

Tabled update for Item 2.2

21/504028/FULL - Land at School Lane, Newington, Kent, ME9 7JU

Notification to Appeal on Non-determination.

1. The developer has submitted notice of an intention to appeal the application on the grounds of non-determination. The result of this is that if a decision on the proposal is not issued by the Local Planning Authority within 10 working days of the notification (submitted on the 7th of October 2022) then the applicant can appeal the application and the determination would fall to the Planning Inspectorate (by calculation the cut-off date being 20th of October 2022).
2. From correspondence from the developer, they have stated in the notification that if the application is not determined by the 28th of October 2022, then the appeal would be made for non-determination of the application on, or after the 31st of October 2022. The developer would seek an Inquiry to hear the appeal and determine the application.
3. The Committee currently retains the ability to determine the application. However, should Committee defer the application then any appeal would remove this ability and it would fall to the Planning Inspector to determine the proposal. The developer has indicated the reason for this process is due to commercial operations.

Hedgerow Removal.

4. In keeping members informed, a portion of hedgerow has been removed along 'No Name Lane/Road' running along the northern boundary of the site. The agent has informed the Local Planning Authority that this was removed by the tenant farmer to allow routine seasonal maintenance alongside works to the wider estate including preparing fields for autumn cultivation. The removal in accord to the information received was also to provide access down 'No Name Lane/Road' to allow farming machinery to turn onto the road from School Lane.
5. The removal of the hedgerow is not a matter directly relevant for the determination of the application before the Committee. Notwithstanding this however, should the application be approved the plans and the provision of a landscaping condition would ensure a hedge would be replaced in this section, although partially set back from the road. If Committee are minded to refuse the application however, it is suggested that consideration be given to the issuing of a Hedgerow Replacement Notice to secure the re-planting of the hedgerow under the provisions of the Hedgerow Act 1997.

Road Name Clarification.

6. In paragraph 1.1 and 1.3 the report refers to Breach Lane which runs to the northern boundary of the site. For clarity the Lane is referred to by several different names depending on different mapping systems. However, locally is referred to as 'No Name Lane/Road' or Mill Hill. The road is a designated rural road under policy DM 26.

Economic Benefit.

7. Additional information was provided by the developer regarding the Economic Benefits of the proposal. Such information is considered in regard to understanding the three

branches of Sustainability in the principle of Development. The information outlines that over the anticipated 2 year construction phase the development would result in:

- 21 FTE local jobs,
- 31 FTE regional/UK jobs,
- £2.4 million local economic output,
- £3.5 million total economic output.

8. These benefits would be considered temporary as they would only last over the period of construction. As the construction phase does not secure longer-term benefits I have afforded this moderate weight in the planning balance.
9. The information continues to state that during the operational phase that the proposed dwellings could result in local spending of £484, 000.00 per annum and a total local economic output of new residents of £1.2million and a total of £1.8million total economic output of residents per annum. These benefits would be longer term regarding addition of the 25 units. New residents would provide a degree of spending power in the local area. While the development would place additional pressure on local infrastructure the development would also provide contributions in this regard.
10. Alongside the development contributions listed above, the proposal would also see revenue generation of around £50, 000.00 in council tax and £51, 000.00 in new homes bonus. Again, these benefits in part would fund the needs of new residents and mitigate impacts. Overall, I have afforded these economic benefits moderate weight in the planning balance.

Condition 33.

11. The wording of condition 33 has been subject to a suggested amendment to ensure safe egress of traffic connected with the school during development phase. The condition would be adjusted to read:

Prior to occupation of any units as approved by the development the School parking/drop off and collection area shall have been completed in accord with the approved plan 4176/p003 Aug 2022. The School Car Park shall not be brought into first use until occupation of the 20th unit approved by the development.

Reason: In the interest of the highway network.

Parish Council Objection.

12. To ensure the correct reading of the Parish Council's objections please find the objections listed below in Appendix 1. The initial formatting provided in the committee agenda papers is not as per the original objection letter.

Planning Balance.

13. Member's attention is drawn to paragraph 8.225 The Titled Balance and are advised that all material considerations should be considered in the balance. Benefits to ecology and the economy referenced in the report should also be considered.

Neighbour Comments.

14. Additional neighbour comments have been received by the Local Planning Authority since the publication of the agenda; these cover an number of issues addressed in the report and include references to the removal of the hedgerow along 'No Name Road' asset out in paragraph 4 of this update. Members are reminded it is not the number of objections but the material planning considerations they reference that should be considered in assessing the development.
15. Housing Mix.
16. An error was made at paragraph 2.6 of the report which indicates the wrong mix. The mix should read as follows: 5 x 2 beds, 11 x 3 beds and 9 x 4 beds. In reference to the affordable units the mix should read as follows: 5 x 2 beds and 5 x 3 beds.