

Officer Report

Application No.	23/2048/FH/NMA
Site Address	Risborough Barracks, Pond Hill, Shorncliffe Garrison, Folkestone, CT20 3HN
Officer Name	Sue Head
Proposal	Non-material amendment to planning permission 21/1618/FH to allow for changes to the wording of conditions 1 & 3.

Recommendation

Report Number	RD-434199
Recommended Decision	Recommended to be
Recommendation Date	05 April 2024

Report

SITE AND PLANNING CONTEXT

The site comprises Risborough Barracks, part of the Shorncliffe Garrison which was granted a Hybrid planning permission for a residential led development on 17 December 2015. Full planning permission was granted for Phases 1a and 1b, with outline planning permission granted for up to 906 dwellings, commercial uses, community uses and green spaces for the remainder of the site. Reserved matters consent was granted under reference 21/1618/FH on 1st July 2022 for the following development: Application for the approval of reserved matters – means of access, appearance, layout, landscaping and scale, for the erection of 230 dwellings together with associated infrastructure and earthworks (pursuant to outline planning permission reference Y14/0300/SH).

PLANNING HISTORY

Y14/0300/SH granted hybrid consent for: -

Outline permission (with all matters reserved) for demolition of existing buildings (with the exception of the listed buildings, officers' mess within Risborough Barracks and water tower) and erection of up to 906 dwellings including affordable housing, community services and facilities (use Classes A1/A3/B1a/D1 and D2 uses up to 1,998 sqm), new Primary school and nursery (up to 3,500 sqm), combined new pavilion/cadet hut facility (up to 710 sqm) at The Stadium, retained cricket pitches including mini football pitches, equipped play, associated public open space and toilets, together with, associated accesses/roads, parking, associated services, infrastructure, landscaping, attenuation features and earthworks; and - Full planning permission for demolition of existing buildings and erection of 294 dwellings including affordable housing, open space, improvements to 'The Stadium' sports facilities and new car park, equipped play improvements/works to The Backdoor Training Area, associated accesses/roads, parking, associated services, infrastructure, landscaping, attenuation features and earthworks.

The application was approved by planning committee on 24.05.2015.

Y16/1266/SH - Reserved matters application for the construction of 127 dwellings, including affordable housing, a doctor's surgery and commercial floorspace, along with associated landscaping, infrastructure and earthworks at Phase 2b, Somerset Barracks, being details pursuant to outline application Y14/0300/SH (details relating to landscaping, layout, scale, access and appearance). Approved.

Y19/0854/FH - Reserved matters application for the construction of 44 dwellings, together with associated landscaping, together with associated landscaping, infrastructure and earthworks. Phase 2A officers Mess. Approved.

Various other permissions have been granted in relation to RM applications and condition discharge applications in relation to the wider site.

PROPOSAL

A non-material amendment is sought to make a number of small amendments as follows:

- The change proposed is in relation to the mix of affordable flats, within Block B(A), replacing the previously proposed 12no. 1-bed apartments, with 12no. 2-bed apartments. Each of the 4 Block B(A)s are now proposed to have 9 x 2 bed apartments rather than 6 x 2 bed and 3 x 1 bed apartments. There will be 6no. 1-bed affordable apartments that will remain as previously approved (contained within Block C).
- The proposed change to the mix within the Block B apartment buildings results in the slight enlargement of these blocks to accommodate the additional floorspace. This means Conditions 01 and 03 need to be amended to suit the updated size of the Block B(A) buildings in respect of Plots 86-94, 151-159, 969-977 and 978-986.
- Condition 01 referred to development needing to accord with the 'Drawing and Document Schedule Risborough – Phase 3 Shorncliffe, Submission July 2021, Updated June 2023. This schedule is therefore proposed to be replaced by the submitted December 2023 schedule, with Condition to be amended to the following (changes in red): "The development hereby permitted shall not be carried out except in complete accordance with the plans referred to in the Drawing and Document Schedule Risborough – Phase 3 Shorncliffe, Submission July 2021, Updated December 2023."
- As part of the proposed changes the Tree Protection Plan has needed to be updated to reflect the amended plot layout, therefore Condition 03 also needs to be amended to refer to the updated drawing reference. Condition 03 currently states accordance with drawing ref. 1551-KC-XX-YTREE-TPP01RevC, this Condition will therefore need to be amended to the following (changes in red): "Prior to works commencing on site, all tree protection measures shown on Drawing No. 1551-KC-XX-YTREE-TPP01RevC shall be installed, and shall thereafter be retained for the duration of the development."

PRINCIPLE

The background for non-material amendments is found under s.96a of the Town and Country Planning Act 1990. The National Planning Practice Guidance (NPPF) Flexible Options for Planning Permission at para 002 states "There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is nonmaterial in order to grant an application under section 96a of the Town and Country Planning Act 1990".

CONSIDERATION

The proposed changes to the affordable housing mix are considered to be acceptable in the context of the wider RM permission and the Council's Housing Manager has no objection to the proposed change. The slight increase in the footprint of the Block B apartments is also considered acceptable in design terms.

I am satisfied that the amendments sought are non-material to the approved scheme and do not result in additional or further required considerations in respect of the Development Plan and other material considerations beyond those considered under the original application.

Plans/Documents to be approved:

Planning Layout CB_80_026_A801 Rev B

- Land Use Plan CB_80_026_A802 Rev B
- Housing Mix Plan CB_80_026_A803 Rev B
- Affordable Housing Plan CB_80_026_A804 Rev B
- Building Heights Plan CB_80_026_A805 Rev B
- Parking Strategy Plan CB_80_026_A806 Rev B
- Bin Cycle Storage Plan CB_80_026_A807 Rev B
- External Finishes Plan CB_80_026_A808 Rev B
- External Enclosures Plan CB_80_026_A809 Rev B
- Hard Surfacing Plan CB_80_026_A810 Rev B
- Character Area Plan CB_80_026_A812 Rev B
- House Type Plan CB_80_026_A813 Rev B

- House type pack:

- Le Quesne Frontage Block B(A)

CB_80_026_A800_LQ_B(A)_01

- Le Quesne Frontage Block B(A)

CB_80_026_A800_LQ_B(A)_02

- Canada Square Block B(A)

CB_80_026_A800_CS_B(A)_01

- Canada Square Block B(A)

CB_80_026_A800_CS_B(A)_02

- Streetscene drawings:

- CB_80_026_A800_CS_SS_01

- CB_80_026_A800_LQ_SS_02

- 2172_255 Soft Landscape Proposals Sheet 1of2 Rev H

- 2172_256 Soft Landscape Proposals Sheet 2of2 Rev H

- 2172_257 Canada Sq Landscape Proposals Rev F

- 2172_258 Remembrance Sq Landscape Proposals Rev F

- Tree Protection Plan 1551-KC-XX-YTREE-TPPO1 Rev C

- Indicative Adoption Plan 4910-1100-T-013 Rev I

- Refuse Vehicle Swept Path 4910-1100-T-015 Rev F

- Indicative Road Markings 4910-1100-T-020 Rev E

- Engineering drawings:

- 1609/13/5011 Rev P03 Levels Sheet 1 of 4

- 1609/13/5012 Rev P03 Levels Sheet 2 of 4

- 1609/13/5013 Rev P03 Levels Sheet 3 of 4
- 1609/13/5014 Rev P03 Levels Sheet 4 of 4
- 1609/13/5021 Rev P03 Impermeable Areas Sheet 1 of 4
- 1609/13/5022 Rev P03 Impermeable Areas Sheet 2 of 4
- 1609/13/5023 Rev P03 Impermeable Areas Sheet 3 of 4
- 1609/13/5024 Rev P03 Impermeable Areas Sheet 4 of 4
- 1609/14/5001 Rev P03 Drainage Layout Sheet 1 of 4
- 1609/14/5002 Rev P03 Drainage Layout Sheet 2 of 4
- 1609/14/5003 Rev P03 Drainage Layout Sheet 3 of 4
- 1609/14/5004 Rev P03 Drainage Layout Sheet 4 of 4

Recommended Conditions (2)

1

The development hereby permitted shall not be carried out except in complete accordance with the plans referred to in the Drawing and Document Schedule Risborough - Phase 3 Shorncliffe, Submission July 2021, Updated December 2023.

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of the Development Plan.

2

Prior to works commencing on site, all tree protection measures shown on Drawing No. 1551-KC-XX-YTREE-TPP01Rev C shall be installed, and shall thereafter be retained for the duration of the development.

Reason: In the interests of protecting existing trees which are to be retained.

Suggested Informatives (1)

1

The following plans and documents are approved:

Planning Layout CB_80_026_A801 Rev B

- Land Use Plan CB_80_026_A802 Rev B

- Housing Mix Plan CB_80_026_A803 Rev B
- Affordable Housing Plan CB_80_026_A804 Rev B
- Building Heights Plan CB_80_026_A805 Rev B
- Parking Strategy Plan CB_80_026_A806 Rev B
- Bin Cycle Storage Plan CB_80_026_A807 Rev B
- External Finishes Plan CB_80_026_A808 Rev B
- External Enclosures Plan CB_80_026_A809 Rev B
- Hard Surfacing Plan CB_80_026_A810 Rev B
- Character Area Plan CB_80_026_A812 Rev B
- House Type Plan CB_80_026_A813 Rev B

- House type pack:
 - Le Quesne Frontage Block B(A)
CB_80_026_A800_LQ_B(A)_01
 - Le Quesne Frontage Block B(A)
CB_80_026_A800_LQ_B(A)_02
 - Canada Square Block B(A)
CB_80_026_A800_CS_B(A)_01
 - Canada Square Block B(A)
CB_80_026_A800_CS_B(A)_02

- Streetscene drawings:
 - CB_80_026_A800_CS_SS_01
 - CB_80_026_A800_LQ_SS_02
 - 2172_255 Soft Landscape Proposals Sheet 1of2 Rev H
 - 2172_256 Soft Landscape Proposals Sheet 2of2 Rev H
 - 2172_257 Canada Sq Landscape Proposals Rev F
 - 2172_258 Remembrance Sq Landscape Proposals Rev F
 - Tree Protection Plan 1551-KC-XX-YTREE-TPPO1 Rev C

- Indicative Adoption Plan 4910-1100-T-013 Rev I
- Refuse Vehicle Swept Path 4910-1100-T-015 Rev F
- Indicative Road Markings 4910-1100-T-020 Rev E

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- 1609/13/5012 Rev P03 Levels Sheet 2 of 4
- 1609/13/5013 Rev P03 Levels Sheet 3 of 4
- 1609/13/5014 Rev P03 Levels Sheet 4 of 4
- 1609/13/5021 Rev P03 Impermeable Areas Sheet 1 of 4
- 1609/13/5022 Rev P03 Impermeable Areas Sheet 2 of 4
- 1609/13/5023 Rev P03 Impermeable Areas Sheet 3 of 4
- 1609/13/5024 Rev P03 Impermeable Areas Sheet 4 of 4
- 1609/14/5001 Rev P03 Drainage Layout Sheet 1 of 4
- 1609/14/5002 Rev P03 Drainage Layout Sheet 2 of 4
- 1609/14/5003 Rev P03 Drainage Layout Sheet 3 of 4
- 1609/14/5004 Rev P03 Drainage Layout Sheet 4 of 4