vegetation.

Infrastructure

- 6.10 The pressure from future residents of the houses can only be considered by TMBC as all the housing falls within their Borough.
- 6.11 For information purposes, KCC have sought financial contributions towards the following:
- Primary education (new 2FE primary school to be constructed under the approved 'Whitepost Field' development to the west)
 - Secondary education (Malling non-selective and Maidstone and Malling selective schools planning area),
 - Adult education, libraries, social care (in TMBC), and youth services (local area).

6.12 The NHS CCG have sought financial contributions towards new GP premises for the Aylesford Medical Centre or refurbishment/extension of Bower Mount Medical Practice, Blackthorn Medical Centre and/or The Vine Medical Centre.

6.13 These contributions will all be secured via a legal agreement under the TMBC permission.

6.14 The Parks & Open Spaces section have identified pressure on the Jupiter Close play area nearby, seeking a financial contribution. Whilst MBC cannot secure an open space contribution as the housing is not on MBC land, the TMBC resolution includes a planning condition that requires '*amenity space, children's play areas and natural green spaces*' within the open space on site so there will be a play area which would serve new residents and suitably mitigate any off-site pressure.

Representations

6.15 The vast majority of issues raised relate to the proposed housing and matters that MBC cannot consider. Issues relating to access/traffic and air quality have been considered in the report.

7.0 CONCLUSION

7.01 The Council is only determining those parts of the application that fall within the Borough boundary being a short section of the access and a small corner of the site which is shown as 'natural green space'.

7.02 The use of the proposed access through Castor Park and onto Beaver Road has been assessed by KCC Highways and no objections have been raised in terms of highway or pedestrian safety. There are no objections in terms of traffic impact subject to improvements to the Beaver Road/A20 junction which will be secured under the TMBC resolved planning permission. This is in accordance with policies SP23 and DM21 of the Local Plan.

7.03 Impacts upon air quality would be negligible in accordance with policy DM6 of the Local Plan and mitigation will be secured by TMBC.

7.04 The small area of land proposed for use as 'natural green space' would not cause any harm to the visual amenities of the local area in accordance with policies SP17 and DM1 of the Local Plan.

8.0 RECOMMENDATION

Grant planning permission subject to the conditions set out below:

Conditions:

Approved Plans

1. The development hereby approved within the Borough of Maidstone shall be carried out in accordance with the site location plan (drawing no. LE01).

Appendix 1

Reason: To clarify which plans have been approved, to ensure a high-quality development, and to protect residential amenity.

Time Limit

2. The development hereby approved shall not commence until approval of the following reserved matters relating to the area of 'natural green' open space within the Borough of Maidstone have been obtained in writing from the local planning authority:

- a) Landscaping

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. No physical development shall take place within the area of 'natural green' open space within the Borough of Maidstone and the landscaping details submitted pursuant to condition 2 shall show retention of existing trees and vegetation here.

Reason: To protect the character and appearance of the local area.