

**PLANNING COMMITTEE – 8 DECEMBER 2022****DEFERRED ITEM**

Report of the Head of Planning

**DEFERRED ITEMS**

Reports shown in previous Minutes as being deferred from that Meeting

<b>DEF ITEM 1 REFERENCE NO - 20/505059/FULL</b>		
<b>APPLICATION PROPOSAL</b>		
Retention of existing chalet bungalow with amended residential curtilage and erection of 10 dwellings (7 x three bedrooms and 3 x four bedrooms) with associated access, parking, amenity, and landscaping		
<b>ADDRESS</b> Willow Trees 111 High Street Newington Sittingbourne Kent ME9 7JJ		
<b>RECOMMENDATION</b> Grant subject to conditions and Section 106 agreement with delegated authority to amend the wording of the S106 agreement and of conditions as may reasonably be required.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>		
The proposed development would provide additional market housing market adjacent to a settlement identified on the settlement strategy as a Tier 4 settlement. Due to the Council's current lack of 5-year housing supply the tilted balance in accord with the National Planning Policy Framework applies. The proposal benefits are considered, on balance, to outweigh any limited harm.		
<b>REASON FOR REFERRAL TO COMMITTEE</b>		
Newington Parish Council Objection, and called in by Councillor Horton		
This application was originally deferred by the Planning Committee on 10 <sup>th</sup> November 2022		
<b>WARD</b> Hartlip, Newington and Upchurch	<b>PARISH/TOWN COUNCIL</b> Newington	<b>APPLICANT</b> UK Land Investors Ltd <b>AGENT</b> DHA Planning
<b>DECISION DUE DATE</b> 09/04/21	<b>PUBLICITY EXPIRY DATE</b> 25/10/22	<b>CASE OFFICER</b> Corinna Griffiths

**1. BACKGROUND**

- 1.1 This application was first reported to the Planning Committee on 10<sup>th</sup> November 2022 where Members resolved *“That application 20/505059/FULL be deferred to allow for negotiation with the developer in respect of increased visitor parking bays and increased contributions toward electric bike vouchers for future residents.”*
- 1.2 The applicant has amended the proposals following the Planning Committee on 10<sup>th</sup> November 2022 meeting, and a further consultation has been undertaken. The amendments include the provision of three additional visitor parking spaces; and increased electric bike

voucher of £1000 per dwelling. The summary of changes are outlined below as set out in the cover letter dated 15/11/22;

- 1.3 *“The plans show the provision of three additional visitor parking spaces within the proposed development site. The additional spaces have been accommodated at the end of the turning head between plots 6 and 7 (2 spaces), with an additional visitor space accommodated in the parking area to the front of plots 3-6. Each of the six visitor spaces on the development will be fitted with an EV charging point.*
- 1.4 *The vehicle tracking drawings have been updated to reflect the amended layout with the three additional visitor car parking spaces. The road layout has not changed to accommodate the additional spaces and so the tracking drawings show that the amended scheme still works in terms of access for emergency vehicles, a refuse vehicle, pantechnicon and an estate car.*
- 1.5 *With regards to the proposed mitigation measures for air quality, the applicant confirms that each household will now receive a £1,000 voucher (rather than a £500 voucher as previously proposed) towards the purchase of an electric bike from the local Sittingbourne business ‘Unrestricted Bikes’ (£10,000 total estimated cost).*
- 1.6 *Given that the appointed Transport Consultant for the scheme concluded that the previous mitigation measures proposed would reduce the potential effects associated with the proposed development to an acceptable level and provide a level of pollutant offset not only isolated to the proposed development but to the wider area, it is considered that with the implementation of enhanced measures through the provision of a greater value cycle voucher that the implementation of the above measures would more than suitably reduce potential effects associated with the Proposed Development.*
- 1.7 *In terms of the final point raised by Members relating to involving the Parish Council with negotiations on the provisions within the Section 106 Agreement, the applicant is happy to involve the Parish Council in the Section 106 process, which will continue once the resolution to grant planning permission has been accepted by the Members.”*
- 1.8 The agent has confirmed that the air quality mitigation measures will include the previous offer of welcome packs, and public transport vouchers, as well as the increased electric bike voucher outlined above.
- 1.9 I have also included the original committee report at Appendix 1, which sets out the description of the site, local representations, consultations and the appraisal of the scheme - as such I will not repeat these details here. As a result, the form that this supplementary report will take will be to discuss the amended scheme, any representations or further consultation responses regarding this and an appraisal of the amendments. The original appendices (1-3) of the original committee report are reattached as Appendices 2-4.

## **2. Plans/Additional Information as submitted**

- 2.1 The following amended plans and supporting information have been submitted in response to the Planning Committee meeting:
  - Proposed Colour Site Plan (Drawing No.22/08/02 rev E)
  - Proposed Colour Site Plan (Drawing No.22/08/03 rev J)

- Proposed Site Plan (Drawing No. 22/08/04 rev J)
- Refuse Tracking Drawing (Drawing No.16821 T-01 Rev P3)
- Pantechicon Tracking Drawing (Drawing No.16821 T-02 Rev P3)
- Fire Tender Tracking Drawing (Drawing No.16821 T-03 Rev P3)
- Estate Car Tracking Drawing (Drawing No.16821 T-04 Rev P3)
- Air Quality Technical Note (18/11/22)

2.2 The image below is part of the superseded scheme (drawing no. 22/08/03 Rev G) presented before Planning Committee at the 10<sup>th</sup> November meeting;



2.3 The image below is part of the amended scheme to include a further three visitor spaces (total of six visitor spaces) as shown in drawing no. 22/08/03 rev J):





### 3. CONSULTATIONS

- 3.1 Previous consultation comments are summarised in the committee report at Appendix 1. The comments below reflect any comments received regarding the amended scheme.
- 3.2 **MKIP Environmental Health raise no objection subject to conditions; and securing air quality mitigation (including damage cost; mitigation measures including electric bike vouchers, travel vouchers for public transport, and welcome packs; and a review mechanism) via a S.106 agreement.**
- 3.3 *25/11/22: "Environmental health has been asked by the case officer to provide comments in relation to the recent discussions undertaken in planning committee on the 10<sup>th</sup> November 2022 for the above application.*
- 3.4 *The comments being referred to was for additional funding for electric bikes vouchers. Prior to committee the amount being considered for EV bike vouchers was £500.*
- 3.5 *Councillor Mike Henderson has proposed a motion that the developer should increase the bike vouchers for each dwelling from £500 to £1000 to ensure each dwelling had sufficient funds to purchase an electric bike. The current price of an EV bike is around £1000, therefore increasing the amount would enable new residents to purchase a bike at no extra cost. Doing this would increase the likelihood of EV bikes being purchased and that the mitigation option is more viable.*
- 3.6 *Viewing a recent response from the applicant, it shows they are happy to agree to the proposed amount, which is good to see. The applicant has confirmed the welcome packs and travel vouchers for public transport will still be offered.*

- 3.7 *I would also like to see that an agreement is included in the S106 about how this will be managed, monitored, and reported on. Reason being, is it would also be useful to follow up on this form of mitigation to understand how viable it is once completed.*
- 3.8 *Therefore, I would recommend that a brief review on the uptake and usage is recorded and reported on. This could be in the form of a questionnaire to new residents after 2 years of occupancy (+/-) and then for the results to be sent to Environmental Health. The questionnaire could include questions such as; what option did they choose; did it reduce their car use; was there limitations in the option they chose etc.*
- 3.9 *I also agree that the Parish Council should be included in the S106 discussions”*
- 3.10 **KCC Highways – no further comments received.** Any further comments will be included via a tabled update. The original comments raised no objection, subject to conditions, and a Section 106 contribution towards Key Street highway improvements to the value of £14,400.

#### **4. APPRAISAL**

- 4.1 The below appraisal will consider the amended proposal, for increased visitor parking spaces; and increased air quality mitigation.

##### Increased visitor parking

- 4.2 Further to para 8.53 of the original appraisal, the Councils Parking Standards SPD seeks 0.2 spaces per unit for visitor parking, and therefore the proposal would generate a need for 2 visitor parking spaces. The original scheme included three visitor spaces which would exceed the requirements of the Parking Standards SPD.
- 4.3 The scheme as amended would now provide 6 visitor parking spaces. The additional spaces have been accommodated at the end of the turning head between plots 6 and 7 (2 spaces), with an additional visitor space accommodated in the parking area to the front of plots 3-6. Each of the six visitor spaces on the development will be fitted with an EV charging point. The visitor parking spaces would exceed the requirements, and reflect the comments made by Members in the previous Planning Committee meeting. The increased visitor parking provision would increase flexibility within the site for visitors to the site, and address Members concerns regarding parking overspill onto the A2.
- 4.4 The vehicle tracking drawings have been updated to reflect the amended layout with the three additional visitor car parking spaces. The road layout has not changed to accommodate the additional spaces and so the tracking drawings show that the amended scheme still works in terms of access for emergency vehicles, a refuse vehicle, pantechnicon and an estate car.
- 4.5 The increased visitor parking spaces would result in a loss of soft landscaping within the site, and along the western boundary. It is considered that the previous scheme provided a balance between reducing the degree of hardstanding and meeting parking guidance. Full details of landscaping would be sought via condition.

Air Quality

- 4.6 Paras 8.91 – 8.106 of the original committee report discussed the impact on air quality, and included the approach to secure air quality mitigation. Para 8.100 identified that the damage cost (without mitigation) associated with the additional vehicle movements associated with the development over a 5-year period amounted to £4077.
- 4.7 The amended details have set out potential mitigation measures which include the provision of a £1000 electric bike voucher per dwelling. The agent has confirmed that the air quality mitigation measures will include the previous offer of welcome packs, and public transport vouchers. Therefore, the indicative air quality mitigation measures would be as follows, with the costing being £13,500;
- Welcome Packs (Total of £550)
  - 6 Months of Travel Voucher (Total of £3000)
  - Electric Bike Vouchers (£1000 per dwelling, Total of £10,000)
- 4.8 Councils Environmental Health Officer has outlined that the S.106 agreement should include provisions for how the air quality mitigation measures will be managed, monitored, and reported on, and to include a review mechanism to ensure the measures are deliverable, and that the contribution is spent appropriately.
- 4.9 Considering the Environmental Health Officers comments, full details of mitigation measures will be controlled by the S.106 agreement, with indicative measures comprising welcome packs, travel vouchers for public transport and electric bike vouchers, which are considered appropriate given the small scale of development being proposed. The proposal would be considered to meet with the Local Air Quality Management Plan. The proposal is considered acceptable in this regard subject to securing of mitigation package.

**Developer Contributions**

- 4.10 The requested contributions are outlined below and include the increased air quality mitigation measures proposed:

KCC Primary Education (£6800 per house)	Total: £68,000.00
KCC Secondary Education (£5176 per house)	Total: £51,760.00
KCC Secondary Land (£2,635.73 per house)	Total: £26,357.30
KCC Community Learning (£16.42 per dwelling)	Total: £164.20
KCC Youth Service (£65.50 per dwelling)	Total: £655.00
KCC Library Bookstock (£55.45 per dwelling)	Total: £554.50
KCC Social Care (£146.88 per dwelling)	Total: £1468.80
KCC Waste (£183.67 per dwelling)	Total: £1836.70
KCC Highways	Total: £14,400
KCC PROW	Total: £8625.00
Air Quality Mitigation (Damage Cost)	Total: £4077.00
SBC Formal Sports (£593.00 per dwelling)	Total: £5930.00
SBC Play (£46.00 per dwelling)	Total: £4460.00
SBC refuse/bins £109.40 per dwelling	Total: £1094.00
SAMMS £275.88 per dwelling	Total: £2758.80

Air Quality Mitigation (Additional mitigation measures – approx. £9423 above damage cost)

Administration and Monitoring

TBC

**Total:**

**£201,564.3 (£20,156.43 per dwelling)**

- 4.11 The contributions would be secured via section 106 agreement and the agreement of an appropriate monitoring fee.
- 4.12 The applicant has confirmed that they are happy to involve the Parish Council in the Section 106 process.

## 5. CONCLUSION

- 5.1 The proposed development would result in new residential development outside the defined settlement boundary of Newington. However, the Local Authority cannot demonstrate a 5-year housing land supply. The titled balance is therefore applicable to the site as is not located within a protected area nor within an identified local level of landscape importance.
- 5.2 The proposal would provide additional housing in the Borough adjacent to a settlement boundary of a settlement that is relatively high up on the settlement hierarchy and which is therefore an appropriate location for development. There would be modest positive benefits of improving the economic and social vitality of the area (during construction and through the introduction of new residents).
- 5.3 The site is locationally sustainable, being within walking distance to the facilities and services within Newington, and with walking distance to public transport facilities (bus and train station) that serve Newington. The proposal would be considered to have a moderate weight in meeting an environmental objective.
- 5.4 The proposal would include a contribution to improve the surfacing of Public Footpath ZR59 (to provide a 1.2m wide all-weather surface), which will enhance pedestrian connectivity within Newington.
- 5.5 The amended scheme has been put forward to address Members' concerns regarding visitor parking and air quality mitigation.
- 5.6 The proposal is considered on balance acceptable and is recommended for approval.

## 6. RECOMMENDATION

Grant subject to conditions and Section 106 agreement with delegated authority to amend the wording of the s106 agreement and conditions as may reasonably be required. Newington Parish Council to be involved in discussions regarding S.106 contributions.

### CONDITIONS to include

- 1) The developments to which this permission relates must be begun no later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The developments hereby approved shall be carried out and maintained in accordance with the following approved plans:

Site Location Plan, 22-08-01  
Proposed Colour Site Plan, 22-08-02 Rev E  
Proposed Colour Site Plan, 22/08/03 Rev J  
Proposed Site Plan, 22-08-04 Rev J  
Proposed Plot 1 Plans & Elevations, 22-08-05  
Proposed Plot2 Plans & Elevations, 22-08-06  
Proposed Plots 3-6 Plans, 22-08-07  
Proposed Plots 3-6 Elevations, 22-08-08  
Proposed Plots 7-9 Plans, 22-08-09  
Proposed Plots 7-9 Elevations, 22-08-10,  
Proposed Plot 10 Plans & Elevations, 22-08-11  
Proposed Street Scene, 22-08-12  
Proposed Access Design, 16821 - H-01 Rev P2  
Tree Protection Plan, J20694 Arb TPP B

Reason: For the avoidance of doubt and interest of proper planning.

### ***Pre-Commencement***

- 3) A) Prior to any development works, the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.
- B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.
- C) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
- a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
  - b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
  - c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 4) No development shall commence (including site clearance) until a Biodiversity Method



Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall be based on the recommendations of the Preliminary Ecological Appraisal and Protected Species Report by Greenspace Ecological Solutions and shall provide detailed mitigation measures and ecological enhancements to be carried on site, together with a timetable for implementation. The development shall be carried out in accordance with the approved details.

Reason: In the interest of protected species

- 5) No development approved by this permission shall be commenced prior to a contaminated land assessment (and associated remediation strategy if relevant), being submitted to and approved in writing by the Local Planning Authority, comprising a desk study and conceptual model, based on the historical uses of the site and proposed end-uses, and professional opinion as to whether further investigative works are required. A site investigation strategy, based on the results of the desk study, shall be approved by the Local Planning Authority prior to any intrusive investigations commencing on site.

Reason: To ensure any contaminated land is adequately dealt with.

- 6) No development shall take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. This shall include details relating to:
  - (i) The control of noise and vibration emissions from construction activities including groundwork and the formation of infrastructure, along with arrangements to monitor noise emissions from the development site during the construction phase;
  - (ii) The loading and unloading and storage of plant and materials on site;
  - (iii) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (iv) The control and suppression of dust and noise including arrangements to monitor dust emissions from the development site during the construction phase;
  - (v) Measures for controlling pollution/sedimentation and responding to any spillages/incidents during the construction phase;
  - (vi) Measures to control mud deposition off-site from vehicles leaving the site;
  - (vii) The control of surface water drainage from parking and hard-standing areas including the design and construction of oil interceptors (including during the operational phase);
  - (viii) The use if any of impervious bases and impervious bund walls for the storage of oils, fuels or chemicals on-site; and
  - (ix) The location and size of temporary parking and details of operatives and construction vehicle loading, off-loading and turning and personal, operatives and visitor parking
  - (x) Phasing of the development

Reason: In the interests of the amenities of the area

- 7) 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 Flood Risk Assessment prepared by Lustre Consulting dated October 2020 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

- 8) No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of a Construction Management Plan have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways and Kent County Councils Highways). The Construction Management Plan shall include the following:
- (a) Routing of construction and delivery vehicles to / from site
  - (b) Parking and turning areas for construction and delivery vehicles and site personnel
  - (c) Timing of deliveries
  - (d) Provision of wheel washing facilities
  - (e) Temporary traffic management / signage

The development shall be carried out in accord with the approved Construction Management Plan at all times unless otherwise agreed in writing by the local planning authority (who shall consult National Highways and Kent County Councils Highways).

Reason: In the interests of highway safety, and to ensure that the M2 and A249 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- 9) Prior to the commencement of the development the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable shall be submitted to and approved in writing by the local planning authority. Should the watching brief indicate remains of interest no development shall take place until details have been provided securing safeguarding measures to ensure the preservation of archaeological remains and recording. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the archaeological interest.

- 10) Prior to the construction of any dwelling in any phase details of the materials and measures to be used to increase energy efficiency and thermal performance and reduce carbon emissions and construction waste shall be submitted to and approved

in writing by the local planning authority. The development shall be carried out in accordance with the approved materials and measures.

Reason: In the interest of promoting energy efficiency and sustainable development.

- 11) Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 NPPF.

### **Prior to above ground level works / specified time scales**

- 12) Prior to reaching slab level on the development hereby approved, details of the solar panels to be implemented on site shall be submitted to and approved in writing by the local planning authority. The solar panels shall be implemented on site prior to first occupation of the development and maintained as such thereafter.

Reason: In the interest of sustainability.

- 13) Within 3 months of works commencing on the development hereby approved, an orchard establishment and management plan must be submitted to the LPA for written approval. The plan must include the following:
- Map showing areas of orchard to be enhanced and created
  - Detailed methodology to establish the orchard
  - Overview of the management of the orchard
  - 5 year rolling management plan for the orchard
  - Details of on-going monitoring
  - Details of who will carry out the management.

The plan must implemented as approved.

Reason: In the interest of ecological enhancement and habitat creation of the site.

- 14) Within three months of works commencing of the development hereby approved, details of how the development will enhance and manage biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include the inclusion of ecological enhancements for bats, reptiles, and breeding birds through the provision of bat boxes, bird boxes, hibernacula, and native planting. The approved details will be implemented and thereafter retained.

Reason: In the interest of ecological enhancement of the site

- 15) No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials, including hard surfaces to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- 16) No development beyond the construction of foundations shall take place until full details of both hard landscaping/surfacing and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include details of any existing and proposed trees, shrubs and other planting, schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, hard surfacing materials, an implementation programme, and details of long-term management. The long-term management details shall include the communal amenity landscape areas and retained fruit trees. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity

- 17) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 18) No development above ground level shall commence until details have been submitted to and approved in writing by the Local Planning Authority demonstrating how the development will meet the principles of 'Secure by Design'. The development shall then be completed strictly in accordance with the approved details.

Reason: In order to secure a satisfactory form of development having regard to the nature of the site.

- 19) The development shall take place in accordance with the details of the Tree Protection Plan (drawing no. J20694 Arb TPP B) and Arboricultural Method Statements and arboricultural supervision within the Arboricultural Impact Assessment and Method Statement Rev C (dated May 2022), and in accordance with the current edition of BS 5837 Trees in Relation to Design, Demolition and Construction. All trees to be retained must be protected by barriers and/or ground protection.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development

### **Pre-Occupation**

- 20) Prior to occupation, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter. No external lighting other than agreed subject to this condition shall be installed on site without the prior consent of the local planning authority.

Reason: In the interests of protected species.

- 21) 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 and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of 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.

- 22) The areas shown on the submitted layout as vehicle parking and turning space shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority before the associated use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

- 23) Provision of Electric Vehicle charging points as shown on the submitted plans prior to the use of the site commencing. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wi-Fi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Reason: in the interest of air quality

- 24) The approved cycle parking facilities as illustrated on plan 22/08/04 Rev J shall be provided prior to bringing the development into first use and retained thereafter.

Reason: In the interest of sustainable transport.

- 25) Prior to the occupation of any of the units hereby permitted the approved access as show on the approved plans including H-01 Revision P2 shall have been completed and brought into use and maintained as such thereafter.

Reason: In the interest of the local highway network.



- 26) Prior to the occupation of any units as approved by the development hereby approved the completion of the off-site highway works to provide a pedestrian crossing as shown on drawing H-01 Revision P2 shall have been completed and brought into use.

Reason: In the interest of highway safety.

- 27) No dwellings shall be occupied, until the Key Street highway improvement contract has been awarded.

Reason: In the interest of highways capacity

- 28) The development shall be designed to achieve a water consumption rate of no more than 110 liters per person per day, and no dwelling shall be occupied unless the notice for that dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

- 29) Notwithstanding the provisions of Class A, Part 2, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order, no fences, gates walls or other means of enclosure shall be erected within the application site.

Reason: In the interests of visual amenity.

- 30) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: - Monday to Friday 0730 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of amenity

## **INFORMATIVES**

**National Highways Informative:** The CMP shall include details (text, maps, and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site (including measures to limit delivery journeys on the SRN during highway peak hours such as the use vehicle booking systems etc); measures to ensure that HGV loads are adequately secured, travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; plus sheeting of loose loads and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

Southern Water: We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

**KCC PROW:**

- No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority
- There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development.
- Planning consent does not confer consent or a right to disturb or unofficially divert any Public Right of Way at any time without the express permission of the Highway Authority.
- No trees or shrubs should be planted within 1.5 metres of the public right of way.
- In order to ensure public safety during development, the temporary closure of the route may be required. A temporary closure will be processed by Kent County Council on the basis that:
  - The closure is paid for by the developer,
  - The duration of the closure is kept to a minimum,
  - Alternative routes will be provided for the duration of the closure,
  - Six weeks notice of the requirement of a closure is given by the developer.

**Informative for ASBESTOS:**

Adequate and suitable measures shall be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

**KCC Flood and Water Management:**

The proposals seek to utilise a piped network draining into orchard planting with rain gardens prior to discharging at 2l/s into an existing land drain. We note that the exact location, size and condition of the land drain pipe that the proposed drainage is to connect to is to be confirmed during detailed design. Land drainage consent may also be required for any works within the watercourse in the southern area of the site. Consent in this instance will be required from Kent County Council.

**The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

