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Address:

Reference no. MA/13/1943

**Land r/o Elizabeth House and The
Hardwicks Grigg Lane Headcorn**

Officer comment

In respect of paragraph 2.3, for clarification, I would advise Members that the application at Station Approach has been submitted by Wealden Ltd. the applicants for this application.

In respect of paragraph 5.1.1, again for clarification, the new doctors' surgery includes a pharmacy as part of the development. This is also now trading.

I can advise Members that a draft s106 agreement has now been received and is being considered by the Council's Legal Services section.

The agreement covers the main contributions set out in the report. The applicants are seeking an element of deferred payment to ease cash-flow in respect of the development in relation to the education contributions and the healthcare contribution as they are seeking to build-out the new nursery first.

In the agreement as currently drafted the applicants seek payment of 50% of the healthcare contribution prior to first occupation of any residential unit and the remaining 50% a period of 18 months after the date of the first payment.

In respect of the education contributions the applicants seek to pay to the County Council 50% of the Education Contribution prior to commencement of the development and that they would not commence development without that payment having been made (the First Payment). The residual 50% would be paid 18 months from the date of the first payment.

In principle I see no objection to this approach but their will need to be further discussion with the Kent County Council and the NHS. I wish to amend the Heads of Terms in the recommendation to take account of this.

The agreement as drafted will also need amendment to the following obligation as set out in the papers.

- To ensure that this development is not constructed in advance of the commencement of construction of the development on the adjacent site to the west approved under application MA/12/1949.

I also wish amend condition 2 as set on the papers to reflect further comments from the Landscape Officer relating to tree protection plans and root protection areas and to impose an implementation condition.

Also I also consider on further reflection to ensure the continued integrity of the wildlife corridor previously secured to the rear (north) of The Hardwicks that it would be appropriate that this area is not used for vehicular egress from the nursery car park.

Amendments to recommendation

Amend the following Heads of Terms to read

- Primary education (extension cost to allow for 2-form entry) at Headcorn Primary school: £47,219.20
- Primary education (land acquisition to enable the school to expand to 2-form entry) at Headcorn Primary school: £38,481.80

Payment of 50% of the above combined total education contribution prior to commencement of the development with the residual 50% payable 18 months after the date of the first payment

- NHS Property Services: £12,492 for Headcorn Surgery
Payment of 50% of the Healthcare contribution prior to the first occupation of any residential unit within the development with the residual 50% payable 18 months after the date of the first payment.

Amend condition 2 to read

2. The details of landscaping submitted pursuant to condition 1 above shall provide for the following:

(i) Details of all trees to be retained and any to be removed together with detailed Tree Protection Plans and Root Protection Areas.

(ii) A detailed arboricultural method statement that includes assessment of the works relating to the construction of the dwellings on plots 26 to 34 inclusive and plot 43 and that takes into account the details required by clause (i) above.

(iii) A long term landscape management plan for the site. to have been prepared in conjunction with the ecological mitigation and enhancement measures to be provided on the site pursuant to condition 3 below.

iv) The provision of natives species hedging and railings/dwarf walls/fencing to the highway frontages of the proposed dwellings.

(v) Measures to prevent parking on the landscaped verges along the site access roads.

Reason: No such details have been submitted and to ensure a satisfactory appearance to the development.

Add additional conditions

17. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development.

18. Notwithstanding the details shown on drawing no PL-WH-002revC, the gated access/egress shown serving the proposed car park for the nursery shall not be utilised for vehicle access/egress in connection with the use of the nursery and nursery car park at any time except in the case of an emergency.

Reason: To ensure the maintenance and integrity of the previously secured wildlife corridor in the interests of ecology and biodiversity.