

Late Sheets Jan 25th Special Committee

Index replace with

PART 2

2.1 22/503418/OUT MURSTON Land At Tonge Road

2.2 22/502834/EIOUT TONGE Land West Of Church Road

2.3 20/506066/OUT Tonge Land At Lomas Road

Correction of parishes.

Item 2.1 22/503418/OUT Land At Tonge Road Sittingbourne Kent ME9 9BD

replace **recommendation** with

“RECOMMENDATION GRANT subject to the conditions as set out below and the signing of a suitably worded s106 agreement to secure the developer contributions as set out below. Delegated authority is also sought to amend condition wording and s106 clauses as may reasonably be required”

To ensure consistency of wording across all 3 items.

Proposed **Heads of Terms:**

Delete line item – **Primary Care**

Scheme too small for contributions (is included in 2.3. as part of wider MU2 site).

Replace ‘~~Quiet Lane~~ **Traffic calming** scheme on Lomas Road’

As KCC no longer use this precise perminology.

Add line Item **Refuse Bins:**

Contributions for bins are as follows:

- 1 x 180ltr green refuse bin @ £46.60 per bin
- 1 x 240ltr blue recycling bin @ £46.60 per bin
- 1 x 23ltr black food bin @ £10.80 per bin
- 1 x 5ltr kitchen caddy @ £5.40 per bin

Total cost for a full set of bins for a house is £109.40

Replace ~~“Please note that these figures are to be index linked by the BCIS General Building Cost Index from April 2020 to the date of payment (Apr-20 Index 360.3) Payments to be made prior to unit occupation.”~~ with

“Please note that these figures are to be appropriately index linked and subject to appropriate triggers as may be agreed” as the 2020 baseline applies only to KCC figures

Item 2.2 REFERENCE NO - 22/502834/EIOUT

Add in consultations

- KCC Archaeology – No objection subject to investigation condition (non brickearth areas)
- Lower Medway Internal Drainage Board (07.10.2022) – No Objection subject to non planning drainage consents
- Southern Water (20.07.2022) – No objection

Para 4.9 replace class F educational with the more correct ‘Learning and Non-residential institutions / Local Community uses’

Para 4.17 delete ‘evenly’ – the phasing is set out in para 12.69

Para 10.11 – this states the Mineral Officer has “objection”, replace with ‘has withdrawn objection’

Para 12.16 Add ‘Part of Phase 0 (Swale Way) is within the safeguarded area, ‘

Reason for above changes: To correct small omissions and typographical errors

12.89 amend as follows

~~'It is too soon to say which alignment option would be preferred, suffice to say the northern option is most costly and the central option both would have unacceptable heritage impacts on Tonge Conservation Area and two areas of open space, and force an alignment option for any possible southern relief road which is most harmful in environmental terms (cutting across two dry valleys in an area of great landscape importance) which may outweigh the noise and environmental benefits of relieving A2 traffic through Bapchild. Although all three options have negative heritage impacts (whether the Grade I Bapchild Church, Grade I Tonge Church, Tonge Conservation Area, Grade II *Bexs Farm etc. etc. depending on which option), it is a question of balance and whether the positive benefits outweigh any residual harm on heritage impacts and their setting. This leaves the western option as the emerging favoured option. In terms of it's the option of the western alignment specific alignment it is a careful balance of mitigating noise impact on the Eden Way estate and avoiding an alignment which segregates the new Stones Farm open space. The applicant has been requested to show an indicative alignment to the railway line for the western/central option (both of which share an alignment north of the railway), and include a phasing plan which would allow an alignment of a northern option SNRR heading eastwards not southwards towards the Southern end of Church Lane in order to minimise impacts on the Grade I listed Tonge Church and to the East the Grade II* listed Bex Farm. As a result there would be no prejudice to any of the possible options.~~

To avoid predermination of issue of the route south of the railway.

Replace **recommendation** with

Conclusion: RECOMMENDATION GRANT subject to the conditions as set out below and the signing of a suitably worded s106 agreement to secure the developer contributions as set out below. Delegated authority is also sought to amend condition wording and s106 clauses as may reasonably be required.

On advice from legal services to ensure consistency and practice.

Proposed **Heads of Terms:**

Update line Item **Refuse Bins:**

1 x 180ltr green refuse bin @ £46.60 per bin

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1 x 5ltr kitchen caddy @ £5.40 per bin

Total cost for a full set of bins for a house is £109.40

For flats it:

1 x 1100ltr refuse bin per 5 flats @ £451.80 per bin

1 x 1100ltr recycling bin per 5 flats @ £451.80 per bin

1 x 140ltr food bin per 5 flats @ £81.30 per bin

Total cost for a full set of bins for 5 flats is £984.90 (or £196.98 per flat)

Reason for change: To reflect latest costing from Mid Kent Waste

Replace ~~“Please note that these figures are to be index linked by the BCIS General Building Cost Index from April 2020 to the date of payment (Apr 20 Index 360.3) Payments to be made prior to unit occupation.”~~ with “Please note that these figures are to be appropriately index linked and subject to appropriate triggers as may be agreed” as the 2020 baseline applies only to KCC figures

On advice from legal services to ensure consistency and practice.

Proposed **Heads of Terms:**

SNRR HOT's – It currently states – “No planning application for reserved matters on phases II or four shall take place until the adoption of a revised local plan for Swale”.

Replace ~~phase II~~ with Phase III – correction of typographic error

For **repairs to St Giles Church** page 169

Heritage England have stated

“I am writing to confirm that Historic England strongly endorse [conservation officers] position that the [original 50k] financial offer made for St Giles is wholly insufficient. This is for several reasons.

While the amount offered would cover some works to help address some of the reasons for the church’s inclusion on Historic England’s Heritage at Risk Register, it would not cover the cost of providing essential facilities to help sustain the building in its optimum viable use as a place of Worship. This is a very serious concern for Historic England.

It is well accepted that small rural parish churches need facilities to continue in use as a place of worship, as they are essential to make the building attractive and practical to use. Church’s without heating and essential facilities like a kitchen and WC are often those at greatest risk of closure. Where essential facilities are provided, there is good evidence that this has reversed the fortunes of the church by helping it to function as the focus of a rural community.

The PCC’s report on St Giles, following a meeting late last year, made it clear that the church has a very small congregation and that there is a real danger of closure unless funds are found to develop it as a focus for community activity alongside worship. Even if repairs are carried out, there is no guarantee the church would be removed from our register if the building’s long-term future is in question.

It also seems short-sighted to fund a car park and some repairs to a church when there is a question about its long-term sustainability as a place of worship and I suggest grounds for saying that the proposed contribution does not go far enough. In place making terms it is also a real missed opportunity for the developer because the church has the potential, through funds provided by the developer, to be a focus for the new community. In that respect, I agree that exploring whether some of the low key community uses provided by the development, could be within the church. This would reinforce St Giles role within the community and provide it with a potential for an on-going revenue to support its continued conservation.

Funding the full package of works requested by the PCC must therefore be a priority for the applicant. A fuller package of works would also represent a greater heritage benefit that applies to the weighing exercise in paragraph 202 of the NPPF and help ensure the long-term conservation of a grade I listed building”

Following this the applicant has now agreed to the full £195,960 contribution.

Replace '~~Quiet Lane~~ Traffic calming scheme on Lomas Road on Church Road'

item 2.3 REFERENCE NO - 20/506066/OUT

replace **Recommendation** with

Conclusion: RECOMMENDATION GRANT subject to the conditions as set out below and the signing of a suitably worded s106 agreement to secure the developer contributions as set out below. Delegated authority is also sought to amend condition wording and s106 clauses as may reasonably be required.

On advice from legal services to ensure consistency and practice across all 3 items.

Delete condition 20 – not essential as pre-commencement – requires funding from 3 sites

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