

Tabled Update for Planning Working Group Item – Land to the East of Lynsted Lane, Lynsted (21/502609/OUT)

- Since the Planning Working Group met on site on Tuesday 1st March 2022, objections from 6 neighbouring properties have been received (5 of these neighbours have previously objected to the application).
- The points that have been raised by neighbouring occupiers relate to highway safety and amenity; the adequacy of the parking survey (as also referred to by Lynsted with Kingsdown Parish Council – see below); safety and privacy issues which arise due to the right of access through the adjacent *FJ Williams Joinery* site; and the removal of the hedgerow along Lynsted Lane giving rise to - a loss of habitat for native wildlife, flooding of Lynsted Lane, the collapse of the bank onto Lynsted Lane and overlooking.
- In response to the above, a number of concerns regarding highway safety and amenity have previously been raised, as set out in the committee report. These matters have been commented upon by KCC Highways & Transportation, as referenced in the committee report and discussed at length in the appraisal section of that same report. Conditions are recommended which require off-site highway works to Lynsted Lane which it is considered will improve the highway conditions in this specific area. The matter of the safety of the right of way has also been discussed in the report along with consideration of the loss of the hedgerow, the biodiversity impacts of which have been found to be acceptable by KCC Ecology. In terms of this, Members should note that as well as replacement planting, condition 18 requires a Biodiversity Net Gain of a minimum of 10%. In respect of flooding, the Lead Local Flood Authority (KCC) have raised no objection to the application subject to conditions which have been recommended. The matter of overlooking of existing properties in Lynsted Lane was raised previously and despite layout being a reserved matter, the worst case scenario would be that the existing and proposed properties would be separated by the highway, though as shown on the illustrative layout there is clear scope for a significantly greater separation to be achieved. This is an arrangement wholly typical throughout the Borough and would not in my view give rise to unacceptable harm to residential amenities. Finally, in terms of the potential collapse of the bank, land stability issues are usually required to be assessed in areas where previous mining has taken place or where the Local Planning Authority has identified issues through its Local Plan process. The site has not been, to my knowledge (or raised by any other party), subject to mining activities and there are no known ground stability issues associated with the site. I also take into account the limited height of the bank and the further requirement for a structurally sound

development to be considered as part of Building Regulations. As a result, I do not believe that this requires further assessment as part of this outline application.

- The matter of a loss of privacy caused by use of the right of access is a new matter that has been raised since the drafting of the committee report. In my opinion, as there are no significant changes to land levels between the properties close to the access and the access itself and that the route is flanked by a boundary treatment comprised of a standard close boarded fence on one side, and the joinery business itself on the other, that any opportunities for overlooking are severely restricted.
- A further objection has also been received from Lynsted with Kingsdown Parish Council raising a number of concerns relating to the Parking Survey which forms part of the Transport Statement. The concerns primarily relate to the timings of the parking survey (which were undertaken overnight) and querying why one was not undertaken during working hours. There is concern that this results in the parking being underestimated. A query has also been raised regarding what attempts have been made to establish what off street parking exists (for dwellings on Lynsted Lane).
- In respect of the above points, the Parking Survey formed part of the supporting information which KCC Highways & Transportation have reviewed as part of their detailed assessment of the application. The information contained within it, along with the other elements have led to no objection being raised, subject to highway related conditions. KCC Highways & Transportation have also further commented that *"The night time parking survey is appropriate for ascertaining the requirements of the parking demand for those properties immediately adjacent to the site. Compensation resident parking has been provided within the development directly adjacent to Lynsted Road to allow convenient access. I note the PC had made some comments regarding parking demand along Lynsted Lane for the Co-Op however that is not a matter that could be taken into account for this application."*
- In addition to the site visit which was undertaken by Officers previously during the consideration of the application, I have made a further visit to the site at midday on Wednesday 9th March 2022 to assess the parking situation and provide Members with further details in respect of this. There were cars parked on the eastern side of Lynsted Lane (as referenced in the applicant's Transport Statement) close to the junction of Lynsted Lane and the A2. There was also 1 car parked within the area of the proposed yellow lines on the western side of Lynsted Lane, the same number of vehicles as when the night time parking survey was carried out by the applicant. As such, I remain of the view that the conclusions drawn are appropriate.

- Officers' conclusions remain as set out in the Committee report, which are as follows:

“Although the application site is located outside the built-up area of Teynham, it has good connectivity to local schools and shops, and the wider bus, road, and rail network.

KCC Highways have indicated that the scheme, subject to conditions, will improve the current highway network situation.

Whilst this is an application in outline only, an illustrative layout has been prepared to demonstrate how the site could accommodate a sympathetically designed scheme for up to 10 dwellings that would reflect the design characteristics of the local area.

Significant weight also needs to be given to the lack of a five-year housing land supply. For these reasons, I consider that outline planning permission should be granted, subject to the conditions set out below and the signing of a suitably worded Section106 agreement.”

- As a result of the above, the recommendation is: Planning permission to be granted subject to conditions as set out in the report and the amendments to (and addition of) conditions as outlined in the tabled update to Members dated 9.2.2022, and subject to the completion of a S.106 agreement. With delegated authority to amend the wording of the s106 agreement and of conditions as may reasonably be required.

PG – 10.03.2022