

Tabled Update for item 3.2 20/504408/OUT

1. Please note that the reason this application has come to committee is as set out in in the Recommendation section on page 295 of the agenda.
2. Reason for refusal (1) should be changed to:

“The proposed development would fail to protect the intrinsic landscape character, value, tranquillity and beauty of the countryside and rural context by virtue of its location outside the well-defined urban boundary of Minster-on-Sea and on the relatively steep rising ground that forms the immediate countryside setting to the settlement. It would result in permanent adverse effects to visual amenity for users of the local roads and footpaths. The proposal would also result in the permanent loss of open countryside. This harm both significantly and demonstrably outweighs any benefits from the proposal (including its contribution to the overall supply of housing in the Borough and to the provision of affordable dwellings). The development is therefore contrary to policies ST1, ST3, CP3, CP4, DM9, DM14, DM24 of the "Bearing Fruits 2031: The Swale Borough Local Plan (2017)" and would be contrary to paragraphs 8, 20, 130, 174 and 185, 170 of the National Planning Policy Framework (2021).

3. In addition to KCC Highways statutory comments (see pages 306 and 307 of the agenda), the Council sought the independent advice of Project Centre, who reached the same conclusions as KCC Highways. Specifically, Project Centre wrote:
 - “We consider the development proposal to be acceptable in relation to highway matters for the following reasons:
 - The proposed access is compliant with the guidance for Major Access Roads, as per the Kent Design Guide.
 - We have not seen any tracking for the proposed site access, however, we do note the proposed kerb radii is shown at 6m, which is considered sufficient for large vehicles when turning.
 - Visibility splays at the site access have been shown as sufficient, noting splays of 2.4m x 51m to the north and 2.4m x 48m to the south.

- Based on the 85th percentile speeds shown on the visibility plans, we note these have been labelled incorrectly based on the visibility requirements in Manual for Streets (MfS). Nonetheless, the plans appear to show that 51m of visibility can be achieved in both directions.
 - Traffic generation of the site is anticipated to be reasonable, with 94 and 87 two-way vehicle trips in the AM and PM peaks, respectively.
 - Suitable traffic calming measures have been proposed on Scocles Road, to help slow traffic and improve pedestrian and cycle connectivity.
 - A Travel Plan has been provided which is supported. The Travel Plan will help to mitigate traffic impacts on the network, especially those relating to the Halfway traffic signals and the Barton Hill Drive/ Minster Road junction.
 - All reserved matters are acknowledged to be addressed as part of the Reserved Matters application.
- We support the off site mitigation measures on Scocles Road in principle.
 - We have not seen a Road Safety Audit for the revised southern treatment which is now proposed on the opposite side of Scocles Road and includes an uncontrolled pedestrian crossing.
 - As this is a new proposal, we consider that this should be audited again, unless the issues identified as part of the original RSA were addressed as part of the new design.
 - We suggested that a new RSA should be undertaken in consultation with KCC Highways.
 - The planning conditions outlined by KCC PRoW in this report, should be secured.
 - We advise that a planning condition should be attached ensuring that baseline surveys are undertaken upon 50% occupation of the

proposed development to determine a site-specific baseline modal share, should planning permission be granted.

- Assessing the proposal as a standalone site, in relation to NPPF, we do not believe that there is valid reason to prevent or refuse this planning application on highway grounds.
- With that said, we acknowledge KCC Highways concerns in relation to a cumulative assessment of neighbouring developments on the network needing to be assessed. As per KCC Highways commentary:
 - *“In acknowledgement of the two other development proposals nearby currently submitted for planning approval, if this particular development were to be approved, it would be expected to contribute towards any off-site junction improvements that may be identified. That study is currently being undertaken by others and I hope to be able to provide an update on that shortly, which will inform the level of S106 contribution sought”.*

I should point out that, as stated in my report, I had further discussions with the KCC Highways Officer and he reached the conclusion that because of the appellant's proposed works to Scocles Road, which none of the other developers of the neighbouring schemes are contributing to, and by virtue of the conclusions of the study (which shows that this proposal will not unduly impact on the junction), the appellant is not required to make a highways s106 contribution.

4. The appellants have offered 35% affordable housing (which would equate to 35 units). For the avoidance of doubt, my view is that this would be an unexpected benefit of the proposal because there is no policy requirement for it and, had I been minded to recommend the proposal for approval, then it would not have formed part of my decision making.
5. Following the recent emergency situation on the Isle of Sheppey with a shortage of water supply, officers contacted Southern Water and invited them to make further comments on the Minster applications, including this one, and Members will have noted the separate tabled update dealing with this issue.