

Tabled Update for Item 2.7 – land at Belgrave Road, Halfway, Kent, ME12 3EE
Planning Reference: 19/501921/FULL

A. Following communication with the planning agent about the wording of conditions in the Committee report (see Pages 144 to 152). I have sought and received input from KCC Highways and Transportation in respect of conditions (8), (9), (11) and (14), which includes the following explanation:

“I think the solution to this is to provide some additional requirements in the CTMP for condition 11. The further use of a Temporary TRO (TTRO) to restrict parking as suggested by the applicant may be possible, although this doesn’t ensure against HGVs still overrunning the footway and verges when passing opposing traffic, particularly larger vehicles and other HGVs, as 4.8m width is still narrow for frequent HGV usage. Therefore, I think we still need some strategically placed temporary widening carried out to accommodate passing. This won’t need a S278, as it can be done through the roadworks permitting process, so the timescales for approval and implementation would not be drawn out by the lengthier S278 approval process.

The other side of this issue is the permanent widening anticipated through the S278 Agreement. On reflection, the early delivery of this would mean that these completed works would be exposed to the heavy construction traffic and subject to damage. Therefore, the later delivery of this may be more favourable after all if we can provide some temporary widening through the CTMP. Consequently, the completion of the Belgrave Road widening can be delayed to a more practical point in the construction programme. Weighing up the need for the widening to accommodate the scale of residential units being occupied and to reduce the duration that existing residents will be effected by the TTRO, against the tailing off of HGV traffic associated with the final stages of construction where earthworks and bulk deliveries are less likely, I think a trigger of 100 occupations would be reasonable, anticipating that a lot of the groundworks and deliveries for the remaining 54 units could be well advanced, and the developer is unlikely to halt the build out of the remainder of the scheme before that number.”

I recommend that Members agree to the amendment of conditions as follows:

4) Before the occupation of the 1st dwelling ~~No development beyond the construction of foundations shall take place until~~ a detailed site layout drawing at a scale of 1:500 showing the boundary treatments to be used across the site, including details of any bricks, have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.

8) Before the occupation of the 100th dwelling, ~~development shall take place until~~ the off-site highway works to Belgrave Road shown on drawing C85883-SK-036 Revision A **shall have** ~~has~~ been carried out in accordance with a design and specification to be approved in writing with the Local Planning Authority. Works shall then be implemented in accordance with the approved details.

Reason: In the interests of highway safety and amenity.

9) **Prior to the carrying out of any works beyond the construction of foundations, Before the development hereby approved is first occupied, details of the design and specification for the off-site highway works to the Halfway Road Signalised Junction and the Belgrave Road junction with Queenborough Road as shown on drawings C85883-SK-044 Revision A and C85883-SK-034 Revision D respectively shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall then be implemented in accordance with the approved details prior to the occupation of the 50th dwelling.**

Reason: In the interests of highway safety and amenity.

- 11) No development shall take place, including any works of demolition, until a Construction Traffic and Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. recording the condition of the immediate local highway prior to commencement, and measures to make good any damage attributed to construction traffic
 - iv. routing and timing of construction traffic
 - v. wheel washing facilities
 - vi. measures to minimise the production of dust on the site.
 - vii. measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier.
 - viii. temporary traffic regulation orders, and**
 - ix. temporary road widening.**

Reason: In the interests of the amenities of the area and highway safety and convenience.

- 14) The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing **before the occupation of the 10th dwelling** ~~their construction begins~~. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 15) ~~Before the first occupation of a dwelling / premises~~ Before the first occupation of a dwelling / premises the following works between that dwelling / premises and the adopted highway shall be completed as follows:
(A) Footways and/or footpaths shall be completed, with the exception of the wearing course;

(B) Carriageways completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:

- (1) highway drainage, ~~including off-site works,~~
- (2) junction visibility splays,
- (3) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety.

24) No development beyond the construction of foundations or any drainage works, shall take place ~~Construction of the development shall not commence until~~ details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure that foul water is adequately disposed of.

25) No development beyond the construction of foundations or any drainage works, shall take place ~~Development shall not begin in any phase until a detailed~~ sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall be based upon the FRA (JNP Group, March 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

26) Prior to the occupation of the 10th dwelling hereby approved, ~~No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until~~ a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately

managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; topographical survey of 'as constructed' features; and an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 27) ~~No development shall commence~~ **Prior to the occupation of the 1st dwelling hereby approved** until details **shall** have been submitted to and approved in writing by the Local Planning Authority setting out and quantifying what measures, or offsetting schemes, are to be included in the development which will reduce the transport related air pollution of the development during construction and when in occupation. The details shall include 1 electric vehicle charging point for each dwelling and no dwelling shall be occupied until the charging point for that dwelling has been installed.

Reason: To encourage the use of electric vehicles, in the interests of climate change and reducing pollution.

- 32) No more than 100 dwellings on the site shall be occupied until the M2 Junction 5 Roads Investment Strategy scheme ~~has been completed and opened to public traffic~~ **has been contracted with a nominated contractor and works commenced on site.**

Reason: To avoid adding unacceptably to congestion at the existing A249 Trunk Road and M2 Junction 5, to ensure the effective operation of the Strategic Road Network, and to satisfy the reasonable requirements of road safety.

B. Highways England raise no objection subject to a condition limiting development to the occupation of no more than 100 occupations before the contract is let for the construction of the M2 Junction 5 improvement scheme and a Construction Management Plan.

Members will note condition (11) on Pages 146 and 147; delegated authority is sought to amend the wording slightly to refer, at part (iv), to the "number" of construction vehicles.

C. Recommendation: planning permission to be granted subject to conditions as set out in report, with amendments as tabled, and to the signing of a suitably-worded section 106 agreement to secure developer contributions as itemised at Paragraph 8.41 to 8.43 of the report (on Pages 141 and 142), and with delegated authority to amend conditions and s106 wording as reasonably required.