

2.5 REFERENCE NO - 24/504519/REM		
PROPOSAL Approval of Reserved Matters (Layout, Scale, Appearance and Landscaping) erection of 10no. residential dwellings with associated landscaping, road layout and parking pursuant to 21/502609/OUT		
SITE LOCATION Land To The East Of Lynsted Lane, Lynsted, Kent, ME9 9QN.		
RECOMMENDATION Delegate to the Head of Planning to grant reserved matters approval subject to appropriate safeguarding conditions, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions.		
APPLICATION TYPE – Reserved Matters application.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objected to the application, and the Ward Councillor called the application in.		
Case Officer Joanna Dymowska		
WARD Teynham and Lynsted	PARISH/TOWN COUNCIL Lynsted and Kingsdown	APPLICANT Eden Real Estate Group Ltd And FPC Income And Growth PLC AGENT ECE Planning Limited
DATE REGISTERED 04.11.2024		TARGET DATE 03/02/2025
BACKGROUND PAPERS AND INFORMATION: Documents referenced in the report are as follows: - Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, PJC, 4 th June 2025 Landscape Strategy Drawing Proposed Site Plan, 24_1597-100 re.v J Surface Water Drainage Strategy Report, Manhire Associates, Rev. 04, May 2025		

The full suite of documents submitted pursuant to the above application are available via the link below:

[24/504519/REM | Approval of Reserved Matters \(Layout, Scale, Appearance and Landscaping\) erection of up to 10no. residential dwellings with associated landscaping, road layout and parking pursuant to 21/502609/OUT | Land To The East Of Lynsted Lane Lynsted Kent ME9 9QN](#)

1. **SITE LOCATION AND DESCRIPTION**

- 1.1. The site comprises a broadly rectangular-shaped piece of vacant agricultural land to the east of Lynsted Lane. The western boundary of the site is framed by a tall hedgerow that extends upwards from a low earth bank to the road. Directly opposite the hedgerow, on the other side of Lynsted Lane, stands a line of buildings that vary in appearance but are mostly traditional and date from the mid-to-late 19th century. This group of ribbon-form development does not contain any listed buildings.
- 1.2. The site does not contain any heritage assets and is outside any conservation area. The closest listed buildings are numbers 70, 72, and 74 London Road, and the George Inn, which are Grade II listed.
- 1.3. The land levels on both sides of Lynsted Lane are elevated above the road itself with the houses all being slightly set back from the footway running along that side of the lane. The gardens slope upwards from the edge of the footway and/or the properties are accessed by steps up to them, needed to address the change in levels. The site is not subject to, or adjoining, a local or national landscape designation. The site is in close proximity to the village centre of Teynham.

2. **PLANNING HISTORY**

- 2.1. **21/502609/OUT:** Outline application for the erection of up to 10no. residential dwellings with associated landscaping, road layout and parking. (Access being sought). Refused on 28.06.2022, allowed at appeal on 05.10.2023.

3. **PROPOSED DEVELOPMENT**

- 3.1. This is a reserved matters application for appearance, landscaping, layout and scale following the grant of outline planning permission, ref: 21/502609/OUT for the erection of up to 10no. residential dwellings with associated landscaping, road layout and parking. Access was determined and approved at the outline stage.
- 3.2. The submitted details propose the construction of ten dwellings. Four of the proposed dwellings would be detached, whereas the northern part of the site would accommodate semi-detached properties. The proposed housing mix is exactly the same as indicated at the outline stage:-

- 1No. 2 bed house (plot 5);
 - 5No. 3 bed houses (plots 3, 4, 6, 7 and 8);
 - 4No. 4 bed houses (plots 1, 2, 9 and 10);
- 3.3. Turning to the proposed parking details, a total of 31 parking spaces are proposed. The proposal is for 24 car parking spaces for the 10 residential units, 2 visitor spaces and 5 additional parking spaces for existing residents of Lynsted Lane. Each dwelling will have one EV charging point.
- 3.4. Turning to landscaping, partial removal of the hedgerow would be required to accommodate the access point, which already benefits from detailed planning permission. Additional planting and replacement hedgerows will be provided to compensate for the loss. The landscaping scheme also includes:-
- Buffer planting along the eastern and northern boundaries,
 - Tree planting throughout the site,
 - Tree and hedge planting along the southern boundary and eastern boundary.

4. **CONSULTATION**

- 4.1. Three rounds of consultation have been undertaken, during which letters were sent to neighbouring occupiers; a notice was displayed at the application site once and the application was advertised in the local newspaper. Full details of representations are available online.
- 4.2. In total 15 letters of representation were received from 11 separate addresses, all of which objected to the proposed development. Concerns were raised in relation to the following matters:

Comment	Report reference
Loss of countryside and urbanisation.	7.3.3
The surrounding area has seen too much development.	7.12.1
It has been a lifestyle choice for many to move to the countryside and not live in the centre of a town with a view of wall-to-wall houses. We are being forced to accept the erosion of green spaces for profit.	7.3.3
Lynsted Lane is a very narrow country lane which already suffers from constant traffic jams, obstruction and damage to homeowners' vehicles. The proposed development will make it worse.	7.10.3, 7.10.4, 7.10.9
The proposed development will add to noise, carbon and light pollution.	7.7.4

The village does not have enough sewage space to accommodate more development.	7.11.2
The application is ' <i>a rehash of the previous proposal, which was rejected</i> '	7.3.3
Loss of privacy due to land-level changes.	7.7.2
Insufficient community infrastructure to serve the needs of this development.	7.12.2
The development will devalue properties currently benefiting from the outlook towards fields.	7.12.1
Lynsted Lane is unsafe with dangerous bottlenecks and many semi-blind bends.	7.10.3, 7.10.4, 7.10.9
Increased risk of collisions due to an increase in traffic.	7.10.3, 7.10.4, 7.10.9
The site is in the green belt.	7.3.3,
Unsafe access arrangement.	7.10.3, 7.10.4, 7.10.9
The loss of an established hedgerow.	7.8.2, 7.9.2, 7.9.5
The adjacent lane is unsuitable for emergency vehicles and there was no consultation with Kent Fire & Rescue.	7.10.3
Harmful impact upon the setting of listed buildings.	7.5.4, 7.5.5
Lack of pavements.	7.10.3, 7.10.4, 7.10.9
Residents parking is unenforceable.	7.10.6, 7.10.7
The proposed development will result in economic damage to businesses in Greenstreet (due to the loss of on-street parking).	7.12.3
Non-compliance with the Lynsted with Kingsdown Parish Design Statement.	7.3.3.
The site will expand with more development.	7.12.1
Flooding risks.	7.11.2

4.3. **Lynsted and Kingsdown Parish Council** provided two letters which objected to the application on the following grounds:

Comment	Report reference
Parking spaces are insufficient to mitigate loss of parking along Lynsted Lane. A separate parking area should be provided for 10 parking spaces to provide sufficient mitigation.	7.10.5, 7.10.6, 7.10.7
Light pollution.	7.9.4, 7.9.5
Loss of privacy due to land level differences.	7.7.2
Loss of hedgerow is harmful visually and in terms of biodiversity.	7.8.2, 7.9.2, 7.9.5
Concern relating to the future expansion.	7.12.1

5. **REPRESENTATIONS**

- 5.1. **SBC Heritage:** No objections.
- 5.2. **SBC Urban Design:** No urban design objections, subject to landscaping and materials conditions.
- 5.3. **SBC Climate Change:** No objections, but notes that the details in the Planning Statement are limited. However, it is accepted that climate change is to be addressed through conditions 12 and 18 of the outline planning permission.
- 5.4. **SBC Greenspaces:** Landscaping is appropriate and broadly in line with the outline permission, with a strengthening of the existing natural hedgerows and planting of buffers and hedges to provide boundary treatment and biodiversity. A suggestion was made to break up the line of parking along Lynsted Lane.
- 5.5. **KCC Ecology:** Initially requested further information prior to the determination of the application in respect of:
 - Details of external and integral bat/bird boxes or log piles,
 - Clearer and more definitive commitment on landscaping strategy drawing to ensure that landscape measures will be delivered (instead of '*could be delivered*').

Following from the above, the applicant revised the landscape strategy drawing, which shows the exact locations of log piles and provided a confirmation in writing that landscaping measures are integral to the proposal and will be delivered. KCC raised no objection to this, subject to a safeguarding condition requiring evidence of implemented ecological measures.

- 5.6. **KCC SUDs (Lead Local Flood Authority):** Following the receipt of additional information (amended hydraulic calculations), no objections are raised as further details will be provided via conditions secured at the outline stage.
- 5.7. **Lower Medway Internal Drainage Board:** No comments to make.
- 5.8. **KCC Highways:** No objections. Initially raised concerns around parking provision and an insufficient area for the refuse vehicle to access the site near plot 4. The applicant provided amended drawings to address matters relating to access and revised plans to increase parking provision to 31 spaces, to which KCC raised no objections, subject to conditions requiring provision and retention of parking, installation of EV charging points, and provision of pedestrian visibility splays.
- 5.9. **Environment Agency:** No comments offered.
- 5.10. **Southern Water:** No objections. Notes that a formal application for a connection to the public sewer is to be made by the applicant or developer.
- 5.11. **Kent Police:** No objections - applicants/agents should consult Kent Police to incorporate Secured By Design (SBD) as appropriate.
- 5.12. **KCC PRow** – No comments.
- 5.13. **Natural England** – No comments.
- 5.14. **UK Power Networks:** No objection, but informs that there are HV underground and LV overhead cables on the site running within close proximity to the proposed development. Prior to the commencement of work, accurate records should be obtained from UK Power Network.
- 5.15. **SBC Environmental Health:** No objections.
- 5.16. **Kent Minerals & Waste:** No objections.

6. **DEVELOPMENT PLAN POLICIES**

6.1 **The National Planning Policy Framework (NPPF)**

6.2 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017:**

- ST1 Delivering sustainable development in Swale;
- ST2 Development targets for jobs and homes 2014-2031;
- ST4 Meeting the Local Plan development targets;
- ST5 The Sittingbourne Area Strategy;
- CP3 Delivering a wide choice of high quality homes;
- CP4 Requiring good design;
- CP8 Conserving and enhancing the historic environment;
- DM7 Vehicle parking;
- DM14 General development criteria;
- DM19 Sustainable design and construction;
- DM21 Water, flooding and drainage;

- DM24 Conserving and enhancing valued landscapes;
- DM28 Biodiversity and geological conservation;
- DM29 Woodlands, trees and hedges;
- DM31 Agricultural land
- DM32 Development involving listed buildings;

Supplementary Planning Documents:

- Parking Standards (2020);
- Landscape Character and Biodiversity Appraisal (2011). According to the Landscape Character and Biodiversity Appraisal (2011), the application site is located inside Lynsted Enclosed Farmlands. The condition of the landscape is good and overall, this landscape area is identified as a moderately sensitive area.

Additional material considerations:

- Lynsted Parish Design Statement (2002). This Statement was published in 2002 and refers to policies of the 2000 Swale Local Plan, so these factors reduce its relevance and the weight that it can be afforded. Notwithstanding, it describes the Parish and provides general design guidance for new development both at the village itself and on London Road (Teynham) which is within the Parish. The policies include a desire to protect so-called “sensitive edges” at London Road and to the east of the village centre. The other is to maintain a “one building deep” pattern of frontage development throughout the village saying; *“Where the dominant pattern in the locality is for houses to be built adjacent to highways, this pattern should be respected.”*

7. **ASSESSMENT**

7.1. The application has been called in to the Planning Committee by Ward Councillor Julien Speed due to Lynsted and Kingsdown Parish Council objections specified above.

7.2. The main considerations involved in the assessment of the application are:

- Principle
- Character and appearance, and landscape impacts
- Heritage and Archaeology
- Size and Type of Housing
- Living Conditions
- Trees
- Ecology
- Transport and Highways
- Surface Water Drainage
- Other matters

7.3. Principle

7.3.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3.2. The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.3.3. In this case, the principle of development is established by the grant of outline planning permission for up to 10 dwellings. This reserved matters application relates to the details for 10 dwellings which falls within the limit of development as approved, where the loss of greenfield has already been accepted. The outline planning permission also dealt with access in detail. As such, the matters for determination in this reserved matters application are limited to appearance, landscaping, layout and scale.

7.4. Character and appearance and landscape impacts

7.4.4. The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement through policy CP4.

7.4.5. The NPPF requires decisions to ensure that development is '*sympathetic to... landscape setting*'. The application site is not in a designated landscape and as such DM24 requires proposals to protect and enhance these landscapes and sets out that planning permission will be granted subject to the minimisation and mitigation of adverse landscape impacts and when significant adverse impacts remain, that the social or economic benefits of the proposal significantly and demonstrably outweigh the harm to the landscape character and value of the area.

7.4.6. The detailed design approach generally follows that seen by the Inspector in indicative form at the outline stage and comprises loose perimeter blocks, with the housing position, footprint and orientation, road layout and parking to the western edge all aligning with the outline submission. The proposed density is relatively low for the edge of a settlement location.

7.4.7. The dwellings would be two-storey in height and set under pitched roofs. The houses would feature varied decorative design elements, such as gabled projections, timber weatherboarding, canopies, or barn shutters. The materials would be a mixture of cladding, yellow buff brick, multi-red brickwork, plain clay tiles and slate tiles to the roof. The proposed joinery detail is of high quality, featuring deep sash windows that replicate the style found in the surrounding area. To summarise, the appearance and materiality would represent high-quality development that is appropriate to the context and sits comfortably on the site. The Council's Urban Design Officer raised no objections to the proposed development.

7.4.8. Whilst soft landscaping at the road frontage would be reduced, the proposal has been arranged to enable a landscaping buffer to remain a feature along the Lynsted Lane frontage of the site, which is considered to be appropriate given the edge of settlement location of the site and the manner in which the village transitions into its rural surroundings. The loss of hedgerows was a concern widely raised through public representation, but it has been accepted through the grant of outline planning permission. Additionally, suitable mitigation measures are proposed, including a replacement hedgerow and tree planting. It is noted that the Greenspace Officer recommended that parking along Lynsted Lane be broken up by additional landscaping; however given the setback and landscaping to the front, it is considered that the scheme strikes the appropriate balance between increased parking provision, identified as needed through local representations, and adequate landscaping features.

7.4.4. Turning to the wider landscape and visual impacts, the Planning Inspector in granting planning permission acknowledged that the open and undeveloped character of the appeal site would change as a result of the proposal. However, the Inspector was satisfied that the proposed development would adjoin existing development to the north and west and would be nestled into the edge of the settlement. In conclusion, the Inspector confirmed that there would be no visual or landscape harm resulting from the proposed development. Given the high level of consistency between the outline and reserved matters submission, and based upon the assessment of the appearance, layout and scale it is considered that the proposed development would appear as a coherent and small-scale extension to the village with no adverse and wider landscape impacts.

7.4.5. In view of the above, the development accords with policies CP4, DM14 and DM24 of the Local Plan and NPPF.

7.5. Heritage and Archaeology

7.5.1. Any planning application for development which will affect a listed building or its setting must be assessed in accordance with the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses.

7.5.2. The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.

7.5.3. The application site does not contain any heritage assets. To the north of the site and along the main road (London Road – A2), there are some listed buildings (grade II listed), with Nos 70,72 and 74 London Road and The George Inn being closest to the application site. Approximately 120 metres to the east of the site lies the closest point of the Cellar Hill and Greenstreet Conservation Area.

7.5.4. The appeal decision considered the impacts of the development on heritage assets and concluded that the proposed development would preserve the setting of nearby listed buildings and have no harmful impact upon the setting of the conservation area. It also concluded that the development would protect on-site archaeology, subject to securing appropriate mitigation for archaeological findings by way of planning conditions.

7.5.5. The proposal would generally retain the previous indicatively submitted layout and arrangement of open space, which was considered to mitigate impacts on the setting of nearby heritage assets sufficiently. The Council's heritage consultant advises that the reserved matters application will have no additional impact upon the setting of these heritage assets. The impact on archaeology is managed appropriately through conditions on the outline consent. The proposed development therefore accords with policies DM32, DM33 and DM34 of the Local Plan and the NPPF. In considering the impact of this proposal upon designated heritage assets, Officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

7.6. Size and Type of Housing

7.6.1. Local Plan Policy CP3 requires the mix of tenures and sizes of homes provided in any development to reflect local needs and the Strategic Housing Market Assessment.

7.6.2. The proposal would provide the dwelling size mix as follows:

- 2 bedrooms – 1
- 3 bedrooms – 4
- 4 bedrooms – 5

7.6.3. The supporting text to Policy CP3 sets out a Borough wide requirement for housing of different sizes. In addition to this, the supporting text splits the Borough into Local Housing Market Areas (LHMAs). The LHMA that this site would fall into is 'Rural parts of Sittingbourne, Iwade, Upchurch, Newington, Milstead and Teynham'. In this LHMA the supporting text states *"Going forward, the aspiration could be to encourage the development of good quality family housing, for which the greatest local demand exists."*

7.6.4. In this case, the proposal is weighted towards 3 and 4 bedroom dwellings, which would be in line with the preference for family housing. On this basis, and also that there is a need for all dwelling sizes in the Borough, the scheme is considered to comply with policy CP3 of the Local Plan.

7.7. Living Conditions

- 7.7.1. The Local Plan at policy DM14 requires that new development has sufficient regard for the living conditions of neighbouring occupiers. New development is expected to offer future occupiers a sufficient standard of accommodation and to have regard to the Government's minimum internal space standards for new dwellings.
- 7.7.2. The proposed layout maintains sufficient spacing between proposed dwellings and existing neighbouring properties. It is considered that the site can accommodate 10 dwellings without resulting in a harmful impact upon existing neighbouring dwellings in terms of residential living conditions. This is because the separation distances between the proposed houses and those along Lynsted Lane are in excess of 30 metres, with a highway and landscaping separating the existing dwellings on Lynsted Lane and those proposed dwellings closest to the western boundary of the site. The separation between the proposed plots to the north and properties along London Road is approximately 35 metres. There is a flank window at first-floor level in plot 6 facing north; however, due to this distance, there will not be an unacceptable loss of privacy. Overall, even taking into account land levels, given the degree of separation, the proposed development would not give rise to an unacceptable loss of light, outlook, overshadowing, overlooking or loss of privacy of existing residents.
- 7.7.3. Regarding future residential amenity, each dwelling will have a spacious private amenity space and each of the gardens will have a depth of approximately 10m, which is considered to be sufficient external amenity space to serve future occupants. The back-to-back separation distances between proposed dwellings range between 19.5m and 25m, which is considered adequate to provide a level of privacy to future occupiers. It is noted that plot 05 would be orientated in a way that provides some views towards the rear garden of plot 06, however, no direct views into their patio area would be possible due to the lack of windows in the rear elevation (on first floor), so unacceptable overlooking would not occur.
- 7.7.4. Relating to the noise impacts, in considering the outline planning application the Inspector was satisfied that the proposed development would not result in any adverse living conditions to future occupiers with respect to noise. SBC Environmental Health Officer has also raised no objections or concerns relating to this point.
- 7.7.5. Taking the above into account, it is considered that the development would not result in unacceptable adverse impacts on the living conditions of either existing or future residents and complies with policy DM14 of the Local Plan.

7.8. Trees

- 7.8.1. The NPPF recognises the contribution of trees to the intrinsic character and beauty of the countryside and urban environments. This is recognised through Policy DM29 of the Local Plan.

7.8.2. The outline application established the removal of the hedgerow on the western boundary of the site as acceptable in order to facilitate the access into the site. The submitted landscaping strategy drawings confirm that a replacement hedge will be planted along the western boundary (setback from the road) to ensure that visual and biodiversity mitigation is in place. Further hedgerow and tree planting is proposed around the southern and eastern boundary. Overall, the proposal is to remove three trees and one hedgerow line. Replanting of trees will take place within the site. While some trees are planted within residential gardens (as noted by the SBC Greenspace Officer), the majority of trees are planted in publicly accessible areas. In overall terms, the proposals will acceptably compensate for the planting to be lost, and as such, this approach is acceptable. The details provided do not show where the precise species of planting will be located and therefore a condition is recommended to ensure these details are appropriate.

7.8.3. The submitted tree protection plan confirms that tree protection measures as set out within the approved Arboricultural Report will be incorporated. The tree protection plan ensures that no extensive work will take place within root protection zones. As such, the proposal would not adversely impact trees over and above the previously consented development. The implementation of development in accordance with Arboricultural Report will be secured via a safeguarding condition. As a result, the proposal complies with policy DM29 of the Local Plan and NPPF.

7.9. Ecology

7.9.1. The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by Policies CP7 and DM28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.

7.9.2. In terms of the Local Plan, Policy DM28 sets out that development proposals will conserve, enhance, and extend biodiversity, provide for net gains where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.

7.9.3. In assessing the outline planning application, the Planning Inspector considered that the proposal would have acceptable ecological effects and appropriate enhancements were secured by conditions relating to lighting, details of landscaping and ecological mitigation. In addition, a contribution was secured to mitigate impacts upon the Swale Special Protection Area under the S106 Agreement in association with the above outline approval.

7.9.4. The Ecological Appraisal submitted at the outline stage secured the delivery of the following ecological mitigation measures:-

- Scrub creation and/or native species hedgerow planting;
- Lighting strategy to manage lighting levels (secured via condition),
- Precautionary mitigation for hedgehogs, badgers, bats and hazel dormouse

- Measures, such as native tree, shrub and hedgerow planting are designed into the Landscape Strategy to enhance habitat for nesting birds.
- Installation of new bird/bat boxes in new homes (number to be confirmed by condition);
- Installation of log piles (3)

Initially, KCC Ecology requested further clarification and a strong and clear commitment to the delivery of all ecological mitigation, including the location and quantity of bat boxes/log piles. The revised landscaping strategy drawing has been submitted, which provides confirmation that the above features will be delivered. The revised landscaping strategy confirmed that integrated bat boxes will also be used and confirmed their quantum (10 integrated bat boxes, 3 log piles 4 bird boxes). KCC Ecology raised no objection to the proposed mitigation, subject to a safeguarding condition requiring evidence of installation.

7.9.5. As such, the proposed development continues to be acceptable with regard to ecological matters and lighting impacts, subject to the measures secured at the outline stage and in accordance with policy DM28.

7.9.6. In terms of Biodiversity Net Gain (BNG), the outline permission was granted before 12th February 2024, which means that a mandatory net gain under the terms of the Town and Country Planning Act is not required. Notwithstanding this, condition 7 on the outline consent secured delivery of 10% BNG as a minimum; however, this matter will be required to be dealt with via details submitted separately to deal with this condition.

7.10. Transport and Highways

7.10.1. The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such.

7.10.2. Local Plan policies CP2 and DM6 promote sustainable transport through utilising good design principles. Policy DM6 sets out that where highway capacity is exceeded and/ or safety standards are compromised, proposals will need to mitigate harm. Policy DM7 requires parking to be provided in accordance with the Council's adopted Parking Standards SPD.

7.10.3. As set out above, access has been approved in detail. Therefore, matters relating to the access itself, and the impact of the development on the capacity of the surrounding and wider highway network have been considered acceptable and cannot be revisited. This also refers to access safety for fire perspective and it is noted that fire tracking details were submitted at outline and viewed as adequate and KCC Highways is satisfied that sufficient turning and manoeuvre space exists within the site for smaller and larger vehicles. In respect of the outline permission, the Planning Inspector summarised that the evidence provided by third parties shows existing conditions on the northern part of Lynsted Lane to be chaotic and harmful to highway and pedestrian safety. This is in part due to existing obstructions created by parked vehicles. As part of the appeal, a suite of potential alterations and measures on Lynsted Lane were proposed to assist the highway's ability to accommodate additional traffic. These include the introduction of an additional footway and a narrowed section

of carriageway giving priority to southbound traffic, and provision of additional parking within the site to offset that lost on Lynsted Lane (as part of the off-site highway works).

- 7.10.4. Condition 4 of the outline planning permission requires the applicant to submit details of a scheme for works to Lynsted Lane, including details of safe movement of traffic and pedestrians (i.e. the footway). This is not shown in the reserved matters application, as it will be managed through submission of detailed conditions, as envisaged at the outline stage. The approval of the reserved matters of layout, scale, appearance and landscaping in the manner shown would not appear to prejudice the ability to address condition 4 in a satisfactory manner.
- 7.10.5. Regarding parking provision, as well as serving the needs of the residents of the site, Condition 5 requires details of a scheme to provide parking spaces within the site to serve residents outside the site, i.e. existing residents on Lynsted Lane, due to the loss of unallocated on-street parking as a result of the highway works referred to in condition 4. This scheme is required to be submitted and approved prior to the commencement of development. The proposed development includes 31 parking spaces in total. 26 spaces are provided for future occupiers and visitors, and 5 spaces are provided as compensation for the loss of on-street parking. In terms of the spaces for the future occupiers, these accords with the Council's Parking Standards for suburban locations.
- 7.10.6. In terms of the 5 compensatory parking spaces, this is considered an adequate provision by KCC Highways and is in line with the number of spaces that were expected to come forward when the outline planning application was being considered. KCC Highways confirmed that this reserved matters application can be determined prior to details being submitted in relation to condition 4 of the outline planning permission, as long as the off-site highway works are implemented prior to the first occupation, which is controlled by the wording of the condition itself.
- 7.10.7. In respect of the details coming forward in relation to condition 5 under this reserved matters application, this is considered appropriate from a procedural perspective as interested parties have had the opportunity to view and comment on this aspect of the scheme.
- 7.10.8. It is noted that concern has been raised locally regarding how it can be ensured that these compensatory parking spaces are reserved for existing residents of Lynsted Lane. It is considered that this matter is important to ensure that the spaces perform the function for which they were intended. As such a condition has been included below which requires details of measures to be submitted, approved and implemented prior to the occupation of the dwellings.
- 7.10.9. Consequently, the proposed development would not lead to unacceptable highway impacts, noting that vehicle parking is provided in accordance with Swale Borough Council standards. The provision of compensatory parking is in line with the expected parking requirement and KCC Highways did not object to the proposed development and parking provision within the site.
- 7.10.10. The proposed parking layout plan demonstrates that one parking bay for each dwelling will be provided with electric vehicle charging (EVC) facilities.

- 7.10.11. Overall, it is considered that the scheme complies with policies DM6 and DM7 of the Local Plan and would not lead to unacceptable highway impacts.

7.11. Surface Water Drainage

- 7.11.1. The NPPF states that local planning authorities should ensure that flood risk is not increased elsewhere and that any residual risk can be safely managed. This is reflected in policy DM 21 of the Local Plan.
- 7.11.2. The application site is located in Flood Zone 1 and is at no risk of flooding. The submission has been accompanied by a Surface Water Drainage Strategy, which demonstrates that infiltration is unlikely to be feasible in this location. As such, the proposed drainage will be managed through a collection method, including road gullies or linear channels, which will ultimately discharge to borehole soakaways. Cellular storage and borehole soakaways are to be used for the infiltration method, and the trapped gullies and petrol interceptors will provide a level of treatment prior to discharge. Further details of the design are secured through conditions on the outline consent, and KCC SuDS raised no objection to this approach, subject to further details provided at the condition stage. The foul water from the development will be collected in a system of gravity sewers discharging to the existing foul water drainage network in London Road, to which statutory consultees raised no objection.
- 7.11.3. As such, the proposal will provide acceptable drainage measures in accordance with policy DM21 of the Local Plan and NPPF.

7.12. Other Matters

- 7.12.1. Consultation responses raised a concern around this application being a first stage of development coming forward into the broader land holding, that this area had too much development and proposal will lead to devaluation of surrounding properties. Whilst concerns of the local community are duly noted, these are not material to the assessment of this application as each application is decided on its own merits.
- 7.12.2. It is also noted that the additional pressure on the existing infrastructure has been addressed as part of the outline permission, which secured S106 contributions towards open space, community infrastructure, including schools, libraries, social care, waste management, and youth services.
- 7.12.3. Some concerns were raised regarding the potential harmful impact on the surrounding businesses' economies due to the loss of parking spaces. The proposed development will attract permanent occupants to the area, enabling them to access services in a sustainable manner (on foot), which is considered beneficial to the village's viability.

- 7.12.4. The Inspector imposed conditions relating to the provision of cycle parking and communal parking, and found that no such condition was required to secure EV charging points. As such, these conditions are either not required to be duplicated or should not be imposed on this reserved matters decision.

7.13. Conclusion

- 7.13.1. The application site benefits from outline permission where the principle of residential development has been established as acceptable. The proposed design and detailed reserved matters submission are considered to be acceptable and in accordance with the relevant Local Plan policies and the National Planning Policy Framework as set out above in this report.

RECOMMENDATION

Approve – subject to the following conditions:

CONDITIONS

1. The development hereby approved shall be carried out in accordance with the following drawings/details:
 - Proposed Site Plan, ref. 24_1597-100 rev. J,
 - Landscape Strategy, 0413/21/B/20C,
 - Proposed Elevations and Floor Plans – Type B/C, ref. 24_1597 – 150, Rev A,
 - Proposed Elevations and Floor Plans – Type A, ref. 24_1597 – 140, Rev A,
 - Proposed Elevations and Floor Plans – Type D, ref. 24_1597 – 160,

Reason: For the avoidance of doubt and to allow the Local Planning Authority to retain control of the development.

2. The area shown on the submitted layout as vehicle parking spaces shall be provided before occupation of the dwellings which they serve, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

3. Pedestrian visibility splays 2 m x 2 m with no obstruction over 0.6 m above the access footway level shall be provided at each private vehicular access prior to it being brought into use and shall be subsequently maintained.

Reason: In the interests of highway safety.

4. The development hereby approved shall be implemented in accordance with the measures set out in the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, PJC, 4th June 2025.

Reason: To protect trees.

5. The dwellings shall be constructed in accordance with the external facing materials as shown on drawings 24_1597_140 Rev A; 24_1597_150 Rev A; and 24_1597_160.

Reason: In the interest of visual amenity.

6. Prior to the first occupation within each dwelling taking place, photographic evidence of the implementation of the approved biodiversity enhancement measures as detailed in the Landscape Strategy (ref. 0413/21/B/20C as published 16 June 2025) for that dwelling shall be submitted to the local planning authority for approval in writing. The approved details shall be retained thereafter.

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

7. No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall be based upon drawing 0413/21/B/20C and include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity, where possible), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

9. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

10. Details setting out how the 5 compensatory parking spaces for the existing residents of Lynsted Lane (as labelled 'OSP' on drawing - Proposed Site Plan, ref. 24_1597-100 rev. J) will be managed to ensure they are reserved for these residents shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces and the approved measures shall be provided prior to the occupation of any new dwelling on the site. Once approved, the measures shall be adhered to in perpetuity.

Reason: In the interests of highway safety and convenience.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework 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.

