

**PLANNING COMMITTEE – 20 JULY 2023****PART 2**

Report of the Head of Planning

**PART 2**Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 22/503236/REM</b>		
<b>PROPOSAL</b> Approval of Reserved Matters for the erection of 25no. dwellings (comprising two, three and four bedroom units) of two storey height with access from Yarrow Drive, parking and associated landscaping (Access, Appearance, Landscaping, Layout and Scale being sought) pursuant to Outline application 18/503855/OUT.		
<b>SITE LOCATION</b> Land North of Plover Road, Minster-on-sea, Kent, ME12 3BT		
<b>RECOMMENDATION</b> Grant subject to conditions with delegated authority to amend the wording of conditions as may reasonably be required.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Objection from Minster-on-Sea Parish Council		
<b>Case Officer</b> Carly Stoddart		
<b>WARD</b> Sheppey Central	<b>PARISH/TOWN COUNCIL</b> Minster-On-Sea	<b>APPLICANT</b> Development House (Plover Road 2) Ltd <b>AGENT</b> Hume Planning Consultancy Ltd
<b>DATE REGISTERED</b> 14/07/2022	<b>PUBLICITY EXPIRY DATE</b> 18/08/22	<b>CASE OFFICER</b> Carly Stoddart
<b>BACKGROUND PAPERS AND INFORMATION</b> <a href="https://pa.midkent.gov.uk/online-applications/">https://pa.midkent.gov.uk/online-applications/</a>		

**1. DESCRIPTION OF SITE**

- 1.1 The application site is located within the built confines of Minster and is part of a wider development site allocated within the Local Plan under A11. The wider site benefits from two outline planning permissions (15/507059/OUT and 18/503855/OUT). This application is for reserved matters for the smaller parcel of land to the south of the allocated site that is located between Coral Road and Yarrow Road, and with a frontage onto Plover Road.
- 1.2 Approval of the reserved matters has been granted under reference 19/506047/REM for 95 dwellings within the larger northern part of the wider allocated site.
- 1.3 The development site is approx. 0.7 hectares in area (in comparison to the 3 hectares of the adjacent site that forms the remainder of the allocation under Policy A11). The site currently comprises vacant shrub land with residential properties to the north-west and south-east, the wider Plover Road allocated site to the north-east and Plover Road to the south-west. The

area is predominantly residential in character, however, the Sheppey Community Hospital is located to the west of the site on the opposite side of Plover Road. Nearby to the east are local services and facilities including the Thistle Hill Academy, Thistle Hill Community Centre and the retail convenience store are located.

- 1.4 The site has a gently sloping topography, whereby the land falls gradually away from Plover Road in the south-west towards the north-eastern boundary.
- 1.5 The residential development immediately surrounding the site comprises a mixture of houses that vary in height between 2-3 storeys. The dwellings include a range of detached, semi-detached and terraced properties that have been constructed as part of the Thistle Hill development within the last 10-20 years.

## **PLANNING HISTORY**

**19/506047/REM**, Approval of Reserved Matters following outline application 15/507059/OUT for the erection of 95no. dwellings, comprising a mixture of two-storey semi-detached, terraced and detached houses with a mix of 2no., 3no. and 4no. bedrooms. (Appearance, Landscaping, Layout and Scale being sought), Granted subject to conditions

**18/503855/OUT**, Outline application (with all matters reserved) for the residential development on the land off Plover Road, including associated access, parking and landscaping, Granted subject to conditions

**15/507059/OUT**, Outline application (with all matters reserved other than access into the site) for a residential development with associated landscaping, parking and public open space. Granted subject to conditions

**15/505670**, Erection of a 1366sqm foodstore, Granted subject to conditions

## **2. PROPOSAL**

- 2.1 This is an application seeking approval of reserved matters of access, appearance, landscaping, layout and scale for erection of 25 dwellings pursuant to outline planning permission 18/503855/OUT for residential development.
- 2.2 There are a mix of dwelling types and sizes proposed as follows:
  - 2-bed Flat Over Garage (FOG) 1
  - 2-bed houses 8
  - 3-bed houses 15
  - 4-bed house 1
- 2.3 Dwelling types comprise terrace, semi-detached, detached dwellings and a flat over a garage (FOG) ranging between 1 (FOG) and 2 storeys.
- 2.4 The chosen palette of materials will include brick, weatherboard with man-made slate tiles.
- 2.5 Access is proposed from Yarrow Road along the north-western boundary of the site. From the access there would be one primary internal road with smaller roads branching from it,

one to the north-eastern side and one to the south-western side. A parking area would also be accessed from the southwestern side of the primary road.

- 2.6 Landscaping is proposed around the perimeter of the site. There would be small strips within the site along with street trees. Hard landscaping would comprise tarmac for the primary internal road and a differing material for shared surfaces and driveways.
- 2.7 The layout shows dwellings fronting Plover Road, Yarrow Road and the primary internal road to the north-eastern side to maximise active frontages to the street scene and natural surveillance.
- 2.8 Parking is proposed for each dwelling in the form of driveway spaces within the curtilage of individual dwellinghouses and parking courtyards. Garages or car ports are also provided for some dwellings. A total of 42 spaces are provided for the dwellings and 5 visitor spaces.

### 3. PLANNING CONSTRAINTS

- 3.1 The site is identified and allocated for housing within the Swale Borough Local Plan 2017 at Policy A11. This policy sets out the following requirements:

*Planning permission will be granted for a minimum of 97 dwellings at Plover Road, Minster, as shown on the Proposals Map. Development proposals will:*

1. Create an attractive landscaped frontage to Parish Road;
2. Achieve a mix of housing in accordance with Policy CP 3, including provision for affordable housing in accordance with Policy DM8;
3. Assess and undertake any mitigation needed for impacts upon archaeology;
4. Prepare a Transport Assessment and implement any highway and other transportation improvements arising from the proposed developments implemented;
5. Provide infrastructure needs arising from the development, including those identified by the Local Plan Implementation and Delivery Schedule, notably for education and health provision; and
6. Ensure that, through both on and off-site measures, any significant adverse impacts on European sites through recreational pressure will be mitigated in accordance with Policies CP7 and DM28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy

- 3.2 The site falls within an Area of Potential Archaeological Importance – This was covered by condition 8 as part of the outline planning permission.

### 4. POLICY AND CONSIDERATIONS

- 4.1 The Development Plan for the area comprises the Bearing Fruits 2031: The Swale Local Plan 2017 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2021 and are considered to conform.

- 4.2 Bearing Fruits 2031: The Swale Borough Local Plan 2017 (the Local Plan)

<b>ST1</b>	Delivering Sustainable Development in Swale
<b>ST2</b>	Development Targets for Jobs and Homes 2014-2031
<b>ST3</b>	The Swale Settlement Strategy

<b>ST6</b>	The Isle of Sheppey Area Strategy
<b>CP2</b>	Promoting Sustainable Transport
<b>CP3</b>	Delivering a Wide Choice of High Quality Homes
<b>CP4</b>	Requiring Good Design
<b>CP7</b>	Conserving and Enhancing the Natural Environment – Providing for Green Infrastructure
<b>A11</b>	Land at Plover Road, Minster
<b>DM6</b>	Managing Transport Demand and Impact
<b>DM7</b>	Vehicle Parking
<b>DM8</b>	Affordable Housing
<b>DM14</b>	General Development Criteria
<b>DM17</b>	Open Space, Sports and Recreation Provision
<b>DM19</b>	Sustainable Design and Construction
<b>DM21</b>	Water, Flooding and Drainage
<b>DM24</b>	Conserving and Enhancing Valued Landscapes
<b>DM28</b>	Biodiversity and Geological Conservation
<b>DM29</b>	Woodlands, Trees and Hedges
<b>DM34</b>	Scheduled Monuments and Archaeological Sites

Supplementary Planning Guidance (SPG)

Parking Standards, 2020

## 5. LOCAL REPRESENTATIONS

5.1 The application has been advertised in the press and individual neighbour notification letters have been sent to owners and occupiers of neighbouring properties. To date, 6 letters of representation have been received raising the following objections:

- No social housing
- Loss of habitat and wildlife including protected species
- Loss of open space
- Impact on health and wellbeing
- Highway safety hazards – Access points, roads too narrow and short of pavements
- Impact on the capacity of the highway – increased traffic and delays
- Increased parking pressure
- Impact on services – schools, doctors, dentists, limited bus service
- Increase in noise
- Loss of privacy
- Air pollution
- Impact on water supply
- Inadequate drainage

- Flooding
- Lack of electric vehicle charging points
- Lack of employment
- Impact from construction
- Overdevelopment

Minster-on-Sea Parish Council – 06/08/2022

- 5.2 Strong objection to the proposal.
- 5.3 The proposal will result in the over-intensive development of the site. For example, the site density is beyond cramped. As a consequence, the layout and design of the scheme will negatively impact on the amenity of future occupiers.
- 5.4 Access is inadequate with one proposed via private land. Parking is also insufficient with inadequate manoeuvrability for residents, visitors and/ or emergency / waste collection vehicles due to insufficient turning space etc. As such, the scheme fails to comply with policies CP4, and DM 14 of Bearing Fruits 2031 - The Swale Borough Local Plan 2017 and the National Planning Policy Framework.
- 5.5 There is a lack of infrastructure to serve the development in short term and for lifetime of the development.
- 5.6 There will be an adverse impact on the local highway network. More traffic on our already congested roads with many areas becoming impassable. The A249 has far exceeded its design capacity and is critically congested from the Island to the M2. The situation is so serious National Highways require improvements are made under the Roads Investment Strategy and Housing Infrastructure fund to both M2 Junction 5 and the A249 Grovehurst Junction before occupation of large-scale housing development.
- 5.7 In summary, there will be further impact on public services and water sustainability; access and highway capacity issues; and a negative impact on wellbeing of existing residents
- 5.8 These matters are addressed in the relevant sections of the report.

## **6. CONSULTATIONS**

- 6.1 The following consultation responses comprise the latest comments received on the amended scheme. Consultation responses are available to view in full online. Where conditions are sought, they are indicated within the appraisal section.

The Environment Agency – 18/07/2022

- 6.2 The reserved matters proposal takes account of comments, conditions and informative given at the outline stage.

KCC Highways – 23/08/2023, 10/05/2023 & 20/06/2023

- 6.3 The parking spaces depicted by a triangle for the property fronting Plover Road are parallel spaces only accessed from one direction. Suggest these spaces are extended to a minimum of 6.5m to make entry and egress easier in this confined rear parking courtyard.
- 6.4 In their original consultation response KCC highways noted that cycle parking was conditioned as part of the outline application and it is a requirement to provide one cycle space per bedroom for each property, usually within a shed in the rear garden but that none had been shown.
- 6.5 A tracking diagram was also requested to show tracking for an 11.4m refuse vehicle and it was advised that a bin store needs to be provided for any properties which fall outside of the 25m carry distance to where the bin lorry can access.
- 6.6 Clarity was also requested with regard to any roads that are proposed to be adopted. A plan was required to show the extent of adoption.
- 6.7 The applicant subsequently submitted further information with regard to the cycle storage, vehicle tracking drawing and the roads proposed for adoption.
- 6.8 Overall and following amendments, no objection is raised by KCC Highways and conditions are recommended.

SBC Affordable Housing Manager – 18/07/2022

- 6.9 As noted in the Council's adopted Local Plan Policy DM8, there are no affordable homes required on this site.

Environmental Protection Officer – 21/07/2022

- 6.10 No objection.

KCC Flood and Water Management – 08/08/2022 & 16/05/2023

- 6.11 The proposed site layout as shown on the Proposed Master Plan drawing (22.042-010-1) was compared against the drainage proposals set out within the previously submitted Flood Risk Assessment (04/06/2018).
- 6.12 It was evident that the east and northern boundaries are still to be preserved and remain separate to the property gardens. The preservation of these boundaries is essential as they are existing ditches that convey surface water movement through the network. It is our anticipation that further works to the final levels of these features will need to be confirmed as part of the detailed design stage.
- 6.13 In terms of surface water management, the proposals set out within the FRA (04/06/2018 – Drawing No. 7267-1060) was for a series of four permeable paved systems to be situated within parking areas/ closes. These permeable paving systems were designed to attenuate surface water runoff, prior to a restricted discharge (2l/s) to an existing ditch to the north. The site layout appeared to change the overall size of these parking areas and as such impact the storage provided within these systems.

6.14 Confirmation was sought that the original storage recommendations of the permeable paving system can still be delivered within the latest development layout, as such the applicant submitted a Flood Risk Assessment and Drainage Strategy Report (23/01/2023).

6.15 The report has been reviewed and the previous comments from KCC Flood and Water Management are now addressed. No objections are raised.

KCC Ecological Advice Service – 05/08/2022

6.16 There is only one condition within the original outline permission that relates to biodiversity/ecology. We would reinforce the point that site clearance must not be carried out until this condition discharge has been satisfied. We also highlight that, whilst there appears to be no ecological enhancement condition, the curtilage boundaries must feature gaps to allow access for reptiles and other small mammals and retain ecological connectivity from north to south.

6.17 It is noted that the site's vegetation is becoming more mature (since the original ecology surveys) and, therefore, breeding bird habitat (scrub and trees) should be removed outside of the breeding bird season, but *not* with heavy machinery which could harm hibernating reptiles.

Kent Police – 08/08/2022

6.18 Request a condition for the site to follow Secure By Design (SBD) Homes 2019 guidance to address designing out crime.

Natural England 03/08/2022

6.19 No comments.

Lower Medway Internal Drainage Board (LMIDB) 28/07/2022, 18/05/2023 & 19/06/2023

6.20 The site is within the Internal Drainage District (IDD) of the Lower Medway Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Consent is required for discharge of surface water to a watercourse and works to alter a watercourse which is not adopted by the IDB (a riparian watercourse).

6.21 The layout amendments (the inclusion of gates and garden buildings) do not impact on the Board's interests however, according to the 'Proposed Drainage Strategy' a private storm drain running along the southeast boundary is replacing an 'existing watercourse no longer serving the site' and is proposed to be infilled. Land drainage consent is required from the Board.

6.22 Advice is provided to the applicant by the IDB in terms of what they consider acceptable and unacceptable in terms of the works to the ditch that requires their consent.

6.23 The Board welcomes the approach of utilising SuDS, attenuation, restricting the discharge rate and addressing the long-term management of the SuDS features. We also welcome that the open watercourse is outside the boundary of private gardens and encourage sufficient access is provided so maintenance of the watercourse is possible.

Southern Water – 08/08/2022

- 6.24 The sewer services at this location are the responsibility of ICOSA Water Service Limited. There is an inset agreement/NAV agreement in place between Southern Water and ICOSA Water Service Limited for the supply of water and sewerage services. The connection/discharge points to the public network and agreed discharge flow rates must be complied with inset/NAV agreements terms.

**7. APPRAISAL**Principle of Development

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with development plan unless material considerations indicate otherwise.
- 7.2 The principle of development of the site for residential purposes is accepted by the allocation as set out in Policy A11 of the Local Plan and the grant of outline planning permission under application reference 18/503855/OUT.

This application considers the detailed matters of layout, appearance, scale, landscaping and access. Members should note that impacts not relating to these specific reserved matters, including traffic generation and impacts upon the highway network (other than the specific point of access), impacts upon infrastructure, affordable housing provision and ecology impacts, have all been considered acceptable at outline stage and cannot be reconsidered as part of the reserved matters.

Density of Development and Mix of Units

- 7.3 The mix of dwelling types and sizes proposed as follows:
- |                                |    |
|--------------------------------|----|
| • 2-bed Flat Over Garage (FOG) | 1  |
| • 2-bed houses                 | 8  |
| • 3-bed houses                 | 15 |
| • 4-bed house                  | 1  |
- 7.4 Dwelling types comprise terrace, semi-detached, detached dwellings and a flat over a garage (FOG) ranging between 1 (FOG) and 2 storeys.
- 7.5 The mix of housing size and types is considered acceptable as it provides for a range of options within the site itself using the context and characters of the area to determine density as set out in Policy CP3 of the Local Plan.
- 7.6 The density of the development equates to 36 dwellings per hectare (dph) which is marginally higher than the 32 dph of the adjacent site. However, although not part of the adjacent wider Thistle Hill development, the density of the application proposal sits within the range of 31 to 56 dph set by Thistle Hill outline permission and therefore respects the character of the area.



### Design and Layout

- 7.7 The Government attaches great importance to the design of the built environment. Paragraph 126 of the NPPF emphasises the importance of good design and paragraph 130 of the NPPF is key to achieving well designed places.
- 7.8 In line with the NPPF, Policies CP4 and DM14 of the Local Plan requires design of the development to be of a high quality that conserves and enhances the natural and/or built environments; is well sited and of a scale, design, appearance and detail that is sympathetic and appropriate to the location. New development should create safe, accessible, attractive places that make safe physical and visual connections within the development itself and its surroundings.
- 7.9 The layout being considered as part of this reserved matters application is similar to that shown within the layout submitted with the outline application. The layout shows one vehicular access point from Yarrow Drive with one primary road into the site. One smaller road would branch off from the north-eastern side of the primary road and one from the south-western side. There is also access to a parking courtyard from the primary road from the south-western side. Although small, there is a distinct street hierarchy, making it easy to navigate around the development and the layout also fits with the character of the reserved matters that has been approved for the larger adjacent site and the layout of Clover Close to the north-west of Yarrow Road.
- 7.10 Pedestrian footways are located along the primary road, to the south-western cul-de-sac and to one side of the north-eastern cul-de-sac with shared surfaces and parking areas in between.
- 7.11 In general, the dwellings within the proposal present front elevations to the road as well as to the existing play space and the open space located on the opposite side of Yarrow Road, behind the properties in Clover Close. This creates an active frontage to the street scene as well as providing natural surveillance creating safer streets and spaces.
- 7.12 The layout allows for a continuation of dwellings fronting onto Plover Road and onto Yarrow Drive which facilitates connection with the existing residential development to the south-east at Coral Road and the north-west of the site at Clover Close, as well as to the development approved for the remainder of the wider site.
- 7.13 The site gently slopes down from Plover Road towards the north-eastern boundary and from the north-western side to the south-eastern side along Plover Road. In accordance with the requirements of condition 5 (sectional drawings) of the outline planning permission (18/503855/OUT) street scene drawings have been submitted which show the change in levels and how the proposed development relates to adjacent existing dwellings in Plover Road. The maximum height of the dwellings proposed is two storey. The proposed development shows two storey dwellings that are slightly taller than the existing development along Plover Road. However, given the separation distance between the proposed development and the existing dwellings within the vicinity, the difference in height would not significantly noticeable from the street scene.
- 7.14 The proposal would provide for a legible layout that respects the existing spatial pattern of development and that of the approved development for the wider site, with a good mix of unit

size and type in accordance with Policy CP3 of the Local Plan, paragraphs 126 and 130 of the NPPF. Whilst none of the dwellings are proposed to be affordable, this is compliant with outline planning permission and current Local Plan Policy DM8.

#### Architectural Design and Materials

- 7.15 The architecture and material palette proposed takes reference from the existing development along Plover Road and Yarrow Drive. The proposed materials for the application site include the use of red bricks, white weatherboarding and grey and brown roof tiles. The overarching design approach is based on a traditional vernacular, with conventional brick, and weatherboarded elevations under hipped and gable roofs. The dwellings incorporate a range of features including chimneys, bay windows, gauged arches, stone cills and canopy porches. The different house designs and use of materials, and the mix of detached, semi-detached, and terraced units, together with the sloping character of the site, create good interest, variety, and an attractive design.
- 7.16 The proposal takes reference from its surroundings where there are a mix of red, yellow and tan bricks, weatherboarding and clay roof tiles. The material palette is considered acceptable.

Overall, the layout, scale and appearance of the proposal takes reference from the surroundings and is in compliance with national and local planning policy. The proposals follow good urban design practice, with a design that respects its surroundings, topography and forms a legible layout incorporating secure by design principles, provides for amenity, which would result in an attractive and sustainable environment to live. The proposal is considered acceptable and in accordance with Policies A11, CP3, CP4, DM8, DM14 and DM19 of the Local Plan and paragraphs 112(e), 126, 130 and 154 of the NPPF.

#### 7.17 Sustainable Design and Construction

A condition was imposed on the outline planning permission requiring details of sustainable construction measures prior to the commencement of development. As such this is not a matter for consideration under the reserved matters.

#### Landscaping

- 7.18 The application includes details of soft landscaping. This incorporates planting and landscaping proposals for planting on the street frontages of Plover Road and Yarrow Drive. It also shows street trees within the development as well as on plot planting and boundary planting, including proposals to strengthen and retain planting and hedging along the boundaries using native species.
- 7.19 The distribution of the landscape proposals across the site is welcomed and the use of native species has the potential for local biodiversity to be significantly enhanced. However, further details will be required specifying species, planting plans and management. A condition is therefore recommended to secure this detail. Within the inclusion of the condition, the landscaping is considered acceptable and in accordance with Policies A11, CP4, CP7, DM14, DM24 and DM29 of the Local Plan and paragraph 174 of the NPPF.

### Living Conditions

- 7.20 There are two main considerations in terms of living conditions, firstly the impact of the proposed development on neighbours, and secondly, the living conditions which would be created for the future occupants of the development itself. Policy DM14 of the Local Plan and paragraph 130(f) of the NPPF relates to the provision and protection of these amenities.

### Living Conditions of Future Occupiers

- 7.21 The proposed dwellings include house types that are of similar design as the dwellings approved for larger development parcel forming the remainder of the Policy A11 allocation, therefore they are of similar size. All house types have been drawn to show adequate internal space within each unit as well as private amenity space.
- 7.22 The layout of the development provides sufficient separation between the proposed dwellings within the site to ensure adequate levels of privacy, daylight, sunlight and outlook.
- 7.23 Refuse storage would be accommodated out of sight within the rear garden areas. The layout has been designed to allow for direct external access from the rear to the front of each dwelling to enable the refuse to be moved to kerbside collection points on refuse collection days without the need to travel internally through the dwelling.

### Living Conditions of Neighbouring Occupiers

- 7.24 The closest existing residential dwellings to the proposal are those located in Yarrow Drive to the north-west and Plover Road and Mimosa Avenue to the south-east. The proposed dwellings fronting onto Yarrow Drive create a similar relationship to the dwellings in Clover Close whereby properties face each other on the opposite sides of the road. The majority of the new dwellings fronting onto Yarrow Drive would overlook the open space that forms part of the larger development site within the wider allocation.
- 7.25 The relationship of the proposed dwellings with the adjacent dwelling in Plover Road is a side-to-side where it relates to the proposed dwelling fronting onto Plover Road and a back-to-side relationship for another two dwellings proposed to be located behind. These two proposed dwellings would have their rear elevations facing the side boundary of the adjacent dwelling in Plover Road. However, the separation distance is considered sufficient to ensure there would be no harm in terms of loss of privacy.
- 7.26 With the dwellings in Mimosa Avenue, it is a side-to-side arrangement. The proposed dwellings are also set in from the side boundary to provide separation and allow for landscaping.
- 7.27 Concern has been raised in consultation responses regarding the impact on living conditions as a result of the construction phase. There are a number of conditions attached to the outline planning permission that have been included to ensure the impact is minimised (conditions 12 – dust suppression, 13 – loading and unloading of construction vehicles, 14 – parking for construction operatives, 15 – dealing with mud, 17 – hours of construction and 18 – hours of piling activity).

- 7.28 The layout and design is considered acceptable in terms of amenity both for the future occupiers and the occupiers of existing nearby residential properties. The proposal is in accordance with Policy DM14(8) of the Local Plan and paragraph 130(f) of the NPPF.

#### Ecology

- 7.29 The impact on ecology has been considered as part of the outline planning application. Condition 9 of the outline planning permission (18/503855/OUT) prevents development taking place until a statement has been submitted that confirms that the proposed off-site mitigation as detailed in the Reptile Survey report submitted as part of the outline can support the increased reptile population, along with a timetable for implementation and details of management.
- 7.30 KCC Ecological Service have reviewed this application for reserved matters and reinforce the point that site clearance must not be carried out until this condition discharge has been satisfied. They also highlight that, whilst there appears is no ecological enhancement condition, the curtilage boundaries must feature gaps to allow access for reptiles and other small mammals and retain ecological connectivity from north to south. This can be incorporated into the condition suggested as part of the further landscape details.
- 7.31 With the need for compliance with condition 9 of the outline planning permission, no objection is raised in this regard and the proposal is in accordance with Policies A11, CP7, DM14 and DM28 of the Local Plan and paragraph 174 of the NPPF.

#### Flooding and Drainage

- 7.32 KCC Flood and Water Management officers have compared the Flood Risk Assessment (FRA) (04/06/2018) that was submitted as part of the outline application with the proposed site layout.
- 7.33 The layout shows that the east and northern boundaries are to be preserved as previously stated and are to remain separate to the property gardens. The preservation of these boundaries is considered essential as they are existing ditches that convey surface water movement through the network. KCC Flood and Water Management anticipated that further works to the final levels of these features would need to be confirmed as part of the detailed design stage. This is covered by the requirements of condition 6 (detailed SUDs scheme) of the outline planning permission.
- 7.34 In terms of the surface water management proposals set out within the FRA (04/06/2018 – Drawing No. 7267-1060), it showed a series of four permeable paved systems to be situated within parking areas/ closes. These permeable paving systems were designed to attenuate surface water runoff, prior to a restricted discharge (2l/s) to an existing ditch to the north. There was concern raised that the latest site layout appeared to change the overall size of these parking areas and therefore would impact the storage provided within these systems.
- 7.35 Further information in the form of a Flood Risk Assessment and Drainage Strategy report (23/01/2023) was submitted by the applicant to address these concerns. This information was reviewed by KCC Flood and Water Management Officers. This further information was

considered sufficient to ensure that the layout as proposed is reasonable and no objection is raised in this regard.

- 7.36 Separate consent is required from the IDB for some works to the ditches. An informative will be included to highlight this.
- 7.37 The information submitted as part of this application is acceptable and the proposal is in accordance with Policy A11, DM14 and DM21 of the Local Plan and paragraphs 162, 167 and 169 of the NPPF.

#### Archaeology

- 7.38 The impact on archaeology has been considered as part of the outline planning application. Condition 8 of the outline planning permission (18/503855/OUT) prevents development taking place until the implementation of a programme of archaeological work, along with a timetable and specification which is to be agreed has been secured.
- 7.39 With the need for compliance with condition 8 of the outline planning permission, no objection is raised in this regard and the proposal is in accordance with Policy DM34 of the Local Plan and paragraphs 197, 201, 202 and 205 of the NPPF.

#### Highways

- 7.40 The application has been granted outline planning permission (18/503855/OUT), therefore the impact of the development on the existing strategic and local highway network has already been considered acceptable. KCC Highways have considered the reserved matters application and raise no objection with regard to the proposed access from Yarrow Road.

#### Layout

- 7.41 Given the size of the proposed development, the layout is fairly simple with a primary road into the development and smaller roads off either side. There would be footways to either side of the primary road. The smaller road branching from the primary road shows a footway to at least one side.
- 7.42 A tracking drawing has been submitted at the request of KCC Highways to demonstrate the ability for a refuse freighter to manoeuvre within the site. This has addressed their concern and no objection is raised.

#### Parking

- 7.43 The proposal has been revised to take account of the KCC Highways comments, particularly with regard to parking provision and cycle parking. The parking provision meets Swale Borough Council's adopted standards and cycle parking is now either provided within a shed within the rear garden or within garages/car ports not large enough to be counted as a parking space.
- 7.44 Every dwelling is to be provided with an electric vehicle charging point which complies with the Council's adopted 'parking' SPD. In terms of provision for cycling, a condition is recommended to require implementation of the cycle storage arrangements for the dwellings.

- 7.45 With the inclusion of the suggested conditions, the proposal is in accordance with Policies CP2, DM6 and DM7 of the Local Plan, Swale Borough Council Parking Standards and paragraphs 110, 111 and 112 of the NPPF.

#### Other Matters

- 7.46 The principle of development and the impact of the proposal on infrastructure was considered acceptable when outline planning permission granted. As such, issues of loss of open space, impact on drainage and impact on ecology have already been addressed.
- 7.47 In terms of the impact on services and infrastructure, again this was considered and addressed as part of the outline planning application and is covered by s106 that accompanies the outline planning permission. The s106 secured contributions towards: highways works, primary education, secondary education contribution, SPA mitigation, library services, wheelie bins and formal sports contribution.
- 7.48 With regard to the impact on the Medway Estuary and Marshes Special Protection Area (SPA) which is a European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations), it was concluded under consideration of the outline application that subject to mitigation, there will be no adverse effect on the integrity of the SPA.

### **8. CONCLUSION**

- 8.1 The proposal has been revised to ensure concerns raised by statutory consultees have been addressed. The proposal is considered to make an effective contribution in meeting the need for homes on a site allocated for residential development and which benefits from outline planning permission, whilst safeguarding the environment as well as being sympathetic to local character and the living conditions of the existing and future occupiers.
- 8.2 The scheme under this current proposal is considered to be acceptable and complies with Policies A11, CP2, CP3, CP4, CP7, DM6, DM7, DM8, DM14, DM19, , DM21, DM24, DM28, DM29 and DM34 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017; Swale Borough Council Parking Standards, 2020; and paragraphs 110, 111, 112, 126, 130, 154, 162, 167, 169, 174, 197, 201, 202 and 205 of the National Planning Policy Framework 2021.

### **9. RECOMMENDATION**

That planning permission is GRANTED Subject to the following conditions:

#### CONDITIONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

#### Received 14 July 2022

041 Rev 01	Proposed House Type 2A-2A-2A
042 Rev 01	Proposed House Type 2A-2A-2A-2A-2A
043 Rev 01	Proposed House Type 3B
044 Rev 01	Proposed House Type 3C
045 Rev 01	Proposed House Type 3D
046 Rev 01	Proposed House Type 4A

047 Rev 01	Proposed House type 3D (Handed)
048 Rev 01	Proposed House Type 3C
060 Rev 01	Proposed Garages and Carports

Received 4 May 2023

22.042_010 Rev 02	Proposed Master Plan
22.042_011 Rev 02	Proposed Site Plan – Ground Floor
22.042_020 Rev 02	Proposed Street Scenes AA and BB
22.042_021 Rev 02	Proposed Street Scenes CC, DD and EE
22.042_030 Rev 02	Proposed Site Plan - Density
22.042_032 Rev 02	Proposed Site Plan - Highways
22.042_040 Rev 02	Proposed House Type FOG
12359/1050 Rev P1	Vehicle Tracking
12359/1060 Rev P2	Proposed Drainage Strategy

Received 13 June 2023

12359/1400 Rev P1	Highway Adoption Extent
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Reason: For the avoidance of doubt and in the interests of proper planning.

- 2 No development including site clearance and demolition shall take place until an Arboricultural Method Statement (AMS) in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the Local Planning Authority. The AMS should detail implementation of any aspect of the development that has the potential to result in the loss of, or damage to trees, including their roots and, for example, take account of site access, demolition and construction activities, foundations, service runs and level changes. It should also detail any tree works necessary to implement the approved scheme and include a tree protection plan that details appropriate protective fencing around the existing trees and hedges to be retained together with areas designated for new landscaping.

Reason: Requirement prior to commencement of development to protect existing trees in the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development in accordance with Policy DM14 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 3 No development above ground floor slab level shall take place until details of root barriers and soil volumes for any tree planted within a roadside verge and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The tree planting within the roadside verges shall be implemented in accordance with the approved details and maintained thereafter.

Reason: In the interest of ensuring the establishment of trees in accordance with Policy DM29 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 4 No development above ground floor slab level shall take place until details full details of both hard and soft landscape works and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. These details shall include all paving and external hard surfacing. Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become

seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies CP4, CP7, DM14, DM24 and DM29 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 5 No dwelling shall be occupied until a landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas (except for small, privately owned, domestic gardens) and arrangements for implementation. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies CP4, CP7, DM14, DM24 and DM29 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 6 No dwelling shall be occupied until pedestrian visibility splays of 2metres x 2metres behind the footway on both sides of each access with no obstructions over 0.6m above footway level have been provided. The vision splays shall thereafter be maintained in accordance with the measurements set out in this condition.

Reason: In the interests of highway safety and in compliance with Policy DM6 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 7 No dwelling shall be occupied until the boundary treatment for that dwelling has been submitted to an approved in writing by the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details prior to the occupation of the dwelling to which it relates and shall thereafter retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy DM14 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 9 Each dwelling shall not be occupied until covered cycle storage arrangements for that dwelling have been provided. All covered cycle storage arrangements shall thereafter be retained.

Reason: To provide cycle storage facilities of an appropriate design and in a safe and secure location in accordance with Policy DM7 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

- 10 Each dwelling shall not be occupied until refuse storage arrangements for that dwelling, including provision for the storage of recyclable materials, have been provided. All refuse storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy DM14 of Bearing Fruits 2031: The Swale Borough Local Plan 2017.

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on



solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

