

Planning Committee

Wednesday the 13th March 2024 at 7.00pm



Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

5. Requests for Deferral/Withdrawal

6. Schedule of Applications

(a) PA/2023/2066 – Land adjacent to Griffin House, School Road, Appledore, TN26 2BA

Proposed single dwelling with associated amenity garden, external swimming pool and vehicular parking.

Following publication of the Officers Report, an update to para.30 and the 5yr Housing Land Supply position is required.

Members should be advised that the correct position with the Council's Housing Land Supply is "between 3.5 & 4.54 years"

This does not however change Officer's view that the adverse impacts of this proposal significantly and demonstrably outweigh that Housing Land Supply shortfall and therefore Officer's maintain the recommendation of Refusal.

(b) PA/2024/0253 – 2 Thorne Estate, Pluckley, Ashford TN27 0RD

Proposed dropped kerb and hard standing.

None.

(c) 21/02146/AS – Land at Eureka Business Park, Trinity Road, Boughton Aluph, Kent

Outline planning application for the development of up to 375 dwellings, up to 34,869m² commercial floorspace (comprising 31,269m² of class E(g)(i) and E(g)(ii) and 3,600m² of flexible Class E floorspace), open space, and associated infrastructure with all matters reserved for future consideration aside from access (excluding internal circulation).

Description of development

The description of development on page 1 of the Officer Report (and above) should read:

'Outline planning application for the development of up to 375 dwellings, up to 34,869m² commercial floorspace (comprising 31,269m² of class E(g)(i) and E(g)(ii) and 3,600m² of flexible Class E floorspace), open space, and associated infrastructure including a Wastewater Treatment Plant with all matters reserved for future consideration aside from access (excluding internal circulation). Note this is an EIA application accompanied by an Environmental Statement.'

This reflects the description of development used for consultation purposes and in the Planning Committee notification letters.

Consultation

Since the publication of the Officer Report, two further objections have been received as summarised below:

- Parking not discussed for new commercial developments; (*Officer comment: paragraphs 219-221 of the Officer Report and recommended condition 34 are relevant*)
- Note there is presently commercial space available for rent in the local area; (*Officer comment: paragraphs 48-67 of the Officer Report are relevant*)
- Increased traffic on Trinity Road not workable with current infrastructure. Transport Assessment not an accurate assessment of traffic conditions; (*Officer comment: paragraphs 188-196 of the Officer Report are relevant*)
- No plans to support existing education and health infrastructure; (*Officer comment: paragraphs 253-258 of the Officer Report are relevant*)
- Loss of wildlife; (*Officer comment: paragraphs 142-176 of the Officer Report are relevant*)
- Light pollution. (*Officer comment: paragraphs 168 and 237 of the Officer Report are relevant*)

The following comments have also been received from the Sandyhurst Lane Residents Association:

'Sandyhurst Lane Residents' Association welcomes the opportunity to comment further on this application, given that its mission statement is "To protect the rural character of Sandyhurst Lane and the surrounding area".

The Association endorses the comments put forward by Westwell Parish Council and reiterates the Association's previous comments.

The Association welcomes the assurances re vehicular access onto Sandyhurst Lane (Planning Committee Agenda para. 182), but is concerned at the lack of detail how the definition of vehicular access is "future proofed" to embraces emerging motorised/electric two/three wheeled vehicle

developments and how 'emergency access' is to be managed/enforced. *(Officer comment: the submitted parameter plans identify the points of vehicular access; the detailed design of the access points, including measures to restrict/control access will be subject to future reserved matters applications.)*

The Association welcomes the retention of the buffer zone (para. 230); however, detail as to management of the proposed tree planting is also lacking.' *(Officer comment: recommended condition 17 would secure a Landscape and Ecological Management Plan for each phase and would include management of tree planting).*

Assessment

Paragraphs 41 and 45 of the Officer Report refer to the site being allocated through Policy S20. It should be noted that 3 'nibs' of land on the north-west boundary of the application site extending to Sandyhurst Lane lie outside of the allocated site boundary. Nevertheless they are shown as 'Open Space' on the Land Use parameter plan; no housing development is proposed on this land and no further assessment is required.

Paragraph 128 of the Officer Report refers to the requirement in Policy BAE NP5 for the provision of a green corridor '*on an east-west alignment focused on Footpath No. AE210 and its associated tree line*'. The Officer Report confirms that the footpath and associated tree line is to be retained to provide a further green corridor (in addition to OS6 and OS7) linking Trinity Road with the centre of the site thereby allowing for the retention of existing views of the North Downs skyline identified in Policy BAE NP5. Although the Illustrative Masterplan indicates that this could be provided, this will not form an approved document and so for the avoidance of doubt I recommend that the below condition (64) be applied to secure the provision of this green corridor as part of relevant future reserved matters applications.

Paragraph 203 of the Officer Report refers to the provision of a pedestrian and cyclist link between the application site to Sandyhurst Lane and Sandyacres Sports and Social Club. Although the Illustrative Masterplan indicates that this could be provided via a 15m wide corridor running adjacent to an existing hedgerow on the eastern edge of Plot 7, this will not form an approved document and so for the avoidance of doubt I recommend that the below condition (65) be applied to secure the provision of this green corridor as part of relevant future reserved matters applications.

As part of the pedestrian and cyclist link between the application site and Sandyacres Sports and Social Club, Policy BAE NP5 also requires "a new link to the existing footway south of Sandyhurst Lane". I recommend that details of a scheme for the provision of these off-site highways works, and their subsequent delivery, be secured by the below condition (66).

Table 1 - Heads of Terms for Section 106 Agreement/Undertaking

Item 3 (Allotments): the Trigger Point column should state:

'For each Residential Reserved Matters Area – 50% before occupation of more than 25% dwellings in that Residential Reserved Matters Area ; balance before occupation of more than 50% dwellings in that Residential Reserved Matters Area'

Item 8 (Informal Natural Green Space): the Planning Obligation Detail column incorrectly references the Parish of Kingsnorth. It should state:

'In the event that a policy compliant provision of INGS is not provided on site: Financial contribution towards a site(s) within the Parishes of ~~Kingsnorth~~ Kennington and/or Boughton Aluph in response to the Open Space Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified.'

Item 21 (Monitor and Manage): the Trigger Point column should state:

'Pre-occupation, provide a strategy for monitoring of the junction's performance and monitor on an ongoing basis until the trigger specified or until such time as mitigation is required, if earlier.

Provide each mitigation works by the trigger specified, or (if earlier) at the time indicated by the monitoring.'

Recommendation

Recommendation 'C' to be amended as below:

- C. Subject to prior consultation with the Secretary of State in accordance with the requirements of Paragraph 5 (1) of the Town and Country Planning (Consultation) (England) Direction 2021, and subject to either his having notified the Council that it may determine the application or the expiry of the period for his calling-in the application for his own determination, to**

Conditions

1. For each phase of development identified by Condition 3, the approval of details of the appearance, internal accesses, landscaping, layout, and scale (hereinafter called "the Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase is commenced.

4. All Reserved Matters applications shall be in substantial accordance with the Environmental Statement and approved parameter plans and documents.

64. Relevant reserved matters applications to include the provision of a green corridor to be aligned with PRow AE210 in accordance with the requirements of Policy BAE NP5 and as indicatively shown on the Illustrative Masterplan;

65. Relevant reserved matters applications to include the provision of a minimum 15m wide green corridor through Plot 7 to provide pedestrian/cyclist access to Sandyacres Sports and Social Club in accordance with the requirements of Policy BAE NP5 and as indicatively shown on the Illustrative Masterplan;

66. Details of a scheme for the provision and delivery of off-site highway works to facilitate pedestrian/cyclist access between Plot 7 and Sandyacres Sports and Social Club in accordance with the requirements of Policy BAE NP5.

Speech by Councillor Winston Michael, Member for Goat Lees Ward

'Dear Members of the Planning Committee

I wish to bring to your attention the omission from plans of the relocation of the existing 300 space car park for business users. A car park was integral to the original planning consent given for the Business Park. Originally it was for 150 spaces that would be temporary and then removed as the business park developed, but because of local residential street becoming overwhelmed by cars of employees and visitors of businesses and the 150 space car park not built, a meeting was held at ABC to agree a resolution to the huge problems caused for local residents. Attending that meeting was Gerry Clarkson ABC Leader, Richard King KCC Chairman, Jason Matthews of Boughton Aluph and Eastwell Parish Council, Winston Michael Ward Councillor, and Tristan Gethin CEO Quadrant Estates. Under consideration was what was required to service the proposed businesses within the business park. All were in agreement that to provide a 150 space car park and to then remove once the business park was partially developed lacked all common sense. Each business had a few spaces allocated to them outside their block but this did not meet the full need of their employee numbers and visitors, hence why residential streets were overwhelmed and grid locked by cars from the business premises, which at times inhibited through passage of vehicles, one being a police car on a call out. The meeting outcome was that Quadrant would provide a permanent 300 space car park (offered by Tristan Gethin), and that Winston Michael would engage businesses to sign up to buying the spaces. All businesses bought into buying the spaces. Once built, the 300 space car park was substantially utilised. During the call for sites with the present adopted local plan, Trinity applied to convert some of the space allocated to offices for housing. At that time the plan was for 700 homes with a retirement village. This proposal did not affect the 300 space car park. As the Ward Member I objected to the proposal since it would be a gross overdevelopment and from an infrastructure standpoint was unsustainable. Meeting with Quadrant in London I felt 375 homes would be more sustainable, and though creating further congestion on Trinity Road, the provision of two entry and exit points to the housing estate would partially ameliorate, though the present lengthy tail backs from the traffic lights at Eureka Business and Retail Park in both directions would become worse. I bring to members attention that Eureka was originally intended to be a Science Park something that would attract fewer employees than an Office Park, and therefore projected traffic numbers may have been predicted incorrectly. At the Government Inspectorate public examination, Trinity argued once again for 700 homes not the 375 on the table, and thankfully the Inspector supported the

arguments presented by myself and the Chairman of the Parish Council to restrict to 375 homes only. Subsequent to the adoption of the current Local Plan, Stodmarsh halted all development. Trinity wishing to press ahead with the housing development decided to provide its own solution to neutrality through an on-site wetland. At the time I was informed that the existing car park would be relocated since its area is needed to create the wetland. Despite my asking for plans to show the relocation of the 300 space car park, the illustrated plans still do not show it. Whilst Trinity may argue there would be reduced use of the car park and therefore need, this is because over Covid businesses have gone, thereby leaving a large area of office space vacant. The plan submitted to you is not just for housing but also office accommodation etc., so Trinity is looking to an upturn in demand for premium office accommodation and to provide other public amenities. Car parks once lost can never be recovered. Whilst existing residents are worried by the return of business users cars onto their streets, there is also worry for the streets of the new proposed estate becoming a parking lot for business users, and I therefore submit that the 300 space business user car park is vital, not only for the health and wellbeing of all residents, but to also attract new businesses to Eureka. Residents have a human right to the enjoyment of their home and where they live. This development is within an urban area and not within the enclaves of a Town where street parking regulations might differ. I THEREFORE ASK COMMITTEE MEMBERS TO RETAIN THE EXISTING 300 SPACE CAR PARK SHOULD THEY BE OF A MIND TO APPROVE THE APPLICATION, AND TO ENSURE PLANS ARE AMENDED TO SHOW THE LOCATION OF THE 300 SPACE CAR PARK.

Thank you so very much
Councillor Winston Michael
Member for Goat Lees Ward'

(d) 22/01067/AS – Former Houchin Playing Fields, Canterbury Road, Kennington.

The erection of a Class E retail unit alongside access, car parking, landscaping and associated works.

Since the publication of the Officer Report, one further objection has been received. The concerns raised are summarised as follows:

- The loss of a green site.
- Existing issues of flooding in the vicinity of the site.
- Traffic congestion and capacity.
- Additional pollution from more traffic.
- The need for a new supermarket in this location.
- The impact on existing businesses.

An additional condition is proposed relating to the implementation and review of the submitted Travel Plan.

An additional one-off obligation of £500 payable to the Council upon the commencement of the development is proposed to be secured in the s.106 Agreement or undertaking towards the Council's costs of monitoring compliance with the Agreement or undertaking and reporting.

