

PLANNING APPLICATIONS COMMITTEE

Wednesday, 20th April, 2022

10.00 am

**Council Chamber, Sessions House, County Hall,
Maidstone**





AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 20th April, 2022, at 10.00 am
Council Chamber, Sessions House, County
Hall, Maidstone

Ask for: **Andrew Tait**
Telephone: **03000 416749**

Membership (13)

Conservative (10): Mr A Booth (Vice-Chairman), Mr C Beart, Mrs R Binks, Mr P Cole, Mr D Crow-Brown, Mr M Dendor, Mr H Rayner, Mr O Richardson, Mr C Simkins and Vacancy

Labour (1): Ms J Meade

Liberal Democrat (1): Mr I S Chittenden

Green and
Independent (1):

Webcasting Notice

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council.

By entering the meeting room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.

3. Minutes - 16 March 2022 (Pages 1 - 6)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal GR/22/113 (KCC/GR/0024/2022) - Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend; KCC Country Parks (Pages 7 - 24)

E. MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 25 - 28)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017
4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017

F. KCC RESPONSE TO CONSULTATIONS

1. Binbury Park, Bimbury Lane, Detling, Maidstone (Pages 29 - 40)

G. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Friday, 8 April 2022

(Please note that the draft conditions and background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report.)

KENT COUNTY COUNCIL**PLANNING APPLICATIONS COMMITTEE**

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 16 March 2022.

PRESENT: Mr A Booth (Vice-Chairman in the Chair), Mrs R Binks, Mr I S Chittenden, Mr P Cole, Mr D Crow-Brown, Mr M Dendor, Mr P M Harman, Ms J Meade, Mr H Rayner, Mr O Richardson and Mr C Simkins

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mrs A Hopkins (Principal Planning Officer), Mr P Hopkins (Principal Planning Officer), Mrs H Edwards (Senior Planning Officer), Mr C Finch (Senior Projects Officer - CAIP East Kent), Ms N Stevens (Invicta Law) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS**14. Minutes - 9 February 2022**

(Item A3)

RESOLVED that the Minutes of the meeting held on 8 February 2022 are correctly recorded and that they be signed by the Chairman.

15. Application DO/21/00781 (KCC/DO/0105/2021 - The installation of machinery comprising a dust extraction system and flue, fuel stores, pellet stores, hoppers, Stela Dryer, a sound attenuated shipping container and 2 low carbon electrical production units, an additional boundary enclosure, and an increase in the quantity of wood waste to be imported/exported and number of HGV movements (part retrospective) at Flisher Energy, Fernfield Lane, Hawkinge; Flisher Energy Ltd

(Item C1)

- (1) The Head of Planning Applications Group reported additional correspondence from the applicants in respect of the need for the application.
- (2) During discussion of the application, the Committee agreed that the timescale for the conditions relating to the submission of the 3 m high barrier to the south of the site and details of the timber enclosure for the bag filter fan were to be submitted within 1 month of the date of the planning permission.
- (3) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed as amended in (2) above.
- (4) RESOLVED that permission be granted to the application subject to conditions, including conditions covering the development being carried out in accordance with the submitted documents; the submission within one month of the permission of details of the 3-metre-high barrier to the south of the site; the submission within one month of the permission of details of the timber enclosure for the bag filter fan; no more than 25,000 tonnes per annum of

waste wood being imported and no more than 20,000 tonnes per annum of wood fuel being exported; noise rating limits from the site being measured at sensitive receptors in accordance with BS4142 as set out in the table in the recommendations on page 25 (C1.21) of the report, with the noise output limits from the shredder being 112dBA; the location of the shredder being secured during operation; hours of operation for use of the shredder and screener being restricted to 0700 to 1630 on Mondays to Fridays, 0800 to 1300 on Saturdays with no operations taking place on Sundays or Bank Holidays; limit on the storage location for waste wood awaiting processing; the safeguarding of parking and turning areas; no additional lighting being installed; the storage of oils, fuels and lubricants; no more than 20 HGV movements per day, access to be via Pavilion Road, with hours of operation being restricted to 0800 to 1700 on Mondays to Fridays, 1000 to 1200 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a detailed landscaping scheme; any trees or shrubs that become diseased or die within 5 years of planting being replaced within the next planting season with species to be agreed by the County Planning Authority; the maintenance of the surface and foul water drainage system; no infiltration of surface water into the ground taking place without prior written consent; and compliance with the dust management plan.

16. Proposal 21/60738/COUNTY (KCC/SW/0213/2021) - Construction of highway improvements to the A249 Grovehurst Road junction to replace the existing 'dumbbell' junction arrangement with a new gyratory and ancillary works at A249 Grovehurst Road Junction, Sittingbourne; KCC Major Capital Programmes (Highways)

(Item D1)

(1) The Head of Planning Applications Group advised in respect of paragraph 64 of the report, that since its publication, she had become aware that there would be some vegetation clearance on the approach to the junction and on the south bound slip road. It was, nevertheless considered that the residential property would still be enclosed by the existing tree cover outside of the highway boundaries.

(2) During discussion of this item, the Committee agreed to the amendment of Condition 11 in order to ensure that the junction was operational throughout the construction period. It therefore specified that a Verification Report pertaining to the water drainage system was to be submitted for approval by the County Planning Authority within 3 months of completion of the junction.

(3) The Committee added an additional condition specifying that the full landscaping and planting details were to be submitted for approval to the County Planning Authority and implemented as approved within the first planting season following completion of the development.

(4) The Committee added two Informatives. The first strongly encouraged the applicant, when preparing details of the landscaping scheme, to include tree species of a substantial size to minimise landscape impact, as well as shrubs that included berries to support ecological diversity. The second strongly encouraged the applicant to explore the potential for an electric warning system for northbound traffic to identify fog and/or incidents in the vicinity of the Sheppey Crossing.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were unanimously agreed as amended in (2) to (4) above.

(6) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the development commencing within 3 years of the date of the permission; the development being carried out in accordance with the submitted detail; the development being constructed and opened to traffic in accordance with the Systra drawing no. 109617-dwg-101-01 Rev P05 (Proposed General Layout Arrangement) to ensure that the A249 continues to be an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act; a revised Construction Environment Management Plan (CEMP) being submitted to the County Planning Authority for written approval prior to the commencement of the development with the development being carried out in accordance with this document - The CEMP is to include (in addition to matters already covered) details of the scale, timing and mitigation of all construction related aspects of the development and shall include (but not be limited to): the routing of construction and delivery vehicles to and from the site, parking and turning areas for construction and delivery vehicles and site personnel; the timing of deliveries; the provision of wheel washing facilities, details of the general approach to temporary traffic management and signage, working hours including arrangements for working outside of normal hours, a plan for proposed erosion and sediment control measures within the detailed drainage section, the modelling of construction scenarios for the southbound off slip, potential mitigation measures for fugitive dust emissions during construction (as set out in table 24 of the revised Air Quality Report), mitigation measures to manage the effects of construction noise during night time periods (as set out in the revised Noise Report), and the reassessment of potential construction vibration impacts for residential receptors once final construction methodology and equipment is confirmed; the submission of a Stage 1 and 2 Road Safety Audit for approval by the County Planning Authority prior to the commencement of the development, and in consultation with the Highway Authority; prior to the commencement of development, the submission for approval by the County Planning Authority of details of the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining structures, service routes, surface water outfall, embankments, visibility splays, accesses, carriageway gradients, crossings, cycle paths and street furniture, with the development being laid out and constructed in accordance with these approved details; no further development being carried out if, during development, contamination not previously identified is found to be present at the site until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the County Planning Authority; no drainage systems for the infiltration of surface water to the ground taking place other than with the written approval of the County Planning Authority; no development taking place until a scheme of archaeological field evaluation has been submitted to and approved in writing by the County

Planning Authority; a sustainable surface water drainage scheme being submitted to and approved in writing by the County Planning Authority prior to the commencement of development - this drainage scheme is to be based upon the submitted Drainage Strategy and Flood Risk Assessment with addendum (Systra October 2021), demonstrating that the surface water generated by this development can be accommodated and disposed of without increase to flood risk on or off site; a Verification Report pertaining to the surface water drainage system to be submitted to and approved in writing by the County Planning Authority within 3 months of completion of the junction within 3 months of completion of the junction pertaining to the surface water drainage system; no development commencing until a further ecological survey for water voles has been undertaken to confirm if water voles are present and, if so, identifies any necessary mitigation measures; no development commencing until a method statement for the protection of reptiles during site clearance and construction works has been submitted to and approved by the County Planning Authority – this method statement is to also provide details of the reptile receptor site, with the works being carried out in accordance with the approved details; the method statement for the protection of reptiles during site clearance and construction works being reviewed to ensure that the suitability of the reptile receptor site is sufficient to accommodate all the translocated reptiles and, if not, all translocation work is to cease until such time as a suitable alternative site has been secured following the submission of details to the County Planning Authority and their approval in writing; the submission prior to commencement of development of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) for written approval by the County Planning Authority; the submission for written approval by the County Planning Authority within 6 months of planning permission being granted of an Ecological Design Strategy (EDS) to address the delivery of Biodiversity Net Gain for the site; the submission for written approval by the County Planning Authority of an Ecology and Landscape Management Plan (ELMP) prior to completion of the development; the development being carried out in accordance with the Preliminary Lighting Impact Assessment, with a further assessment of the lighting design's potential impacts being undertaken by the project ecologist and submitted for written approval by the County Planning Authority if any amendments to the lighting design are required; and the temporary Staff Welfare Compound on Bramblefield Lane/ Sheppey Way being restored to its former condition within 3 months of the completion of the works; and the submission for approval by the County Planning Authority of full landscaping and planting details to be implemented as approved within the first planting season following completion of the development; and

- (b) the applicants be advised by Informative that:-
 - (i) only clean uncontaminated water should drain into the surface water system:

- (ii) they should discuss construction options with the Highways Authority to ensure that the most appropriate construction option is chosen for the southbound off slip based on discussion and modelling, as required by the condition for the revised CEMP;
- (iii) they should ensure that all necessary highway approvals and consents are obtained;
- (iv) those proposing works affecting the public highway are required to enter into an agreement with the Strategic Highway Authority (National Highways);
- (v) they are strongly encouraged, when preparing details of the landscaping scheme, to include tree species of a substantial size to minimise landscape impact, as well as shrubs that include berries to support ecological diversity; and
- (vi) they are strongly encouraged to explore the potential for an electric warning system for northbound traffic to identify fog and/or incidents in the vicinity of the Sheppey Crossing.

17. Matters dealt with under delegated powers

(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications (None);
- (b) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessments) Regulations 2017; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessments) Regulations 2017 (None).

18. KCC Response to Consultations

(Item F1)

(1) The Committee noted that the response on the EIA Scoping Opinion for the proposed development at Ebbsfleet Central had been made to the Ebbsfleet Development Corporation.

(2) RESOLVED to note Kent County Council's response to the following Consultations:-

- (a) EIA Scoping Opinion for a proposed development at Ebbsfleet Central, Ebbsfleet Valley, Kent (Ref: EDC/22/0005):
- (b) Birchington Neighbourhood Plan (2021-2031) Consultation Draft - Regulation 16

- (c) Thanet Local Plan Update – Engagement (Discussion Papers and Evidence Base Documents); and
- (d) Land north and south of New Dover Road, Canterbury, extending north to Canterbury-Dover railway line, west to Nackington Road and south to A2 ('Mountfield Park' – South Canterbury) (Application Reference: CA/16/00600)

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX - GR/22/113 (KCC/GR/0024/2022)

A report by Head of Planning Applications Group to Planning Applications Committee on 20th April 2022.

Application by Kent County Council Country Parks for the installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

Recommendation: Permission be granted subject to conditions.

Local Member: Mr Bryan Sweetland

Classification: Unrestricted

Site

1. Shorne Woods Country Park is located north of the A2 Watling Street and approximately 4 miles south east of the town of Gravesend, situated south east of the hamlet of Thong and west of Shorne Ridgeway. The park is accessed via Brewers Road to the south and is surrounded by dense woodland on all boundaries including Randall Wood, Brewers Wood and Brummelhill Wood. The site is located wholly within the Metropolitan Green Belt, the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Shorne and Ashenbank Woods Site of Special Scientific Interest (SSSI).
2. The Country Park is Kent County Council's flagship Country Park covering 292 acres of woodlands, wetlands and meadows. The park comprises a visitor centre, café, volunteer garden, fishing lakes and picnic and play areas, as well as a variety of waymarked trails throughout the park for pedestrians, cyclists and equestrians ranging from 1km to 10km and of varying difficulty.
3. The proposed play area is situated on an existing open area of amenity grassland adjacent to the existing play area at the south eastern side of the park. A site location plan is attached.

Recent Planning History

4. Prior to Kent County Council running the facility, Shorne Woods was historically part of the medieval Cobham Hall Estate. In the 1920s the area was used for clay extraction before being used as an army camp during World War II. Kent County Council bought Shorne Wood in 1982 and opened the site as a country park in 1987. KCC bought Randall Woods and Brewers Woods in 2001 and an additional 3 hectares of Brewers Wood in 2013 which collectively created Shorne Woods.

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

5. The most relevant recent site planning history is listed below:

GR/04/967	Proposed new visitor centre including interpretative space, cafe, classroom, welfare facilities and administration office. Extension of the existing car park to provide an additional 65 car parking spaces and wind turbine Granted with conditions 21 March 2005
GR/09/972	Change of use of upstairs room (known as the Chestnut Room) for meetings, launches, wedding ceremonies, receptions and other functions Approved 7 April 2010
GR/11/92	Development of a small satellite toilet block with refreshment kiosk to supplement existing facilities in main visitor centre. Proposal includes some minor remodelling of existing car park layout and the introduction of a footpath link from the car park to existing path which runs around the park Granted with conditions 19 April 2011
GR/11/746	Retention and continued use of temporary building. Granted with conditions 2 November 2011
GR/11/961	Permanent change of use of Chestnut Room in The Visitor Centre to permit dual use for both educational activities (already has permanent permission) and functions (currently has temporary permission until April 2012 under permission GR/09/972) Granted with conditions 15 February 2012

Proposal

6. This planning application seeks permission for the installation of play area and associated fencing and surfacing at Shorne Woods Country Park. The proposed play area would be located on an area of existing open amenity grassland, located adjacent to the existing adventure play area at the country park, north east of the main visitor hub and café.
7. The application comprises the installation of accessible play equipment for children aged 12 and under, including both creative and imaginative play elements for toddlers, and more challenging elements for older children such as climbing and balancing. The playground would provide a recreation facility for a variety of ages and abilities, encouraging health and wellbeing whilst respecting the local habitat. The equipment includes cradle swings, a range of slides appropriate for different age groups, as well as a wheelchair swing and wheelchair accessible roundabout.
8. The play equipment would be constructed from sustainably sourced natural softwood timber posts set in metal footings with elements of green coloured plastic, and would all be under 2.5 metres in height.

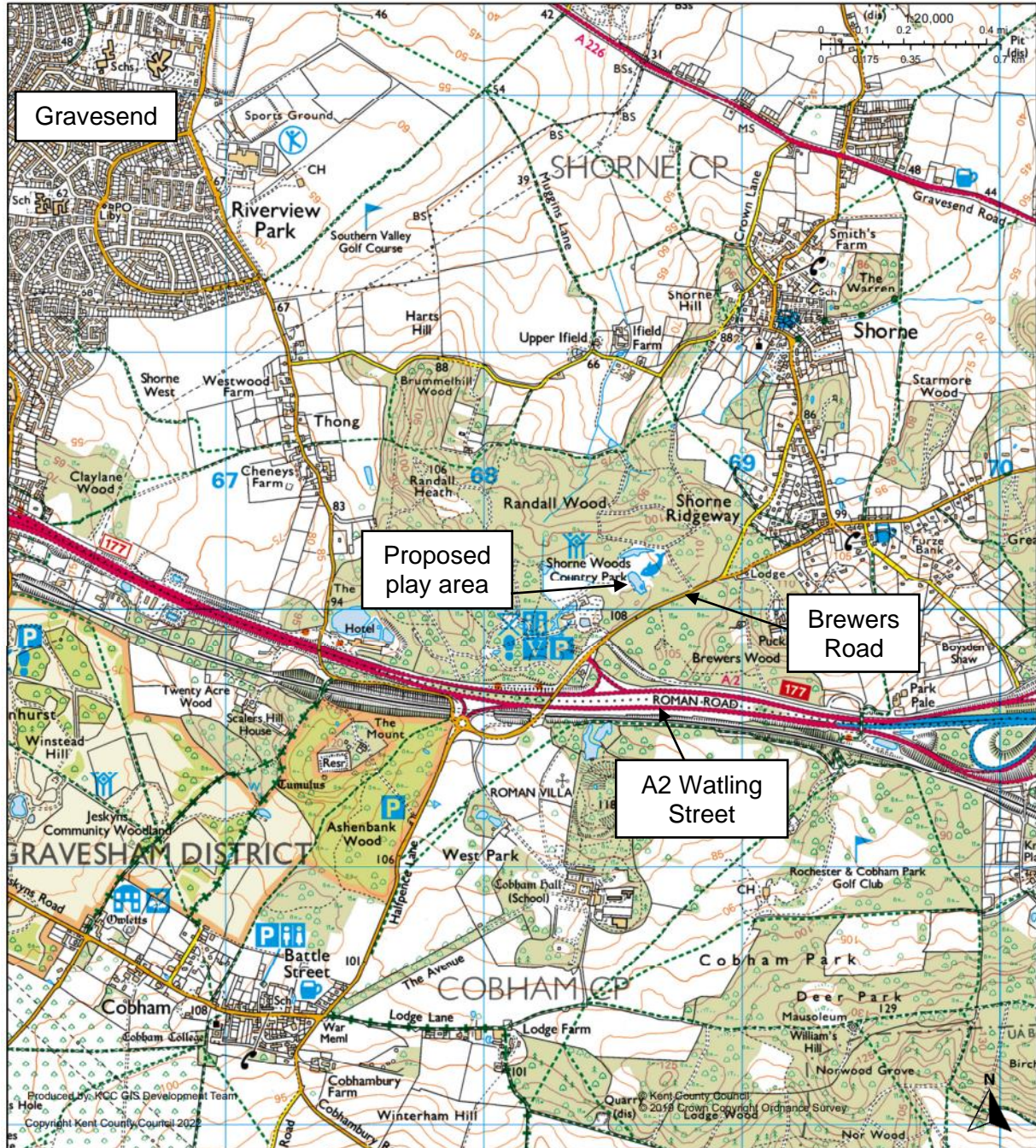
Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

9. The play equipment would be set on a geotextile membrane, followed by a layer of type 1 sub base and a safety wet pour surface measuring 20 metres by 27 metres, providing a safe access throughout the year. The groundworks required in preparation for surfacing would include removing the top grass layer and levelling of the clay to allow for the surfacing materials. All excavated material would be left on site and mounded in an area where it can be left to revegetate naturally.
10. The application also includes the installation of a 1 metre high timber palisade fence around the perimeter of the proposed play area with metal self-closing gates. The fencing would be natural wood which is the standard fencing used throughout Kent County Council's country parks.
11. The proposed play area is designed to be integrated with the existing play area at the country park, and would be within 60 metres of the main car park and 15 metres of hard standing for emergency vehicle access. The site is within a no cycle and 'dogs on lead' zone, and there are existing pathways in place that would provide access.

Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

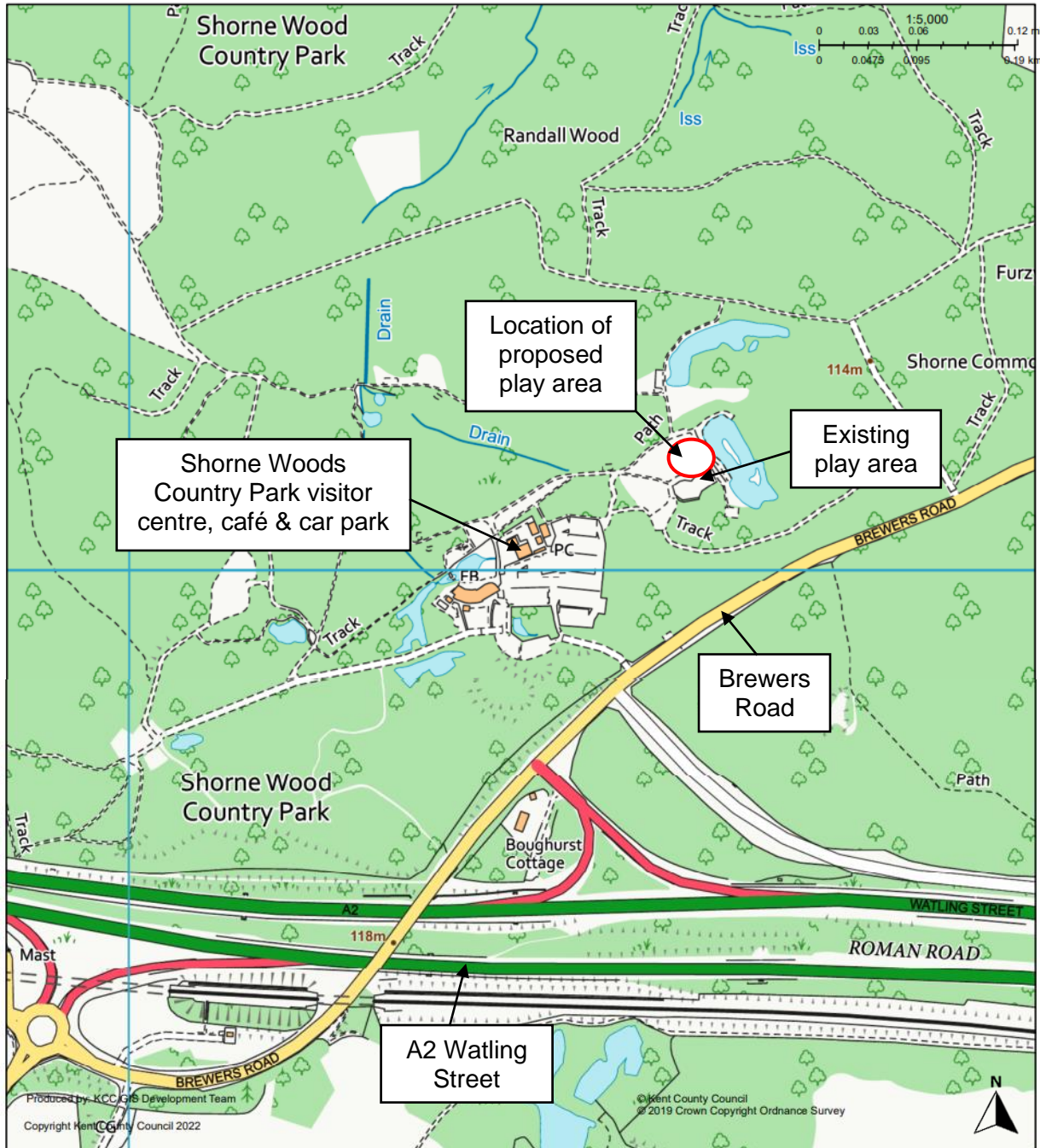
Site Location Plan



Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

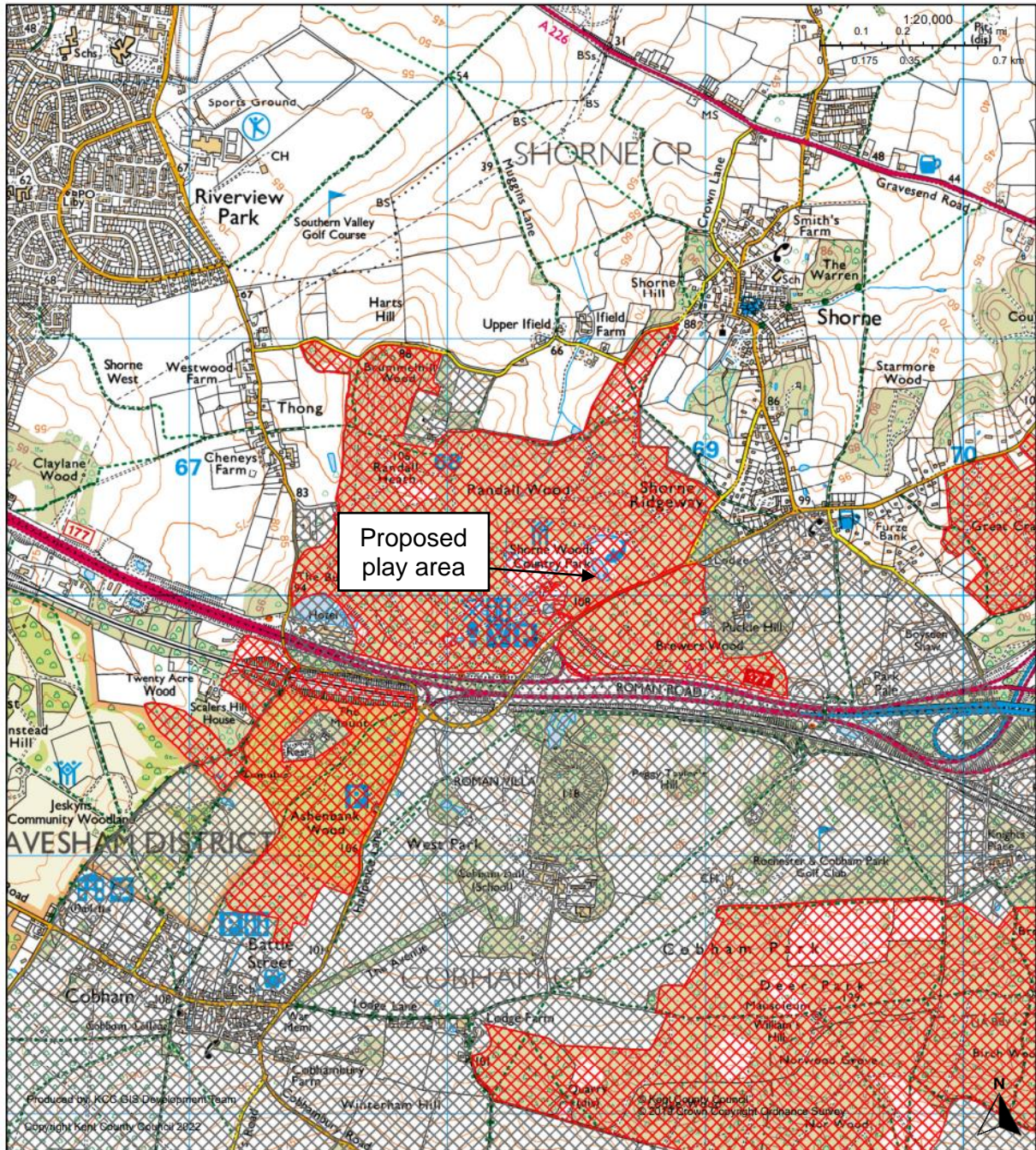
Site Location Plan





Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

Area of Outstanding Natural Beauty & Site of Special Scientific Interest

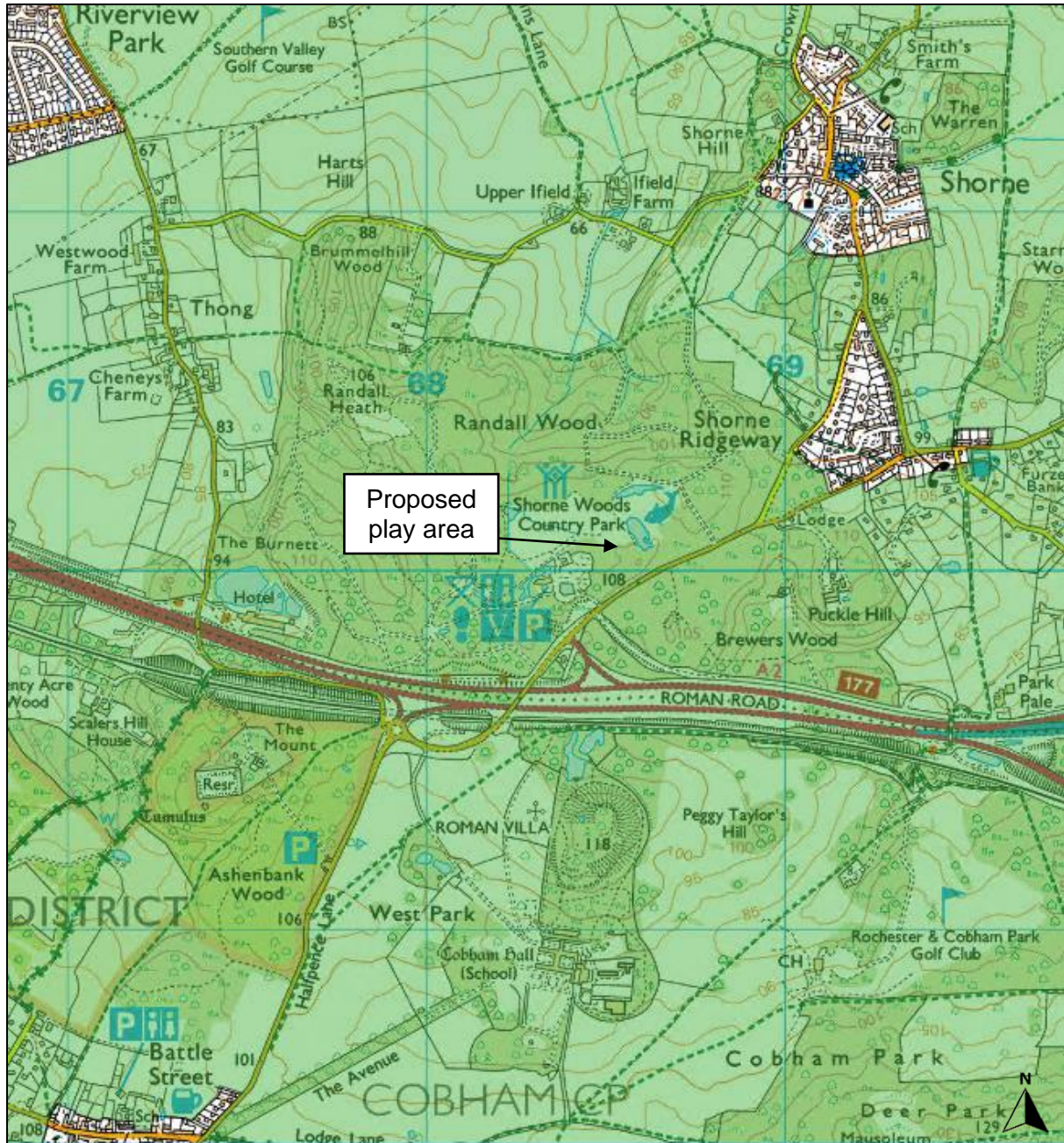



-  Sites of Special Scientific Interest (SSSI)
-  Areas of Outstanding Natural Beauty (AONB)

Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

Metropolitan Green Belt



 Green Belt

Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

Proposed Play Area Layout

General Notes & Key

Equipment Key:

- Brook Plus (Green)
- Timber (Double Bay) Twin Swing (As Train) (As Inclusive) (As Tango Seat)
- Inclusive Orbit
- Play Ship 2
- Standard Seat
- Non-Standard Rap Plus (Green)
- Ability Swing (Woodland P.C.R. Oak)
- Timber Cradle Swing
- Log Train
- Play Train

Client Approval

Name	
Signature	
Date	

Received - 3 February 2022
Planning Applications Group

Proposed Play Area for:
Kent County Council - Shorne Wood Country Park
Scheme No: 23143rev1/KEN Date: 13/01/2022 Drawn by: KT
1:200 @ A4

MADE IN THE UK www.playdale.co.uk **Playdale Playgrounds**

All plans are to scale unless otherwise stated. Joints/connections are provided as a detail only and may not accurately represent the layout of the finished site. All plans, quotations and correspondence between Playdale and the addressee are to remain strictly confidential. Between those parties only. Playdale reserve the right to make modification in design and specification.

Proposed Play Area

Shorne Wood Country Park
Kent County Council

© Scheme No: 23143rev1/KEN Date: 13/01/2022 Drawn by: KT

MADE IN THE UK www.playdale.co.uk **Playdale Playgrounds**

- Learning about teamwork
- Experiencing high and low level play
- Learning and climbing fun
- Sits rolling skills
- Learning to share and play with others
- Provides a lovely point for rest/stop
- Improves balance and coordination
- sensory stimulation
- Experience the sensation of height
- Include access

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

Planning Policy

12. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate to the consideration of this application:

- (i) **National Planning Policy Framework (NPPF) July 2021** and the **National Planning Policy Guidance** (March 2014), sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- Providing accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being (paragraph 8);
- Achieving healthy, inclusive and safe places which are safe and accessible and encourage active and continual use of public areas and enable and support healthy lifestyles (paragraph 92);
- Provide social, recreational and cultural facilities the community needs (paragraph 93);
- Provide access to a network of high quality open spaces and opportunities for sport and physical activity for the health and well-being of communities (paragraph 98);
- Consideration of whether impacts from the development on the transports network (in terms of capacity and congestion), or on highways safety, can be cost effectively mitigated to an acceptable degree (paragraph 110);
- Achieving the requirement for high quality design, creating places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (paragraph 130);
- Provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it (paragraph 149);
- Contributing to and enhancing the natural and local environment by protecting and enhancing sites of biodiversity (paragraph 174);
- Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues (paragraph 176);
- Consideration of the likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest (paragraph 180).

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

- (ii) The adopted **Gravesend Local Plan Core Strategy 2014 (adopted September 2014)** (summarised policies)

Policy CS01	Sustainable Development Seeks to achieve sustainable development whereby planning applications that accord with the Development Plan will be approved without delay unless material considerations indicate otherwise. The Policy states that the Borough Council will take a positive approach reflecting the presumption in favour of sustainable development in the NPPF and the Core Strategy and work proactively with applicants to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.
Policy CS02	Scale and Distribution of Development Seeks to prioritise development in the urban area as a sustainable location for development and supports developments inset from the Green Belt.
Policy CS10	Physical and Social Infrastructure Supports proposals and activities that protect, retain or enhance existing physical and social infrastructure or lead to the provision of additional infrastructure that improves community well-being.
Policy CS11	Transport Seeks to ensure that the impact of proposals on the highway and public transport network is managed and that there is sufficient new parking in new development in accordance with adopted parking standards.
Policy CS12	Green Infrastructure Seeks to protect sites designated for their biodiversity value including Sites of Special Scientific Interest as well as to ensure landscape character and valued landscapes are conserved, restored and enhanced, with the greatest weight given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting.
Policy CS13	Green Space, Sport and Recreation Seeks to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space and enhance existing facilities.
Policy CS19	Development and Design Principles Seeks to manage development and design principles to achieve visually attractive, fit for purpose and locally distinctive new development, which conserves and enhances the character of the local built, historic and natural environment, integrates well with the surrounding local area and meets anti-crime standards.

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

(iii) Gravesham Local Plan First Review Saved Policies 2014**Policy P3****Policy for Vehicle Parking Standards**

Seeks to ensure that there is provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Consultations

13. **Gravesham Borough Council:** Raise no objection and advise on imposing suitable conditions on any planning permission granted to ensure that the proposed development would have no adverse impacts on the character and appearance of the surrounding area and on highway safety. These include ensuring that the proposed boundary fencing around the playground is of a more open, rural design, and an amendment to the location of the works compound away from the existing carpark.

Shorne Parish Council: Raise no objection in principle to the proposal and make several suggestions on the proposal including increasing the number of benches within the playground and suggest open and natural coloured fencing with wooden gates as opposed to close boarded fencing as detailed on the plans to be more in-keeping with the surrounding area and existing playground fencing. The Parish Council also advise that parking and traffic are existing issues at the park and the location of the works compound in the carpark would reduce parking availability could lead to increased overspill parking and charge-avoidance. The Parish recommends that consideration is given to the expansion of parking provision coupled with measures to prevent charge avoidance in local roads such as Park Pale. The popularity of the park during peak periods could mean local children have difficulty accessing the play equipment and more visitors, coupled with increased traffic could lead to less biodiversity within the park.

KCC Biodiversity Officer: Raise no objection subject to a Construction Management Plan to ensure that works are designed to minimise impacts on the SSSI (for example through an increase in dust or noise) and any damage to the SSSI through construction traffic is rectified on completion of the works. Biodiversity also require confirmation that on completion of the works, the access route would be surveyed and, if required, carry out repairs to ensure that it remains in good conditions to minimise damage to the SSSI.

Natural England: Raise no objection to the proposal and consider that the proposed development would not have significant adverse impacts on Shorne and Ashenbank Woods Site of Special Scientific Interest. Natural England note that the proposal is located within the Shorne and Ashenbank Woods SSSI, on an area of amenity grassland and recognise that this area was amenity grassland at the time the SSSI was re-notified in 1988, and has continued to be managed as amenity grassland. Whilst the proposal does not directly support the features for which the site is designated (i.e. woodland and an assemblage of invertebrates associated with open water on disturbed sediments), it is included within the SSSI boundary for practical reasons and to provide a buffer for the ponds which support the notified invertebrate interests. Provided that the new playground would not have an impact on the adjacent ponds, Natural England

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

considers that the proposed development would not damage or destroy the interest features for which the site has been notified and has no objection.

KCC Highways and Transportation: Raise no objection to the proposal having considered the development proposals and the effect on the highway network.

Kent Downs Area of Outstanding Natural Beauty Unit: No comments received to date.

Local Member

14. The local County Council Member for Gravesham Rural, Mr Bryan Sweetland, was notified of the application on 4 February 2022, and no views have been received to date.

Publicity

15. The application was publicised by the posting 3 site notices; posted at the front of the Country Park entrance on Brewers Road, on the Country Park notice board adjacent to the visitor centre café and car park, and on the fencing around the existing play area within the site. There are no properties within the immediate vicinity of the application site.

Representations

16. No letters of representation have been received to date.

Discussion

17. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 12 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case relate to the siting and design of the proposed development, the acceptability of the proposed development given its location within the Metropolitan Green Belt, and the associated impacts arising from the proposal in terms of the Kent Downs Area of Outstanding Natural Beauty (AONB) and Site of Special Scientific Interest (SSSI) designations.
18. The planning authority has not received any letters objection to this application. On that basis, applications would normally be determined under delegated powers to the Head of Planning Applications. In this instance however, the application is required to be reported to the Planning Applications Committee as a result of governance requirements arising from the applicant, Kent Country Parks, and the Planning Applications Group both falling within the current management arrangement of the Growth and Communities Division of the Growth, Environment and Transport Directorate. In these circumstances legislation requires that the decision is taken by the Planning Applications Committee even though there are no material planning objections to the proposal.

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Siting and Design

19. The proposed play area would be constructed on an existing open area of amenity grassland within the country park, which lies immediately adjacent to the existing play area on a relatively underused area of amenity grassland. The area of amenity grassland has no impact on woodland, woodland species or wildflowers and has been managed as amenity grassland since the country park opened in 1987. The play area in this location would mean that tree clearance is not required, and there would be no impact on tree root protection areas or any loss of habitat that would be detrimental to the Site of Special Scientific Interest. The proposed play area has been designed to be integrated with the existing play area at the country park, situated north east of the main visitor centre and café. Considering the matters above I am satisfied that the proposed location of the play area is considered appropriate within the country park.
20. The play equipment would be constructed of natural softwood timber posts set in metal footings with elements of green coloured plastic which would match the design of the existing adjacent play area. Similarly, the 1 metre high natural wood timber palisade fencing around the perimeter of the play area is used throughout all of Kent County Council's country parks and would ensure that it is in keeping with the country parks style. Shorne Parish Council and Gravesham Borough Council advised that the proposed boundary fencing should be of a more open and rural design as opposed to close boarded fencing. The applicant has addressed this by confirming that the fencing around the perimeter of the play area would be natural wooden timber palisade fencing with a gap between each palisade. Similarly, metal self-closing gates as opposed to wooden gates are required for child safety as they are more effective and secure. There are three benches shown in the submitted application drawings within the proposed play area, and the applicant has detailed the intention to provide further benches in the vicinity as part of future development, but these are not included as part of this application. I am satisfied that the proposed materials are wholly appropriate given the location within the country park and would be in keeping with the surrounding area. The proposal would accord with the NPPF objectives on design and Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

Principle of Development in the Green Belt and Area of Outstanding Natural Beauty

21. The proposed play area is situated within the Metropolitan Green Belt and Kent Downs Area of Outstanding Natural Beauty. The NPPF and Gravesham Borough Council Core Strategy seek to preserve the openness of the Green Belt and give great weight to conserving and enhancing the landscape and scenic beauty of the AONB.
22. In terms of the Metropolitan Green Belt, consideration needs to be given as to whether the development would be classified as 'inappropriate'. The NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
23. The NPPF states that construction of new buildings should be regarded as inappropriate within the Green Belt, although a number of limited exceptions are identified. Paragraph 149 b) of the NPPF lists the following as an exception:

'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds

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and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'

24. Given the proposed development relates to a relatively small playground on an existing open area of amenity grassland occupying a Green Belt location, and that the proposed development would be of a low level adjacent to the existing play area within the country park, constructed of similar materials to match the existing and tie into the surrounding environment, I can see no reason why the proposal would affect the openness of the Green Belt. The proposal would also maintain the use of the land for outdoor recreation and the facilities would preserve the openness of the Green Belt, and would therefore not be considered as 'inappropriate development'.
25. No objection has been raised on Green Belt grounds by the District Authority and I consider that the proposed development would not conflict with the NPPF guidance or Policy CS02 of the Gravesham Local Plan Core Strategy (2014) and is acceptable in principle.
26. The designation for the Kent Downs Area of Outstanding Natural Beauty includes the whole of Shorne Woods Country Park. The proposed play area would have a very limited impact on the wider landscape and setting of the AONB as it would be seen in the context of the existing country park adjacent to the existing adventure play area. The proposed play area would be constructed of materials to match the adjacent existing play area, which would tie in to the surrounding environment and is well screened to areas outside the Country Park by the existing vegetation including dense woodland, hedgerows, and mature trees. Paragraph 176 of the NPPF outlines that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. I am satisfied that the proposed play area is situated within the confines of the country park and would not be open to the wider view of the AONB. Neither the Kent Downs AONB Unit or the Borough Council have raised any concerns about the impacts of the proposals on the AONB and I consider that the proposal accords with the general principles contained in Gravesham Local Plan Core Strategy (2014) Policy CS12: Green Infrastructure.

Impact on Site of Special Scientific Interest/Ecological Interests

27. Shorne Woods Country Park is located wholly within the Shorne and Ashenbank Woods Site of Special Scientific Interest (SSSI). The SSSI is designated due to Shorne and Ashenbank Woods forming a complex of ancient and woodland plantation. The proposed play area would be situated on an area of amenity grassland within the SSSI, which was classified as amenity grassland at the time the SSSI was re-notified in 1988 and has since continued to be managed for this use. The area of amenity grassland has no impact on the woodland, woodland species or wildflowers within the SSSI and the construction of the play area would not require any tree clearance or impact on tree root protection areas. Paragraphs 179 and 180 of the NPPF outlines that development should protect and enhance biodiversity and development on land within a SSSI which is likely to have an adverse effect on it should not normally be permitted. The proposed play area would be situated on an existing area of amenity grassland within an area of high recreational use in the confines of the country park. The play area would not significantly impact on the features that led to the designation of the SSSI and has been designed to

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be integrated with the existing adventure play area at the country park. Natural England consider that the proposed development would not have a significant adverse impact on the Shorne and Ashenbank Woods SSSI and therefore raise no objection.

28. KCC Biodiversity were also consulted on the application and were satisfied that no ecological surveys are required due to the proposed development being located on an area of amenity grassland with limited or no botanical interest. The Biodiversity Officer outlined that the proposed development is located within a SSSI but as the proposal is to be located on amenity grassland and within an area of high recreational usage, are satisfied that the proposal is unlikely to have a negative impact on the SSSI. However, as the proposal would include some groundworks, KCC Biodiversity have recommended a Construction Management Plan be required to ensure that the works are designed to minimise impacts on the SSSI, for example through control of dust or noise, and that in the event of any damage to the SSSI from construction traffic this would be rectified on completion of the works. The Applicant has submitted a Construction Management Plan and has confirmed that photographs would be taken prior to the commencement of any works and any damage caused would be repaired as part of the completion of the project. I am therefore satisfied that the proposed development would not have a significant adverse impact on the SSSI or other ecological interests and is therefore in accordance with development plan policy.

Access, Parking and Highways

29. The Construction Management Plan details that the works compound would be located in the main overflow car park for the duration of construction, with all deliveries and storage in a securely fenced area. Materials would then be moved to the construction area via the existing surfaced access track. Shorne Parish Council raise no objection to the application but have raised concerns that parking availability would be reduced due to the works compound location within the car park, which could lead to increased overspill parking and charge avoidance, especially during peak times such as bank holidays and half terms. The Parish Council also outline that parking and traffic is an existing issue due to the park's popularity, which could be increased by the proposal, and advise that consideration is given to the expansion of parking provision coupled with robust measures to prevent charge-avoidance in local roads. Gravesham Borough Council also raise no objection but have raised similar concerns and advise of an amendment to the location of the works compound, away from the existing car park.
30. Should planning permission be granted, works are scheduled to begin towards the end of April to ensure that there would be no loss of parking provision during the school holidays. It is anticipated that there would be a loss of 6 car parking spaces over the May bank holiday, and it is considered that this would not cause a significant impact on overflow parking. The car park at the country park was expanded in 2006 and currently has capacity for 322 vehicles. The expansion of any car parking is restricted by the country parks designations within the Metropolitan Green Belt, Kent Downs AONB and Shorne and Ashenbank SSSI. The temporary location of the works compound within the overflow car park is considered the most appropriate given the site's location with the Green Belt, AONB and SSSI. The compound would be of a temporary nature, would be situated in an area which has previously been used to store equipment and machinery when work has been carried out within the country park, and would only be present on site for a limited period of time (approximately 1 month).

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31. Highways and Transportation were consulted on the application and have stated that in considering the development proposals and the effect on the highway network, raise no objection. The proposal is in general conformity to Gravesham Local Plan Core Strategy (2014) Policy CS11: Transport and Gravesham Local Plan First Review Saved Policies (2014) Policy P3: Policy for Vehicle Parking Standards. It is therefore considered that the application does not pose unacceptable impacts on transport, specifically parking provision.

Conclusion

32. The proposal seeks to provide new accessible play equipment adjacent to the existing play area at Shorne Woods Country Park. The Country Park is located within the Metropolitan Green Belt, the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Shorne and Ashenbank Woods Site of Special Scientific Interest (SSSI). The siting and design of the play area are considered acceptable, and the proposal would not have any significant impact on the openness of the Green Belt, any adverse impact on the landscape character of the AONB or designation of the SSSI.
33. The planning authority has not received any objection to this application. On that basis, applications would normally be determined under delegated powers to the Head of Planning Applications. In this instance however, the application is required to be reported to the Planning Applications Committee as a result of governance requirements arising from the applicant, Kent Country Parks, and the Planning Applications Group both falling within the current management arrangement of the Growth and Communities Division of the Growth, Environment and Transport Directorate.
34. The development is in accordance with the general aims and objectives of the relevant Development Plan Policies and the principles of the National Planning Policy Framework and therefore my recommendation is that planning permission be granted, subject to conditions.

Recommendation

35. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- i. The standard three year time limit;
 - ii. The development to be carried out in accordance with the permitted details;
 - iii. The development shall be carried out in strict accordance with the submitted Construction Management Plan and accompanying map, including the works survey of the access route and future repairs on completion of the works.
36. I FURTHER RECOMMEND that the following INFORMATIVE be added:
- i. Advice that planning permission does not convey any approval to carry out work on or affecting a public highway and that engagement with KCC Highways and Transportation would be required at an early stage.

Item D1

Installation of a play area at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend, Kent DA12 3HX – GR/22/113 (KCC/GR/0024/2022)

Background Documents: see section heading

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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents - The deposited documents.

DO/07/179/MR35/RA Request for approval of replacement weighbridge pursuant to condition 19 of planning permission DO/07/179/MR35.
Rowling Chalk Pit, Rowling, Woodnesborough, Sandwich, Kent
Decision: Approved

E2 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS MEMBERS' INFORMATION

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents – The deposited documents.

CA/21/1093/R8 Details of the proposed electric vehicle parking spaces (Condition 8) and details of how the development will enhance biodiversity (Condition 11) of planning permission CA/21/1093.
&R11 Simon Langton Grammar School for Boys, Langton Lane, Nackington, Canterbury, Kent, CT4 7AS
Decision: Approved

CA/22/45 Proposed MUGA within playing field along with alterations to existing levels.
Herne CE (Aided) Junior School, School Lane, Herne, Herne Bay, Kent CT6 7AL
Decision: Permitted

DO/20/1048/R Non-material amendment to planning application DO/20/1048 for the relocation of 2no. Section 2a drainage basins to reflect the locations required to facilitate the adjacent IBF project; relocation of the vehicle turning head to suit the final location required by the adjacent IBF project; relocation of two maintenance laybys to suit the final location required by the adjacent IBF project.
Dover Fastrack - Land to the north of Dover and to the south of Whitfield, Kent
Decision: Approved

DO/20/1048/R3	<p>Details of all the proposed structures, including the overbridge, along with retaining walls, paving and hard surfaces, carriageway design and materials pursuant to Condition 3 of planning permission DO/20/1048.</p> <p>Dover Fastrack - Land to the north of Dover and to the south of Whitfield, Kent</p> <p>Decision: Approved</p>
DO/21/956/R6	<p>Details of the results of the bat hibernation surveys and a review of the Ecological Method Statement pursuant to Condition 6 of planning permission DO/21/956.</p> <p>Lydden Primary School, Stonehall, Lydden, Kent CT15 7LA</p> <p>Decision: Approved</p>
DO/21/956/R7	<p>Details of a bat sensitive lighting plan pursuant to Condition 7 of planning permission DO/21/956.</p> <p>Lydden Primary School, Stonehall, Lydden, Kent, CT15 7LA</p> <p>Decision: Approved</p>
MA/20/501906/ RVAR	<p>Details of an Archaeological Watching Brief (Condition 5) and details of a Construction Management Plan (Condition 7) pursuant to planning permission MA/20/501906.</p> <p>Oakwood House, Oakwood Park, Tonbridge Road, Maidstone, Kent ME16 8AE</p> <p>Decision: Approved</p>
MA/21/501778/R	<p>Non-material amendment to planning permission MA/21/501778 for the reduction of main roof pitch to 5 degrees (from 10 degrees); reduction in length of external canopy to front elevation to cover only principal entrances and cycle parking; omission of soffit cladding to canopy; addition of parapet wall to end of link corridor; omission of new hardstanding areas to rear of building; omission of gates to eastern boundary at rear of building; alteration of specification/type of fencing to secure compound from solid boarded to weldmesh with timber infill; reduction in number of light fittings to rear compound; minor landscaping amendments to suit other changes</p> <p>County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent</p> <p>Decision: Approved</p>
MA/21/501778/RVC	<p>Details of geo-archaeological & Palaeolithic field evaluation (Condition 18) and details of an archaeological field evaluation (Condition 19) of planning permission MA/21/501778.</p> <p>County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent</p> <p>Decision: Approved</p>
MA/22/500631	<p>Resurfacing of existing tennis courts with new green tarmac and new court markings for multi-sport use.</p> <p>Maidstone Grammar School, Barton Road, Maidstone, Kent ME15 7BT</p> <p>Decision: Permitted</p>

TH/22/154	<p>Partial refurbishment and rebuild of an existing garage to an office and workshop space for use by St Anthony's School staff. St Anthony's School, St Anthony's Way, Margate, Kent, CT9 3RA Decision: Permitted</p>
TM/22/210	<p>Construction of a single-storey extension to St Peter's lodge building to provide extended teaching space. St Peters Church Of England Primary School, Mount Pleasant, Aylesford, Kent ME20 7BE Decision: Permitted</p>
TM/22/215	<p>Proposed replacement of existing temporary pedestrian trackway with a tarmac path to make the paths fully accessible. The Malling School, Beech Road, Mill Street, East Malling, West Malling, Kent, ME19 6DH Decision: Permitted</p>

E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

Background Documents –

- *The deposited documents.*
 - *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
 - *The Government's Online Planning Practice Guidance-Environmental Impact Assessment/Screening Schedule 2 Projects*
- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

KCC/SCR/AS/0035/2022 - Request for a Screening Opinion as to whether the proposed development at, and adjacent to, Rolvenden Layne Waste Water Treatment works requires an Environmental Impact Assessment.
Rolvenden Layne Wastewater Treatment Works (WTW)), Thornden Lane, Rolvenden Layne, Kent TN17 4PS

KCC/DO/0062/2022 - Proposed refurbishment and upgrading of Dover Discovery Centre including internal alterations, new external access ramp and entrance, replacement of the conservatory roofs with solid panels, new windows in the rotunda, additional glazing to the ground floor and repairs to curtain walling, roof repairs and louvre screens to new roof plant and railings.
Dover Discovery Centre, Market Square, Dover, Kent CT16 1PH

KCC/GR/0014/2022 - Proposed 2-form of entry expansion, involving the erection of a new freestanding 2-storey school building, new staff car park, new parent car park and drop off/pick up area, together with associated access, signage and landscaping works.

Meopham School, Wrotham Road, Meopham, Gravesend, Kent DA13 0AH

KCC/TW/0032/2022 - Alterations to existing kitchen and construction of new kitchen extension including retrospective planning permission for the bin store.

Speldhurst Primary School, Langton Road, Speldhurst, Tunbridge Wells, Kent TN3 0NP

- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

None

E4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS

- (b) Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
- *The Government's Online Planning Practice Guidance-Environmental Impact Assessment/Preparing an Environmental Statement*

None

SECTION F KCC RESPONSE TO CONSULTATION

Background Documents - the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

KCC Response to Consultations

[REDACTED]

Reports to Planning Applications Committee on 20 April 2022.

These reports set out KCC's responses to consultations.

Recommendation: To note the report

[REDACTED] Unrestricted

1. Introduction and Supporting Documents.

The County Council has commented on the following planning matters. A copy of the response is set out in the papers. These planning matters are for the relevant District/Borough or City Council to determine.

F1 Binbury Park, Bimbury Lane, Detling, Maidstone (Ref MBC/18/504836/EIOUT)

County Council's response to Maidstone Borough Council on the above

Background Documents: As set out in the report.

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Maidstone Borough Council
Maidstone Planning Department
King Street
Maidstone
Kent
ME15 6JQ

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 18 March 2022

Our Ref:

Application - MBC/18/504836/EIOUT

Location - Binbury Park Bimbury Lane Detling Maidstone Kent

Proposal - Outline application (with all matters reserved apart from access) for the erection of up to 1,750 dwellings including affordable housing, 46,000 sq.m of commercial space, a hotel, a local centre, a new primary school, a park and ride facility, strategic highways improvements including new Kent Showground access/egress, accesses/roads including a new bridleway bridge, parking, associated open space, landscaping, services, and Sustainable Drainage Systems. In addition the proposals include a publicly-accessible country park including the Binbury Motte and Bailey Castle Scheduled Ancient Monument.

Thank you for your re-consultation in relation to the above planning application.

It is noted that the applicant has submitted a Technical Note (dated January 2022), which is intended to address the comments in the KCC Highways consultation response of 30 November 2021.

Following a review of the Technical Note (TN) alongside the submissions previously made in support of the application, KCC Highways has the following additional comments:

Site Access Layout

The TN confirms that minor modifications have been made to ensure the vehicle access arrangements achieve conformity with current design standards. The revised 'Proposed Grade Separated Access' drawing (ref: 14-013-054 Rev F) illustrates the updated road layout from both the horizontal and vertical perspective.

The various design standards that have been applied are described in the TN in respect of the merge/diverge slip roads with the A249, the two new roundabouts and the connecting sections of road. This provides confirmation that the design has been based on the current design standards.

The applicant has clarified that the slip road designs are based on a proposed 50mph speed limit as this reflects the expected transition speeds as road users leave or join the dual

carriageway. The credibility of this assumption will be assisted by the County Council's planned implementation of a northward extension to the existing 50mph limit on the A249 later this year.

The TN has acknowledged how the Stage 1 Road Safety Audit, undertaken in June 2018, pre-dates the introduction of the new GG119 guidance on safety audits. The applicant is nonetheless of the view that the audit is not invalidated by the change in guidance. This view is corroborated by two independent road safety auditors, who confirm that the guidance has not altered the technical requirements associated with conducting the audit. They highlight that the audit would only be invalidated if it has exceeded its shelf life or if there have been changes to the highway network or traffic volumes. The applicant is of the view that no such changes have occurred.

KCC Highways is mindful of paragraph 4.2 of GG119, which states that '*Stage 1 and Stage 2 Road Safety Audits shall be repeated if the previous Road Safety Audit for the relevant stage is more than five years old*'. On this basis the audit has not yet reached the end of its shelf life.

KCC Highways would also acknowledge that there have been no changes to the highway network, given that the upgrade to M2 J5 is in the early stages of implementation. Furthermore, the audit pre-dates the downward trend in traffic volumes caused by the COVID pandemic and therefore takes account of more typical road conditions.

It is therefore accepted that the Road Safety Audit remains valid.

Based on the submitted information, KCC Highways is now satisfied that a compliant access design is achievable within land that is under the control of the applicant.

Minor Road Access Points

The TN confirms the intention to provide vehicular access points onto Binbury Lane and Scragged Oak Road. It proposes that a requirement to submit design details for approval forms a condition of any outline planning permission.

This approach is inconsistent with the outline planning application, which seeks outline planning permission with all matters reserved except for access.

KCC Highways remains concerned that the accesses will result in increased traffic movements on roads that, in the absence of improvements, will have a narrow carriageway width and limited forward visibility in places. It is noted that the scope for improvements to reduce conflicts and maintain highway safety is limited as the applicant has land within their control along Binbury Lane but not along Scragged Oak Road.

It is accepted that the minor road accesses should be viewed in the overall context of the site access strategy. This places a significant emphasis on achieving safe and efficient access to the development directly to/from the A249 for the majority of trips. Furthermore, it incorporates safety improvements to the existing County Showground and Scragged Oak Road junctions with the A249. On balance, it is therefore acknowledged that an in-principle objection to the inclusion of the minor road accesses could be difficult to sustain.

KCC Highways nonetheless require the inclusion of a planning condition that requires the applicant to submit design details of the minor road accesses and any associated highway works for approval in the interest of maintaining highway safety at these locations.

A249 Footway/Cycleway

The TN includes a review of the dimensions of the proposed footway/cycleway route against the advice contained in LTN 1/20. This confirms how most of the route is in conformity with current design guidance in terms of width and separation from the carriageway.

The exception is a 50m section of the route alongside the off-slip into the County Showground, where the width is 2.5m and there is no separation from the carriageway. The proposed 2.5m width achieves the 'absolute minimum at constraints' based on a peak hour cycle flow of 300-1000. There would, however, be no separation from the carriageway. The absolute minimum separation of 3m on a 70mph section of road (or an absolute minimum of 1.5m following the County Council's planned extension of the 50mph limit) has not therefore been met and the applicant does not have the land control to address this.

The applicant contends that no separation is required as vehicle speeds on the off-slip would be no greater than 30mph, thereby achieving conformity with LTN 1/20. KCC Highways regard it to be highly likely that speeds will be higher than 30mph as they begin slowing down from speeds of up to 70mph. This represents a highway safety concern in view of the proximity of pedestrians and cyclists to passing traffic.

KCC Highways recognise however, that no issues were raised in the Stage 1 Road Safety Audit. Furthermore, the absence of separation is over a relatively short distance of 50m and is alongside the off-slip rather than the mainline carriageway. On this basis it is concluded that an objection on highway safety grounds could be difficult to sustain.

Traffic Data/Committed Developments

The TN confirms that the applicant regards the 2017/18 traffic data to be representative of pre-Covid traffic levels. The raw data has been appended to the TN and KCC Highways accept that it provides a suitable dataset for the assessment.

It is understood that no further committed developments have needed to be accounted for within the assessment.

Trip Generation

The TN has included an updated trip generation forecast for the affordable housing component as a means of demonstrating that the trip rates included in the Transport Assessment can be regarded as robust. This has confirmed the suitability of the applied residential trip rates.

M20 J7

The applicant has updated the mitigation design for M20 J7 to incorporate the latest layout devised by KCC Highways, as shown in revision D of drawing 14-013-064.

A Stage 1 Road Safety Audit (dated November 2021) and associated Designers Response (dated January 2022) have also been provided. The audit was undertaken in relation to

Revision C of the drawing, and it is understood that Revision D incorporates the modifications referenced in the Designers Response.

The Designers Response has satisfactorily addressed the majority of the recommendations in the Road Safety Audit, including those related to the positioning and visibility of signal heads (3.1 – 3.3. and 3.5 - 3.6), vehicle tracking (3.10), pedestrian/cycle facilities (3.11 – 3.13), road markings/signage (3.7, 3.15 – 3.16), vegetation removal (3.8) and maintenance vehicle bays (3.17).

There are several recommendations however, where further design related work will be needed to fully satisfy KCC Highways requirements.

In the case of recommendation 3.9, the auditor has referred to the risk of side impact collisions on both A249 approaches. Although the recommendation is accepted in the Designers Response, the revision D drawing only illustrates swept path analysis for the northern A249 arm. Swept path analysis for the southern arm is also required. On both arms KCC Highways would also want the swept path analysis to reflect the potential for two articulated Heavy Goods Vehicles to run in parallel.

In the case of recommendation 3.14, the recommendation of the auditor regarding lane markings has not been fully addressed as the revision D drawing still shows three southbound lanes to be marked 'A249 Maidstone' on the northern A249 arm. These three lanes feed into two lanes marked 'A249 Maidstone' on the circulatory and would therefore be likely to lead to conflicts as road users change lanes. This could be resolved by removing 'A249 Maidstone' from the third lane and adjusting the markings to suit.

These alterations are also relevant to audit recommendation 3.4, which highlighted the need for southbound road users on the northern A249 arm to have suitable visibility of the signal heads. By changing the lane allocations as described above it may be possible to address the recommendation by including a splitter island between the middle lanes for the stationing of the signal heads (akin to the other four lane approaches to the roundabout). KCC Highways regard this to be more effective than the proposal in the Designers Response to use double height signals. In the event that a splitter island cannot be achieved, a Rotating Mast Arm will be required as this will be less disruptive when maintenance is required.

The required changes to the southbound lane allocations on the northern A249 arm have implications on the accuracy of the capacity modelling analysis previously undertaken by the applicant. It is noted however, that the balance of the turning flows on this arm is weighted heavily in favour of movement to the M20 Londonbound. The required alteration to the lane allocations will therefore be beneficial in providing greater capacity for those turning to M20 Londonbound. It is therefore likely that the change will achieve an improvement in modelling outputs when compared against those previously submitted. A further model run would be required to provide confirmation of this.

It should be noted that mast arm signals are also likely to be required on the eastern and western bridge sections of the circulatory to ensure the signals are sufficiently visible to road users using lanes two and three.

KCC Highways would also wish to draw attention to the merge arrangement for those proceeding northbound on the A249 northern arm. The revision D drawing shows how the inside lane will terminate, thereby requiring road users in this lane to change lane. Such manoeuvres may be difficult, particularly for slower moving vehicles, as the signal control will create a platooning effect in the traffic flow. The issue could be overcome by instead terminating the outside lane, where road users would be required to merge.

In conclusion, the submissions to date have demonstrated that a satisfactory form of improvement can be achieved at M20 J7 to mitigate the impact of the development. The modifications described above will need to be incorporated into the layout design to fully satisfy KCC Highways requirements.

The TN proposes that delivery of the M20 J7 improvement is achieved via a financial contribution secured through a S106 Agreement. This would cover any funding shortfall in relation to the County Council's planned signalisation scheme as well as the cost of the extension to that scheme now proposed in support of the development. This has the benefit of enabling the improvements to M20 J7 to be delivered as a single package, thereby minimising disruption to road users.

KCC Highways could only proceed with a S106 funding mechanism once the required modifications are made to the layout design to enable a robust cost estimate to be generated. Further dialogue with the Local Planning Authority will therefore be necessary if this, or an alternative mechanism, is to be taken forward to ensure the improvement is delivered in a timely manner with no further cost to the public purse.

A249 Bearsted Road Improvement Scheme

The TN reaffirms the applicants' view that the capacity modelling previously presented in the August 2021 TN has demonstrated how the impact of the development on the Bearsted Road corridor will be marginal in terms of queuing and delay. The applicant also highlights how this conclusion remains valid irrespective of any recent modifications to the County Council's planned scheme of improvements.

KCC Highways maintains the view that the scheme, now due to be implemented from Spring 2022, should be in place in advance of large-scale development on the A249 corridor. This is to ensure congestion on this part of the network is not worsened at all by development traffic in advance of the additional capacity created by the scheme becoming available.

A249 Chiltern Hundreds Roundabout

To mitigate the impact of additional development traffic, the applicant has proposed a junction improvement that involves widening the Sittingbourne Road arm to form a three-lane approach and the Penenden Heath Road arm to a two-lane approach. The widening on both arms is achievable on land that falls within the publicly maintainable highway.

Capacity modelling analysis has been undertaken to demonstrate how the modified junction layout would operate with reduced queuing and delay in 2031 when compared against the existing layout.

It should be noted that the modified layout has not been the subject of a Stage 1 Road Safety Audit.

KCC Highways routinely requires a safety audit for any alterations to the highway layout. It is therefore concluded that whilst the applicant has demonstrated that there is scope to improve the junction to mitigate the impact of the development, the acceptability of the proposed improvements cannot be confirmed until such time that a safety audit is provided.

A249 Corridor – Minor Road Junctions

The TN includes a review of the various side road junctions along the A249 corridor to address KCC Highways concern that the additional development traffic on the A249 could adversely affect highway safety for existing road users.

The applicant has highlighted that the junctions of Oad Street, South Green and Honeycrook Hill are already due to be modified as part of the M2 J5 improvement.

In the case of the other side road junctions further to the south, including Rumstead Lane and Church Hill, the applicant has explained that the grade-separated development access roundabout will reduce right-turn movements by affording road users with a convenient opportunity to u-turn.

KCC Highways would acknowledge that the opportunity to u-turn is likely to be attractive to some road users in view of the delay and difficulty often associated with manoeuvres to or from the existing junctions. The new road layout will therefore, at least in part, mitigate the impact on highway safety.

Although the TN has not commented specifically on The Street or Pilgrims Way junctions, it is understood that the proposed bus priority arrangement will remove the southbound left turn into Pilgrims Way for general traffic and thereby reduce the number of available off-slips to Detling village. This is likely to reduce the scope for conflict on the A249 currently caused by vehicles decelerating to turn off at multiple locations.

KCC Highways is also mindful of the highway safety benefit associated with the proposals to improve access and parking at the County Showground. This will be beneficial to highway safety along the A249 corridor in maintaining a more efficient traffic flow when major events are in progress.

When viewed as a whole, KCC Highways conclusion is that the benefits of the proposals are likely to outweigh any worsening of highway safety at individual minor road junctions.

M2 Junction 5

The applicant has not submitted impact analysis on M2 J5. Whilst this remains a significant omission, KCC Highways is mindful that the improvement scheme currently being implemented will incorporate a new flyover for the A249. This flyover will importantly remove the current queuing associated with through traffic on the A249 having to give-way at the junction. This will remove queuing on the A249 and ensures the junction is better able to accommodate the additional development traffic.

On this basis, it is concluded that an objection in relation to M2 J5 cannot be justified.

Rural Routes

The TN reasserts the applicants' view that the development is not expected to result in discernible traffic increases on minor roads in the vicinity of the site. Importantly, it highlights how the newly available facilities within the development site would be likely to reduce journey distances for many residents within the existing nearby communities who currently use these roads but must travel further afield for equivalent facilities.

In light of this clarification and, having regard to the recent crash history on nearby roads such as Scragged Oak Road, Cox Street, Binbury Lane and Yelsted Road, KCC Highways would acknowledge that a highway safety objection on this ground could be difficult to sustain.

Public Transport

The TN confirms that the applicant has not had further dialogue with the bus operator regarding the viability of the proposed park and ride service. This limits the weight that can be given to the feasibility assessment submitted alongside the planning application, which was undertaken in 2016 prior to the COVID pandemic.

The applicant has expressed the view that the impact of the COVID pandemic on public transport usage is temporary and a return to pre-pandemic levels of usage is expected. KCC Highways regard this to be highly uncertain.

There is also uncertainty as to the attractiveness of a park and ride service for road users travelling southbound on the A249 to Maidstone town centre, given the additional journey time associated with deviating into the site to use the service. Furthermore, the journey time for car users will be made more attractive by the proposed capacity improvements at M20 J7.

A further concern is the potential for the park and ride service to attract customers who use other existing local bus services, which could in turn adversely impact on the viability of those services.

KCC Highways is nonetheless supportive of the applicants' intention that public transport should be at the heart of the proposals to encourage sustainable travel patterns. There are also clear advantages associated with introducing a bus service that can meet the needs of the development whilst also encouraging some car users on the A249 to switch modes for journeys to/from Maidstone.

It is therefore recommended that a co-ordinated approach to public transport provision is adopted in relation to this development to ensure compatibility with the wider network. This should involve a financial contribution secured via a Section 106 Agreement, payable to the County Council, that would facilitate the provision of a half hourly service serving the development, including the car park facility, and town centre. The contribution will enable the County Council, as Local Transport Authority, to determine what form of service is suitable at the point in time it is needed and review whether the proposed bus priority provision is needed to support it.

It is noted that the applicant is willing to make a financial contribution via a S106 Agreement towards safety improvements to existing bus stops on the A249 corridor.

Recommendation

Several of the concerns previously raised by KCC Highways have now been addressed in the applicants' submissions. Those concerns that remain are either capable of being resolved or are insufficiently substantive in the context of the National Planning Policy Framework to justify an objection to the planning application.

KCC Highways would draw specific attention to the following items that will require timely resolution in the event that planning permission is granted:

- the need for alterations to the proposed M20 J7 layout design in accordance with the Stage 1 Road Safety Audit recommendations and KCC Highways requirements;
- funding arrangements for M20 J7 and bus service provision;
- completion of a Stage 1 Road Safety Audit in support of the Chiltern Hundreds roundabout modifications; and
- the submission and approval of design layouts for the minor road access points.

The recommendation of no objection is subject to a condition being imposed that prevents occupation of the development until the A249 Bearsted Road Improvement Scheme has been implemented by the County Council. This is reasonable and necessary on account of the potential for worsening congestion in the absence of the scheme, as evidenced within the applicants' capacity modelling analysis.

The recommendation of no objection is also subject to the applicant being required to enter into a Section 278 Agreement to secure the required highway works on the A249 corridor (including Chiltern Hundreds roundabout), Binbury Lane, Scragged Oak Road and Pilgrims Way. The applicant should be required to implement the works prior to first occupation.

It is essential that any planning obligation relating to funding for the M20 J7 improvement and bus services provides flexibility to enable further dialogue to take place on the specific operation and delivery arrangements that will be appropriate at the time of implementation.

The following should also be secured via a Section 106 Agreement and planning conditions as appropriate:

- Provision of a financial contribution to facilitate delivery of the M20 J7 signalisation scheme and associated junction enlargement;
- Provision and implementation of a site-wide Travel Plan that has been approved by the planning and highway authorities;
- Provision of a Travel Plan monitoring fee;
- Provision of a financial contribution to facilitate the delivery of a half hourly bus service to connect the development to the town centre;

- Provision of a financial contribution towards bus stop improvements on the A249 corridor;
- The requirement to submit details for approval in relation to the proposed access points on Binbury Lane and Scragged Oak Road;
- Preparation and submission of a Construction Environmental Management Plan for approval by the planning and highway authorities;
- Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction;
- Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction;
- Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction;
- Provision of measures to prevent the discharge of surface water onto the highway;
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing;
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing;
- Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing; and
- Completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all

development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Yours Faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.