

SUPPLEMENTARY REPORTS

AREA 3 PLANNING COMMITTEE

DATED 28 January 2021

**Aylesford
Aylesford South**

TM/19/00376/OAEA

Outline Application: permission for a residential scheme of up to 106 units, associated access and infrastructure at Land South West Of London Road And West Of Castor Park Allington

Private Reps:

It is understood that some Members of the Planning Committee have been contacted by the New Allington Action Group (NAAG) objecting to the development. The objections raise issues that are already summarised at paragraph 5.14 of the main report.

In addition, NAAG suggests that a comprehensive Environmental Impact Assessment has not been provided with the application. However, I can confirm that a full Environmental Statement was submitted in accordance with the relevant Regulations. There has been no error in this regard.

They also refer to the examining Inspector's letter in respect of the draft local plan, suggesting that because the site is not allocated in the adopted development plan planning permission should be refused. The full assessment of the scheme relative to all adopted development plan policies is contained within the main report, as is the analysis of the weight to be afforded to the draft allocation.

One other additional objection has been received since publication of the main report, again raising no new issues beyond those considered in the main report.

DPHEH:

As set out in the main report, the proposal provides for a policy compliant level of affordable housing, the details of which will be enshrined within the section 106 agreement in the usual way.

The legal agreement will require a policy compliant tenure split (30% shared ownership/70% affordable rent). Members will be aware that affordable rent is defined within the NPPF as being no more than 80 per cent of the local market rent (including service charges, where applicable).

It is appreciated that Members often are concerned that in this Borough 80% of market rate is not found to be truly affordable for local people in need of housing. There is on

occasion scope to seek to negotiate the provision of a proportion of social rented housing at a lower rent but that often necessitates a lower level of overall provision of affordable housing, for viability reasons, and given the adopted policy position there is no policy basis upon which we could require this to come forward in this instance.

Officers are aware that Members of the Committee are particularly concerned with ensuring that affordable housing secured on developments such as these are meeting the needs of residents of the Borough. With this and the above in mind, it is intended that the legal agreement will include a requirement for there to be a local lettings plan to ensure that the specific local housing needs can be properly identified and met where possible to do so. Such a plan will require ongoing partnership working between the Council and Registered Provider (as yet unidentified). This is an important tool to provide clarity in the allocation process for affordable rented housing. We are also able to specify for agreement requirements relating to shared ownership provision, such as starting shares from 25% upwards and requiring a local connection to the borough.

Associated with this, there will be a nominations agreement defined and enshrined within the legal agreement. This means there will be an agreement negotiated between the Council and the Registered Provider which guarantees the Council's ability to nominate people who are on the Council's housing register.

At the reserved matters stage, officers will carefully consider the layout of the development overall including the layout and siting of market and affordable housing. An important part of the assessment at that stage will be to ensure the affordable units are appropriately sited and the necessary range and mix of house types/sizes is provided with a view to meeting specific identified local needs. This will be informed by Housing Needs research and our Housing Register.

To clarify, the density of the proposed development of this site is 31 dwellings per hectare (dph) and that of the adjacent development to the south east of the site is 27dph. The proposed development is entirely commensurate with the prevailing pattern and density of development in the area and there would be no harm arising in this respect.

For the avoidance of any doubt, policy CP5 of the TMBCS relates to the Strategic Gap between Malling, Maidstone and Medway. However, this policy has been considered out of date for a considerable period as a direct consequence of the deletion of the Regional Spatial Strategies in force previously and the publication of the NPPF in 2012. As a result, policy CP5 cannot legitimately be used as a justification to resist the current application. As has been explained in the main report (paragraph 6.13) the site is such that it would adjoin a residential development that falls partly within TMBC area and partly in Maidstone (The Castor Park development). The railway embankment that forms the north west boundary of the site visually cuts the site off from the existing developed confines of Aylesford. As such the proposed development would, when seen from local viewpoints appear as an extension to the Castor Park development and would not erode the separate identities of Aylesford and Maidstone.

The list of plans and documents shown in the main report includes plans that were withdrawn by the applicant after the application was amended to omit Matters of Scale and layout from consideration at this stage. These plans are LE03, LE04, PL010, PL012, PL014, PL015 and PL016. This does not change any of the preceding assessment set out above or in the main report in any way.

Paragraph 7.1, second bullet point: Reference was made to the improvement to the junction of Beaver Road and London Road being delivered by way of a s106 planning obligation. However, it is considered that the most appropriate mechanism for delivering the improvement works to this junction would be by way of a s.278 agreement between the applicant and highway authority. Condition 27 as recommended already requires these works to be undertaken prior to first occupation of the development. Therefore, it is not considered appropriate or necessary to use a s106 planning obligation to secure these works. Paragraph 7.1 should be amended accordingly to reflect this.

AMENDED RECOMMENDATION

Paragraph 7.1: Omit plan numbers LE03, LE04, PL010, PL012, PL014, PL015 and PL016

Paragraph 7.2, 2nd bullet point: amend as follows:

The applicant entering into a planning obligation with Kent County Council to make financial contributions to the provision of education facilities and community services, secure a Travel Plan and make a financial contribution towards its implementation

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