

TABLED UPDATE FOR ITEMS 2.8 AND 2.9:

16/508602/OUT (Item 2.8) - Preston Fields, Salters Lane, Faversham - Outline application for erection of up to 250 dwellings with all matters reserved except for access

1. Further to the comments at paragraphs 8.13 and 8.14 of the report, the Affordable Housing Manager has emphasised that, as required by Policy CP3 of the Local Plan, the affordable homes will need to be a good and reasonable mix of types and sizes, when compared to the open market sale homes.
2. Contrary to paragraph 10.02 (on page 173), the site area has increased slightly from 10.25 hectares (as when originally submitted) to 10.35 hectares. However, this very minor increase is not material to the determination of the application.
3. Members will note that on page 169 of the agenda, paragraph 8.02 Subsection 3 that it reads: Decision notice issued, whereas it should read “decision notice has **not** been issued...”
4. The agent has queried the wording of three of the proposed conditions (namely numbers 4, 7 and 32) and the possible wording of the s106 agreement as it relates to the reservation of land for the possible future provision of a Link Road. His comments are as follows (in blue) and my responses are in green.

Conditions

4 – Given the delays getting the Outline applications to committee, Redrow is very keen to submit Reserved Matters. As you know, an initial pre-application meeting has already been held so Redrow has a good idea of what is required in terms of Design Coding. We would therefore suggest that it is not necessary to wait for the Design Code to be submitted and approved by the LPA prior to the submission of Reserved Matters. As such please could the condition be reworded to allow the reserved matters application to be submitted in parallel with the Design Code. The RM will of course make reference the Design Code, but allows for a much more effective use of time and still allows for the Design Code to be approved ahead of the RMs. Suggested condition wording below:

- Condition 4: Prior to the **submission-approval** of a reserved matters application for any phase, a design code for all of the phases shall be submitted to and approved in writing by the Local Planning Authority. The details submitted pursuant to condition (1) above shall be in accordance with the approved Design Code that shall include, but not be limited to, the following:...

See Pages 177 and 178 of the agenda for the full condition wording. My colleagues and I recommend that Members do not agree to this change. Although sympathetic to the applicant’s desire to move the case forward asap, the original wording is preferable as it requires the Design Code for the whole Preston Fields to be agreed before the reserved matters (RM) are submitted for either of the two application sites. This enables a process where the Design Code is agreed and reserved matters are submitted subsequently, which are genuinely informed by its contents. The amended wording would allow the RM application to be submitted in parallel

with the Design Code application, which is likely to result in an RM submission that is inferior because it will not be informed by an approved by Design Code. In these circumstances, the Council's position would arguably be weakened in terms of securing a genuinely high-quality design outcome for this important site.

7- The landscape and visual impact assessment states development would be “mostly two storeys in height”. The assessment therefore allows for some slightly higher development. As such we do not feel it necessary or appropriate to limit building heights to 8.5metres across the entire application sites, especially when considering the LPA has the ability to control the location of taller buildings through the Reserved Matters process. As such please could the condition be slightly reworded as below to allow for a maximum 2.5storeys development.

- Condition 7: Prior to the commencement of development (with the exception of demolition), details in the form of cross-sectional drawings through the site showing proposed site levels and finished floor levels shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details. The buildings hereby approved, the details of which are to be agreed under condition (1) shall not exceed a height of 8.5m-2.5 storeys above the agreed finished floor levels.

The condition is set out on page 178 of the agenda. The amended wording would be consistent with that used for the application at Item 2.9 (see condition (4) on page 277); as 2.5-storeys are in principle appropriate for use on this site, I consider that Members should agree the amended wording, mindful that the Design Code and RM process can be used to control the specific height and design of dwellings on different parts of the site.

32 - To align with the construction phases and occupation (which starts from the northern end of the site and works downwards), please could this condition be amended to allow for the first access from Canterbury Road be built and in use prior to first occupation, with the second access from A251 being provided prior to occupation of the 150th dwelling. This assists with delivering the site much more efficiently and reduce impact on neighbouring dwellings. It is not uncommon to restrict occupation in this manner as such please could the condition wording be amended as suggested below:

- Condition 32: The vehicular accesses to the site from Canterbury Road as shown on the approved drawing F16038/02 Revision F and F16038/01 F) shall be constructed and completed prior to the first occupation of a dwelling. The vehicular access to the site off the A251 as shown on the approved drawing F16038/01 Revision F shall be constructed and completed prior to the occupation of the 150th dwelling. commencement of the development hereby permitted.

Members will note the original wording on page 185 of the agenda. I have consulted with KCC Highways and Transportation, who comment as follows: “I have no objection to this, as the original traffic assessment assumed approximately a 60/40 split between the two accesses, and modelling of the A2 site access junction showed that it would operate with a maximum RFC value of 0.273, well within the 0.85 threshold that is

considered as the point at which capacity is reached. With only up to 150 dwellings being served solely from this single access point, out of the 250 total dwellings included in the application amount, the RFC of junction would not be expected to rise that much above the modelled scenario, and will remain having an excess of spare capacity before the second access becomes available.”

In the light of this, I recommend that Members agree to the proposed amendment of the condition.

5. Link Road land – this issue is raised by the agent in respect of application 21/500766/OUT (Item 2.9). However, it obviously also relates to this application and the following applies equally here. Given that the matter of the precise position and extent of the land to be reserved for the possible future provision of a Link Road is to be tied down under the s106 agreement, delegation is sought to deal with the matter and to agree a plan showing precisely and clearly the land to be reserved for it. In particular, if at certain locations less than a 15-metre corridor is available then the agreed plan will need to reflect this. Similarly, a corridor of greater than 15 metres may be required at other locations, depending on other factors such as topography and the existence of constraints such as the high-pressure gas pipeline.
6. Further to the penultimate bullet point of paragraph 10.12, the s106 agreement will also need to make it explicit that when the land for the Link Road is transferred to the Council this should be for no more than a nominal payment.
7. Conclusion: further to the original conclusion on pages 176 and 177, officers remain of the view that this is a development for which planning permission should be granted. Delegation is therefore sought to approve subject to conditions as set out in the report (and with amendments to address the above matters) and to the signing of a suitably-worded s106 agreement to cover the points set out in the report and with the amendments included above. Authority is also sought to approve condition wording and s106 clauses as may reasonably be required.

JRW – 11/5/22

21/500766/OUT (Item 2.9) - Land At Preston Fields (South) Salters Lane, Faversham
- Outline application for the erection of up to 70 dwellings (all matters reserved) and land reserved for a link road connecting the A251

1. Further to the comments at 7.06 (on page 262), the proportion of the affordable units (25 in total) to be provided as First Homes should be 25%, not 10% as stated. As such, the s106 agreement will need to secure this provision of First Homes, which equates to six dwellings.
2. The applicant has now advised that it is only the affordable dwellings that will be 'fully M4(2)' compliant, and not the open market sale units.
3. The planning agent requests that condition (4) be re-worded to allow the reserved matters application be submitted in parallel with the reserved matters application. The RM will of course make reference the Design Code, but allows for a much more effective use of time. Suggested condition wording is as follows:

Condition 4 [**Members will note the full wording on pages 277 and 278 of the Agenda**]: Prior to the **submission approval** of a reserved matters application for any phase, a design code for all of the phases shall be submitted to and approved in writing by the Local Planning Authority. The details submitted pursuant to condition (1) above shall be in accordance with the approved Design Code that shall include, but not be limited to, the following:...

My colleagues and I recommend, for the reason as set out in respect of the corresponding point for 16/508602/OUT above, that Members do not agree to this change.

4. Paragraph 9.36 [**on page 275 of the agenda**] states:

9.36 In addition, the s106 agreement will also need to include a clause in respect of land to be safeguarded for the provision of a Link Road (to connect the A251 to Salters Lane and land to the east of it); this corridor of land will measure not less than 15 metres in width and extend across the entire width of the application site; the s106 agreement will need to ensure that the land is safeguarded free from development and that it is available to be transferred to Swale Borough Council when requested.

I've gone through the TA and it includes assessments for the various options of road that could be provided in accordance with the Design Manual for Roads and Bridges. It also notes at para 3.16 that:

"The available corridor width within the site boundary is typically approximately 14 metres, although within this area is a high pressured gas main that effectively reduces the available overall width to approximately 11 metres through a short section".

Based on this, it's clear that the maximum available width is 11 metres. As such please could this paragraph be amended to reduce the land reserved from 15 metres to 10 metres. This will allow for a 6 metre wide carriageway with 2 metre wide footpaths on either side. It is also worth noting that it would not be possible to achieve a corridor of 15 metres across the entire width of the application site because there is a pinch point at the western access point between the existing houses on the A251.

5. Given that the matter of the precise position and extent of the land to be reserved for the possible future provision of a Link Road is to be tied down under the s106 agreement, delegation is sought to deal with the matter and to agree a plan showing precisely and clearly the land to be reserved for it. In particular, if at certain locations less than a 15-metre corridor is available then the agreed plan will need to reflect this. Similarly, a corridor of greater than 15 metres may be required at other locations, depending on other factors such as topography and the existence of constraints such as the high-pressure gas pipeline.
6. Further to paragraph 9.36, the s106 agreement will also need to make it explicit that when the land for the Link Road is transferred to the Council this should be for no more than a nominal payment.
7. Further to paragraph 9.29 (on page 274). The first sentence should read as follows:

"Members will note the comments at paragraphs 7.13, 7.14 and 7.15 above and that neither Southern Water Services (SWS) or Kent County Council Flood Risk Officer raise no objection subject to conditions."
8. Conclusion: further to the original conclusion on page 276 of the agenda, officers remain of the view that this is a development for which planning permission should be granted. Delegation is therefore sought to approve subject to conditions as set out in the report (and with amendments to address the above matters) and to the signing of a suitably-worded s106 agreement to cover the points set out in the report and with the amendments included above. Authority is also sought to approve condition wording and s106 clauses as may reasonably be required.