

REPORT SUMMARY

2.11 REFERENCE NO - 16/505299/OUT			
APPLICATION PROPOSAL			
Outline application for the erection of a 60 bed care home with amenity space, car and cycle parking, associated development, landscaping and access (Approval of Access details being sought)			
ADDRESS Coleshall Farm Ferry Road Iwade Kent ME9 8QY			
RECOMMENDATION: Grant of Planning Permission subject to:-			
<ol style="list-style-type: none"> 1) The submission of further information relating to protected species, as request by KCC Ecology, and to any appropriate additional conditions the may request; and 2) The further comments of Southern Water; and 3) the signing of Section 106 agreement/s requiring:- <ul style="list-style-type: none"> • Health care contribution; and • An administration charge; • Commitment to the use of local labour/apprenticeships where possible 			
SUMMARY OF REASONS FOR RECOMMENDATION			
The application site is an allocated employment site in the Adopted Swale Local Plan 2008, and is part of a wider site allocated for mixed use development (housing and employment). The development would provide much needed employment care home accommodation in the area and would meet the Borough Council’s employment policies, without giving serious harm to amenity, landscape, ecology, archaeology, and the highway network. As such the proposal is considered to be in accordance with Adopted Local and National Planning Policies.			
REASON FOR REFERRAL TO COMMITTEE			
Authority to enter into Section 106 agreement.			
WARD Bobbing, Iwade And Lower Halstow	PARISH/TOWN COUNCIL Iwade	APPLICANT Middlefields Limited AGENT DHA Planning	
DECISION DUE DATE 07/10/16	PUBLICITY EXPIRY DATE 16/09/16	OFFICER SITE VISIT DATE various	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/08/1127	Development of housing, employment up to 3000sqm, public open space and pavilion (up to 110sqm), with access from School Lane and Sheppey Way, including roads, cycle paths, footpaths, stream crossings, landscaping and	Approved	06.06.2011

	ancillary works		
SW/12/1392	Outline application for the erection of a 60 bed care home with amenity space, car and cycle parking, associated development, landscaping and access	Approved	05.02.2013
<p>Members will note that in addition to the above permissions, the wider site has been subject to a significant number of planning approvals - predominantly for reserved matters, details of the housing layouts, landscaping etc – but not all of these permissions would warrant specific mention in this instance.</p>			
SW/11/1537	Approval of all reserved matters, pursuant to outline permission SW/08/1127, for erection of 187 dwellings on part of the site	Approved	08.03.2012
14/504557/REM	Reserved Matters permission including details of access, appearance, landscaping, layout and scale for the erection of 40 dwellings pursuant to outline application SW/08/1127	Approved	16.03.2015
14/501060/REM	Application for approval of reserved matters pursuant to planning permission SW/08/1127 for recreation area and Stream Public Open Space including 2 football pitches, pavilion, play area and associate hard and soft landscaping	Approved	04.12.2014
15/505910/REM	Approval of Reserved Matters including details of access, appearance, landscaping, layout	Approved	09.11.2015

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site consists of 0.44 hectares (1.08 acres) of fairly flat land to the west of Sheppey Way, and to the south east of Coleshall Farmhouse. The application site is located to the south-eastern corner of the wider 'land adjacent Coleshall Farm' site part of which is allocated in the adopted Swale Local Plan 2008 for B1, B2, B8 employment use (see paragraph 5.19 below). To the east, beyond Sheppey Way, lies Featherbed Farm. The application site is currently an open field that has been used in past years for arable farming. The southern boundary of the application site is lined by mature poplar trees which run for approximately 250 metres from the Sheppey Way towards Coleshall and Coleshall Farm.
- 1.02 Members will note that this site is part of an allocation for mixed use development in the Adopted Swale Borough Local Plan 2008, and a development brief for the land was agreed pursuant to policy AAP9. Adjoining the site to the north west is housing development currently under construction and nearly complete (this housing development is part of the wider development site). Immediately to the north of the application site is a housing development of 40 houses, recently built by Permission Homes as part of the wider mixed use development allocated in the Adopted Swale Local Plan 2008. Beyond the Permission Homes land located to the north of the application site is land allocated as open space in the master plan of the wider

development site. Adjoining the application site to the west is land allocated for employment use. This land has not been developed.

- 1.03 There is a public right of way ZR92 which runs north-south through the centre of the wider development site, and continues as ZU52, which runs adjacent to and parallel with the line of poplar trees running along the southern boundary of the application site, and connects with Sheppey Way.

2.0 PROPOSAL

- 2.01 This is an outline application with all matters reserved except for the main site access from Sheppey Way into the site. If permission is granted, a separate application would be required to agree details of the layout, scale, appearance and landscaping for the development. Members will note that whilst the description of development says proposed access road' the highway crossover affording vehicular access into the site, including the junction visibility splays and associated footpaths have been constructed and were constructed when the infrastructure for the wider development was implemented.

- 2.02 The application proposes to construct a 60 bed care home (Class C2) to the east of Coleshall Farm. The submitted detail is indicative and shows a building with a floor area of 2878 square metres (equating to approximately 48 square metres per resident), a car parking area to the front of the building with twenty car parking spaces, two disabled car parking spaces and a cycle parking area for eight bicycles, and, an amenity area of approximately square metres for the residents. Indicative drawings also show proposed landscaping around the perimeter boundary of the application site. The indicative drawings show a two storey building with a maximum height of 9.7 metres and the building would be a u-shape with wings on either end accommodating 15 bedrooms on either end at ground and first floor making a total of 30 beds on each end (providing 60 beds altogether). All bedrooms would have ensuite facilities, and there will be a communal lounge, bathroom, kitchen and storage areas, laundry room, plant room, administration block and a nurses' station.

- 2.03 The building would be located approximately 10 metres from the line of existing poplar trees on southern perimeter boundary of the site. As noted above, there is a public footpath (ZU52) running at southern boundary of the application site and this would not be affected by the development. The proposed vehicular access into the site from Sheppey Way is similar to the access approved in 2008 under ref SW/08/1127.

- 2.04 The application is supported by a number of reports including the following:-

- Planning Statement
- Care Homes Needs Assessment
- Staff Requirements Letter
- Tree Survey
- Design and Access Statement

- 2.05 From the above listed reports, I have drawn some of the information set out above and the following summarised key points:-

- The principle of a care home is established with the granting of planning permission for a similar scheme in 2012 under ref SW/12/1392 and the

allocation of the site as part of a mixed use development in 2009 under ref SW/08/1127

- There has been no material change in planning policy since the grant of the last planning permission
- The application meets policies within the adopted Swale Local Plan 2008 and Swale Local Plan Bearing Fruits 2031.
- The site has good access to the A249 Sheppey Way and as such conforms to sustainable development
- A 60 bed care home would generate a total of 2021 staff hours which is equivalent to 54 full time and part time hours based on working 37.5 hours per week and many of these would be sourced from Iwade and Sittingbourne
- There is need for care homes in the area and development would provide the opportunity for the elderly in the local catchment area to remain in their local area
- The proposed access is considered to be acceptable
- The site is within a sustainable location within walking and cycling distance of the centre of Iwade
- The site has archaeological potential and this will be dealt with by condition
- The land has historically been used for agricultural purposes and as such is not likely to be contaminated
- In view of the historic use of the site for agricultural activities there is no justification for a Phase 1 Ecological Assessment.
- The building will be constructed to the BREEAM 'good' standard
- The building would be of high quality design with large glazed openings to maximise sunlight penetration
- The sleeping rooms are grouped in clusters of 15 rooms located on either end of the building at ground and first floor. Communal areas such as a lounge, dining room and ancillary facilities including admin and staff facilities will be located at central section of the building
- A high standard of landscaping is proposed and details will be given at reserved matters stage
- The development would be located in close proximity to a row of mature poplars however there is enough distance separation to minimise impact on roots of trees to acceptable levels. However, there may be pressure to crown reduce the trees and this will be good maintenance practice.
- The development is not likely to cause harm to features of ecological value or protected species.
- The application envisages the planting of native trees and shrubs to encourage new habitats and pollen rich plants.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.44 ha	0.44 ha	0
No. of Storeys	2	2	+2
Car parking spaces	0	20	+20
Disabled car parking spaces	0	2	+2

4.0 PLANNING CONSTRAINTS

- Potential Archaeological Importance
- Part of a wider site allocated for mixed use development (employment of 3000 square metres floor space and housing development of 400 houses)
- The site is located 260m from a Listed building (Grade 11 Coleshall Farmhouse)
- Iwade Arable Farmlands
- Row of mature poplar trees on southern boundary of application site
- A Public right of way (ZU52) runs parallel to southern boundary of the site and parallel to the line of poplar trees

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are both pertinent to this case.
- 5.02 The NPPF sets out the Government's position on the planning system explaining that "The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. For decision taking this mean:
- Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out of date granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted."
- 5.03 At Para 7 of the National planning Policy Framework (NPPF) identifies three dimensions to sustainable development; economic, social and environmental, subsequently ascribing these "roles" to the planning system.
- 5.04 As a core planning principle, the NPPF requires the planning system to proactively drive and support sustainable economic development to deliver business and industrial units, infrastructure and thriving local places. Every effort should be made objectively to identify and then meet business and other development needs of an area and respond positively to wider opportunities for growth. In seeking to deliver sustainable development and build a strong and competitive economy paragraph 19 of NPPF advises that significant weight should be placed on the need to support economic growth through the planning system.
- 5.05 At paragraph 18 it explains "The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future."
- 5.06 Paragraph 34 deals with sustainable travel modes and suggests developments

generating significant vehicle movements should be located where the need to travel will be minimised.

- 5.07 At Paragraph 47 it states that “planning authorities should meet local housing needs and identify five year housing land supply with an additional 5% buffer”. Paragraph 49 states “that housing application should be considered in the context of the presumption in favour of sustainable development” and that “Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.”
- 5.08 Paragraphs 47-55 seek to significantly boost the supply of housing. NPPF paragraph 49 confirms that the lack of a 5-year land supply triggers the presumption in favour of sustainable development as set out by NPPF para. 14. It is necessary to determine what the relevant policies for the supply of housing are in order to identify which are out of date. What constitutes a policy for the supply of housing has been the subject of legal judgement, which can be interpreted as either policies that have specific and direct impacts on housing supply or more indirect, but significant impacts on supply. Regardless of the approach taken, decision makers can and do take into account whether certain aspects of policies accord with the NPPF. Importantly, the decision maker must apply themselves properly to para. 49.
- 5.09 Paragraphs 56 to 68 address ‘requiring good design’, and Paragraph 56 asserts that “*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*”
- 5.10 Paragraph 64 of the NPPF states “*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*”
- 5.11 Paragraph 64 of the NPPF states “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”
- 5.12 Paragraph 96 states that in determining planning applications, local planning authorities should “*take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption*”.
- 5.13 Paragraph 109 deals with the conservation and enhancement of the ‘natural and local environment’, and is discussed in the ‘appraisal’ section below.
- 5.14 Paragraph 113 explains “Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.”
- 5.15 The use of ‘planning conditions and obligations’ are addressed at Paragraphs 203 to 206. To a large extent, these paragraphs advocate the approach set out in Circular 05/ 2005: ‘Planning Obligations’ [which is now cancelled], the Community Infrastructure Levy (CIL) Regulations (2010), and in particular, Regulation 122 (2), and Circular 11/95 ‘The Use of Conditions in Planning Permissions’.

5.16 Development Plan:-

5.17 The adopted 2008 Swale Borough Local Plan, however, remains the primary consideration for determining this application.

5.18 The key policies from the Swale Borough Adopted Local Plan 2008 are:-

Policies AAP9 (Iwade), B1 (Supporting and Retaining Existing Employment Land and Businesses), B2 (providing new employment), B14 (New Employment sites), E1 (general development criteria), E9 (landscape), E10 (trees and hedges), E11 (biodiversity), E14 (listed buildings), E16 (archaeology), E19 (design), H2 (new housing), H5 (housing allocations), T1 (vehicular access), T2 (off-site highway works), T3 (car parking) and T4 (cycle parking and pedestrian) and T5 (public transport).

5.19 Members will note that the wording for (Policy AAP9) which allocates land for housing and employment at Iwade) reads as follows:-

“Policy AAP9

Iwade

An Area Action Plan is designated at Iwade, as shown on the Proposals Map. Within this area, planning policies and proposals will aim to provide the existing and new communities the services and mix of uses that ensures that the village functions as a more sustainable settlement. In addition to the development, and provision of new and improved community facilities comprising the first phase of development as outlined in the currently approved Development Brief, planning permission will be granted for development comprising:

- 1. housing, for approximately 400 additional dwellings on sites in the south-western and eastern parts of the village respectively;*
- 2. expansion of the recreation ground in School Lane; and*
- 3. the provision of some 3,000 square metres of employment floorspace.*

Planning permission will not be granted for the additional 400 dwellings proposed until:

- a. A revised Development Brief has been approved by the Borough Council.*
- b. It is demonstrated to the Council’s satisfaction that flooding problems arising from the Iwade Stream can be resolved as part of the additional development.*
- c. The construction of the Ridham and Kemsley employment area has commenced; and*
- d. An assessment of the likely significant effects of development upon nearby European Sites for nature conservation and other important areas of biodiversity has been undertaken and its recommendations implemented.”*

5.20 Members will also note that Policy B14 (New Employment Sites) lists employment sites allocated in the adopted 2008 Local Plan, and this site (Iwade) is listed as one of the allocated employment sites (3000 square metre of employment floor space), although it is part of a wider mixed use development (housing and employment). In

Paragraph 4.56 of the adopted Local Plan 2008, the Borough Council advises that B1 use classes would be the most appropriate employment uses in this location.

- 5.21 In addition, Members will note that this site is subject to a Development Brief, as required by Policy AAP9 of the Adopted Local Plan 2008, and, agreed by the Local Development Framework Panel. The Development Brief for the site sets the parameters for the development of the site, and gives guidance on the forms of development that could be appropriate. Important issues such as the potential locations for the public open space, housing areas, and the employment area are considered, together with matters such as design quality, density of development, access, flooding and sustainability.
- 5.22 Emerging Local Plan 'Bearing Fruits 2031' relevant policies include: ST1 (Delivering Sustainable Development in Swale), ST2 (Development Targets for Jobs and Homes in Swale 2011-2031), ST3 (Swale Settlement Strategy), ST4 (Meeting the Local Plan Development targets), CP2 (Promoting Sustainable Transport), CP3 (Delivering a wide choice of high quality homes), CP4 (Requiring Good Design), CP7 (Conserving & Enhancing the Natural Environment – Providing for Green Infrastructure), DM6 (managing transport demand and impact), DM7 (Vehicle Parking), DM14 (Development Management Criteria), DM19 (Sustainable Design and Construction), DM21 (Water, flooding and drainage), DM25 (The Separation of Settlements – Important Local Countryside Gaps), DM28 (Biodiversity and Geological Conservation), DM29 (Woodlands, trees and hedges), DM31 (Agricultural Land), and DM34 (Schedules Monuments and archaeological sites),

Supplementary Planning Documents:

- 5.23 The Swale Landscape Character and Biodiversity Appraisal SPD (2011) seeks to support landscape and other policies of the Swale Borough Local Plan 2008. The SPD states that there is a need to retain pattern and diversity in the landscape of the Borough to ensure that character and local distinctiveness are maintained.
- 5.24 As noted above in paragraph 4.0 above, The Swale Landscape Character and Biodiversity Appraisal 2011 advises that the site is within the Iwade Arable Farmlands which are described as having a gentle undulating rural landscape where 'cereal crops have mainly replaced orchards'. This Landscape and character appraisal considers the site to be in moderate condition.

6.0 LOCAL REPRESENTATIONS

No representations have been received from neighbouring properties and from any other residents of the area.

7.0 CONSULTATIONS

- 7.01 Iwade Parish Council has no comments to make.
- 7.02 The Lower Medway Drainage Board advise that the proposed development is outside of the IDB district and is unlikely to affect IDB interests, particularly as surface water

drainage is proposed to be disposed of by means of soakaway. The soakaways should be designed in accordance with KCC's Soakaway Design Guide (July 2000) and ideally in direct consultation with KCC's drainage and flood risk team.

- 7.03 KCC Flood Risk Project Officer has no objection to the development subject to conditions requiring a detailed sustainable surface water drainage scheme (including the implementation, maintenance and management of the SUDS) to be submitted to and approved in writing by the Local Planning Authority.
- 7.04 Kent County Archaeology advises that Coleshall Farm has an extant planning permission ref SW/08/1127 which was issued in 2011 subject to a condition securing a programme of archaeological works. In pursuant of satisfying that condition Hillreed Homes have to date carried out an archaeological evaluation of the whole site through trial trenching. This evaluation has confirmed the presence across substantial areas of the Coleshall Farm land the presence of significant archaeological remains dating from as early as Neolithic times (c5000 years old) through to medieval remains. Subsequent to the evaluation a second stage of a programme of strip, map and sample excavation has been completed across the majority of the residential site.
- 7.05 The site of the proposed residential care home has confirmed significant archaeological potential from the evaluation. Remains of Neolithic, Bronze Age, Iron Age, Later Prehistoric and medieval dates have all been found in the area. The site has been identified for further work involving the stripping of the overburden to reveal archaeology, mapping and excavation of that archaeology to be then followed by post excavation works, reporting and publication of the results. This has yet to be carried out and therefore if planning permission is given for the development a condition should be attached requiring the submission to the Local Planning Authority of a programme of archaeological works.
- 7.06 Kent County Ecology advise that they are satisfied with the ecological information submitted with the planning application. However, clarification is required on the suitability of the site to contain reptiles, and this should be provided prior to the determination of the application. They further advise that there are populations of slow worms, common lizards and grass snakes present within 150m west of the proposed development and the existing poplar tree line provides connectivity with this ecologically sensitive site such that reptiles may have established within the proposed development site. Given this, clarification should be submitted, together with a reptile survey and mitigation measures, prior to the determination of the application. In addition, bats may be present foraging or commuting along the boundaries of the proposed development and given that lighting may be detrimental to roosting, foraging and commuting bats KCC Ecology advise that any lighting should be designed to minimise impacts on bats. Furthermore, biodiversity enhancements should be incorporated into the development.
- 7.07 Natural England (NE) makes the following summarised comments:-
- The proposed site is located in close proximity to a European designated site and therefore has the potential to affect its interest features
 - The site is close to The Swale Special Protection Area (SPA) and is also listed as the Swale Ramsar Site and also notified at a national level as The Swale Site of Special Scientific Interest (SSSI)
 - The Local Authority should have regard for any potential impacts may have

- The application is unlikely to have a significant effect on any European site and can therefore be screened out from any requirement for further assessment.
 - Given that the proposed development is for care homes and does not include any permanent staff accommodation, and that the planning use class of the property will be limited to C2 with elderly occupants of only limited mobility, NE consider that the proposal is unlikely to result in increased recreational disturbance to The Swale SPA and Ramsar site.
 - The development should provide opportunities to incorporate features into the design which are beneficial to wildlife
- 7.08 KCC Development Contributions advises that the proposed development is for a care home and as such there is no requirement for the developer to make contributions.
- 7.09 The Public Rights of Way Officer advises that there are public rights of way running near the site however they would not be affected by the development.
- 7.10 Comments from Southern Water are awaited and Members will be updated at the meeting.
- 7.11 The Environmental Protection Team Leader has no principle objection to the development subject to conditions restricting hours of construction, details of any mechanical ventilation system to be submitted to the Local Planning Authority for approval, requiring a programme for the suppression of dust during the construction of the development to be submitted to the LPA for approval, and that any lighting to be submitted to the LPA for approval.
- 7.12 KCC Social Services advise that they support the application as there is need for modern care home facilities in Swale.
- 7.13 The Strategic Housing and Health Manager advises that the proposed care home is a Class C2 use and as such there is no requirement to provide affordable units.
- 7.14 The Climate Change Officer raises no objection to the proposal subject to a condition requiring the non - residential areas of the care home to be built to BREEAM good standard.
- 7.15 KCC Highways and Transportation have no objection to the development subject to conditions requiring provision and permanent retention of vehicle parking spaces, provision of wheel washing facilities, and provision of vehicle loading and unloading and turning areas.
- 7.16 The NHS CCG [Clinical Commissioning Group] have requested a total of £21,600.00 based on the assumption that the 60 beds equate to 60 residents. An extract from their report is as follows: *'A contribution of £360 per resident is requested. If this assumption is incorrect e.g. if the 60 beds actually meant 120 residents please advise as this would alter the contribution requested. The contribution will be directed to Iwade Health Centre'*.
- 7.17 The Economy and Community Services Manager advises that whilst they would welcome additional employment the development may bring, they have no comments to make.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 Application papers and correspondence relating to planning application reference **16/505299/OUT**

9.0 APPRAISAL

- 9.01 I consider that the key material considerations in the assessment of this application are as follows:-

- Principle of development
- Impact on the surrounding landscape quality and visual amenity
- Residential amenity
- Archaeology
- Biodiversity and Ecology implications
- Flood risk /Surface water drainage
- Highway network impact
- Developer contributions

Principle of Development

- 9.02 The proposed application site comprises best and most versatile agricultural land (BMV = Grades 1, 2 and 3a), which would be permanently lost. Whilst paragraph. 112 of the NPPF expects Councils to take into account economic and other benefits of BMV land and if the significant development of agricultural land is necessary, they should seek to use areas of poorer quality land. The emerging Local Plan policy DM31 also looks for the loss of BMV land to be avoided if possible. However, in this case the site is part of a wider site that is allocated for mixed use development in the Swale Borough Council adopted local plan 2008, and loss of this land to other uses was found acceptable when the site was allocated for other uses (under reference SW/08/1127 in 2011), and when planning permission was given in 2013 for a care home under ref SW/12/1392. The scheme approved in 2013 is similar to the current application, and this is a strong material consideration in the determination of the application. In addition, of importance in this case is that the application site is part of a wider site that is allocated for mixed use development comprising of 400 houses and employment use of 3000 square metres of floor space under Policies B14, H5(4) and Policy AA9 of the Adopted Swale Local Plan 2008, which carry significant weight in decision making.
- 9.03 Whilst policy advises that suitable employment uses for this site would be B1, B2, B8 uses, a care home was found acceptable in 2013 mainly because the jobs that would be generated by a care home would be similar to jobs created by any B1, B2 and B8 use. Members will note that the Local Plan allocation does not preclude considering care homes as employment uses. Locating an employment use such as a care home close to residential properties is not unusual and indeed the original masterplan for the Iwade development which envisaged locating employment uses to the south western part of the allocated site. To date, only the housing development has been built whilst land to the north west of the site allocated for housing is almost built out. The small area of land allocated for employment use immediately to the west of the application site has not been developed.

- 9.04 Clearly, it is not considered that there are any policies or objectives which would count against the use of this employment site as a care home. In fact, the proposed care home is considered to positively contribute towards meeting the objectives of the original master plan of the Iwade development. Given this and that the Borough Council's policies, in particular that the specific policies relating to this site have not substantially changed since the grant of the last application, and given that the current scheme is very similar to the scheme given planning permission in 2008 under ref SW/08/1127, it is considered that the development is acceptable as a matter of principle.
- 9.05 In addition, Policy B2 of the 2008 Adopted Local Plan advises that provision for new employment site has been or will be granted for sites shown on the proposals map. This application site is shown on the proposals map, and Policy B14 specifically identifies this site as an allocated site with employment use being part of a mixed use development with a floor area of 3000 square metres. The applicant confirms that the proposed care home will create a total of 2021 staff hours per week which equates to 54 full and part time jobs based on a 37.5 hour per week, and as such adds to the local economy. Given this, it is considered that proposed development is supported by Policies B2, B14 of the 2008 Adopted Local Plan, and Policies DM1 and DM2 of the emerging Local Plan.

Impact on the surrounding landscape quality and Visual Impact

- 9.06 At this stage, given the outline nature of the scheme (see paragraph 2.01 above), the visual impact of the proposal can only be considered in very broad terms due to the uncertainty of all matters of design, the height of the building, and materials. The site is subject to a Development Brief that was approved by the Local Development Framework Panel. The Brief also gives some pointers to guide the detail of the employment uses and housing development on these parcels of land. Whilst the indicative design of the proposed care home was found acceptable in 2013, it is considered that with the adoption of the NPPF in 2012, policy has since placed more emphasis on design, and the NPPF specifically requires developers to take advantage of all opportunities available to produce schemes that are of good quality design, and advises that poorly designed schemes should be refused. In this case, the applicant is encouraged to pay particular attention to design matters when a reserved matters application is submitted for consideration.
- 9.07 The landscaping of the site/development is a fundamental issue and will help ensure that the development assimilates well with its surroundings in such a way that the rural character of the area is not harmed. The submitted drawings include illustrative landscaping proposals which suggest that the site will be well screened and have limited impact on the character of the area such that the exposed and open landscapes around the development and, importantly, the strategic gap between Iwade and Sittingbourne will be maintained. In order to secure a high standard of landscaping and to ensure that the development has a minimal impact on the character of the area, full details of landscaping are required and such details can be secured by appropriate conditions.
- 9.08 Whilst the development will benefit from the screening that will be afforded by the existing belt of mature poplar trees, it will be visible from other public vantage points such as Sheppey Way, the adjoining countryside and long distance views from the public right of way. However, given that it will be no more than two storeys high, that it

would be set-in from the front boundary of the site by at least 10m, and that there would be soft landscaping along perimeter boundary of the site to soften views, and that where the development will be visible it will be seen within the context of residential development and employment uses which form the wider allocated site, it is considered that no unacceptable visual impact will be caused, and any impact on landscape quality would not be significant and not seriously harm the character and quality of the landscape.

Residential Amenity

- 9.09 The precise impact of the development on residential amenity will be dealt with as part of the subsequent reserved matters application(s), should Members decide to grant outline planning permission. However, as set out above, the application very closely matches in illustrative layout, scale and design the scheme that was approved in 2013. The current indicative scheme has been carefully designed to ensure that the available separation distance would minimise any harm to the residential properties to the north of the site to acceptable levels. As such, it is considered that no unacceptable impact would be caused to neighbouring properties as a result of the development.
- 9.10 With regards to the standard of accommodation proposed for future occupiers of the proposed care home, it is considered that all rooms are of acceptable internal size and there is ability for all rooms to benefit from natural light and ventilation. The applicant also proposes an amenity area at the rear of the building that would afford acceptable privacy to future users of the garden, and is approximately 640 square metres in area and is considered to be of an acceptable size for a care home of this size.
- 9.11 Given that the proposed building would be no more than two storeys in height, and that the building would be set in from the site's front boundary by at least 10m, that there would be a separation distance of at least 25 metres from residential properties to the north, it is considered that the site is of a sufficient size to accommodate the proposed building with appropriate parking areas and amenity space for future residents. As such, it is considered that there would be no significant impact on neighbour amenity as a result of the development.

Archaeology

- 9.12 As mentioned above in paragraph 7.04 the application site has important archaeological remains as detailed by KCC Archaeology in paragraph 7.05. Trial Trenching was carried out in past years by Hillreed Homes and this evaluation confirmed that across substantial areas of the Coleshall Farm land there is presence of significant archaeological remains dating from as early as Neolithic times (c5000 years old) through to medieval remains. The site has been identified for further archaeological work involving the stripping of the overburden to reveal archaeology, mapping and excavation of that archaeology to be then followed by post excavation works, reporting and publication of the results. Given this, it is considered that if a programme of archaeological works is secured via a condition that is similar to the archaeological condition attached to planning permission ref SW/08/112, the development would be considered to comply with Policy DM34 of the Local Plan 'Bearing Fruits' 2031.

Biodiversity and Ecology implications

- 9.13 As noted above in paragraph 1.03, the southern boundary of the application site is lined by mature poplar trees which were originally planted as an agricultural shelter belt. These trees are not protected, however, they form an attractive belt and barrier, and will soften the appearance of the development in views from the nearby public rights of way (ZU52 and ZU92), fields and public vantage points. A degree of separation is indicated (of at least 4 metres taken from centre of the line of trees) between the proposed development and the belt of existing mature trees so as to mitigate any impact to acceptable levels. The existing trees and vegetation have the potential to be used by breeding birds. Given that all nesting birds and their young are protected under the Wildlife and Countryside Act 1980 (as amended) it is considered that if planning permission is given for the development, any vegetation should be removed outside the bird breeding season. In addition, biodiversity enhancements should be incorporated in and around the development and be secured by condition.
- 9.14 KCC Ecology advise that bats may be present foraging or commuting along the boundaries of the proposed development and lighting can be detrimental to roosting, foraging and commuting bats and as such if planning permission is given for the development, lighting should be designed to minimise impacts on bats.
- 9.15 KCC Ecology advise that reptiles may have established within the proposed development site and additional information is required to assess the suitability of the site to contain reptiles, with subsequent species specific surveys being required if necessary. The applicants have been advised of this and additional information is awaited. Members will be updated at the Meeting.

Flood risk /Surface water drainage

- 9.16 The site is not located within an area known to be at risk of flooding, and falls below the 1 hectare site area requirement for a flood risk assessment to be required. KCC Flood Risk Officer advises that there is no objection to the development subject to submission of an acceptable surface water drainage strategy. This can be secured via a condition. As such there is no objection to the development on this ground.

Highway network impact

- 9.17 The site is allocated for employment use, and is part of a wider site allocated for mixed use development comprising of residential use and employment uses. The roads in the immediate vicinity have been designed to accommodate that level of housing and employment uses, in accordance with the road types and specifications detailed in the Kent Design Guide and Manual for Streets, and the site is considered to be well located to connect to the existing Iwade development infrastructure, which includes pedestrian and cycle links, access to other amenities. As such KCC Highways and Transportation have no objection to the proposed access point, and the proposed development is considered to be acceptable in principle and that it complies with policies.

Developer contributions

- 9.18 In accordance with the relevant policies of the Local Plan and the guidance set out in the adopted Supplementary Planning Document, 'Developer Contributions' (2009), the

proposed care home is a Class C use that is exempt from the provision of affordable housing and making community contributions. However, Class C2 uses are not exempt from contributing towards health care facilities. The Emerging Bearing Fruits 2031: Implementation and Delivery Schedule 2016/17 identifies a need to expand the existing Iwade Health Centre in order to support the population growth associated with the Local Plan. Given this, the NHS Swale and NHS Dartford, Gravesham and Swanley Clinical Commissioning Groups requests a contribution of £360 per resident (£360 x 60) which equates to a financial contribution of £21,600 towards expanding health facilities within the vicinity of the development, and these funds will be directed to Iwade Health Centre.

- 9.19 In addition, a Section 106 administration charge is required, and a commitment to employing best endeavours to utilise local labour / apprenticeships. The applicant has agreed to the above contributions.

10.0 CONCLUSION

- 10.01 The application site is allocated for employment use and is part of a wider site allocated for mixed use development (housing and employment) in the Adopted Swale Borough Local Plan 1998. The proposed development would be in line with the aims of the Borough Council's employment policies and would bring significant economic benefits. Whilst there is no requirement for the provision of affordable housing and community contributions for a care home as it is a Class C use, there is a requirement to provide for NHS CCG contributions (which is a total of £21,600 as detailed in paragraph 9.18). It is considered that the development would sit comfortably within the context of the mixed use scheme approved in 2011. No significant impact would be caused to visual and residential amenities of neighbouring properties, and the surrounding development and landscape as a result of the proposed development.
- 10.02 Taking the above into account, and subject to the completion of a S106 agreement to secure contributions towards NHS CCG provision and the other items mentioned above (see paragraph 9.20), the final comments of Southern Water, the submission of additional information in relation to ecology and to no objection being raised by KCC Ecology (and to any appropriate conditions they recommend imposing), it is recommended that planning permission is granted.

- 11.0 RECOMMENDATION – GRANT** Subject to the agreement of an acceptable package of health care contributions, the signing of a suitably-worded Section 106 agreement, the receipt of final comments from KCC Ecology and Southern Water, and the resolution of any issues arising, and to conditions as set out below.

With regard to both the wording of the Section 106 agreement and of conditions, authority is sought to make such amendments as may be necessary.

CONDITIONS to include:

- 1) Details relating to the layout, scale and appearance of the proposed building(s), and the landscaping of the site shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Grounds: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) Application for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

Grounds: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 4) The development hereby approved shall be carried out in accordance with the following approved drawings in so far as it relates to access, as detailed on indicative drawing numbers:

A-596 O1 Rev A; A-596 02 Rev P7; A-596 03 Rev A; A-596 04 Rev A and A-596 OS-B.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 5) No development shall take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved by the Local Planning Authority. The measures shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority

Grounds: In the interests of residential amenity

- 6) The details submitted pursuant to condition (1) shall show a buffer strip of no less than 4 metres as separation distance of the proposed development from the root protection zone of the line of poplar trees running parallel to the southern boundary of the application site and shown on indicative drawing no. A-596 Rev A. Thereafter development shall be implemented and maintained as approved.

Reason: In the interests of visual amenity and landscape quality and to protect the mature trees.

- 7) The details submitted pursuant to condition (1) shall show the care home set back from the site frontage with the Sheppey Way by a minimum of 10 metres, and extending to no more than two storeys in height.

Grounds: In the interests of visual amenity and the character and appearance of the area.

- 8) The landscaping details submitted pursuant to condition (1) shall include full details of both hard and soft landscape works including 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), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme. 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. 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.

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

- 9) No development shall take place until a tree protection plan; arboricultural impact assessment and arboricultural method statement in accordance with the recommendations of BS 5837:2012 have been submitted to and approved in writing by the Local Planning Authority. The method statement shall 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 shall take account of site access, demolition and construction activities, foundations, service runs and level changes. It shall also detail any tree works necessary to implement the approved scheme.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- 10) Prior to the commencement of the development hereby approved full details of the method of disposal of foul and surface waters as part of a detailed drainage strategy shall be submitted to (and approved in writing by) the local planning authority. This detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of within the curtilage of the site. The risk of ground instability associated with discharge of surface water into the underlying soils should be assessed and the infiltration rates confirmed with a suitable ground investigation.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- 11) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- 12) The details submitted pursuant to condition (1) shall include biodiversity enhancements, and a lighting scheme designed to minimise impact on any bats within the surrounding area in accordance with the Bat Conservation Trust's Bats and Lighting in the UK. The details as agreed shall be implemented in full prior to the first occupation of the development.

Reason: In order to secure biodiversity enhancements and to ensure no harm to commuting/foraging bats in the area and to ensure that such matters are dealt with before development commences.

- 13) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and to ensure that such matters are dealt with before development commences.

- 14) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times :-

Monday to Friday 0900 - 1700 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 15) No demolition or construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times :-

Monday to Friday 0730 - 1800 hours, Saturdays 0830 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 16) Before any work is commenced on site, a Construction Management Plan, including details of delivery routes and the timing of these, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not proceed other than in accordance with the approved programme.

Reason: In the interests highway safety and amenity.

- 17) As an initial operation on site, adequate precautions shall be taken during the progress of the works to prevent the deposit of mud and similar substances on the public highway.

Reasons: In the interests of amenity and road safety, and to ensure that such matters are agreed before work is commenced.

- 18) The development hereby permitted shall not be occupied until space as shown on the approved drawings has been laid out within the site in accordance with the approved drawings for refuse storage, car and cycle parking, and vehicle loading and unloading areas. Thereafter development shall be maintained as approved.

Reasons: To ensure the provision and retention of adequate off-street parking facilities for cars and cycles in the interests of highway safety.

- 19) The building hereby approved shall be constructed to BREEAM 'Good' Standard or an equivalent standard and prior to the use of the building the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved unless otherwise agreed in writing by the Local Planning Authority.

Grounds: In the interest of promoting energy efficiency and sustainable development.

- 20) The premises shall be used for the purpose of a care home and for no other purpose, including any other purposes in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Amendment Order 2010.

Grounds: In the interests of the amenities of the area

- 21) Details of any mechanical ventilation system that is to be installed shall be submitted to and approved by the Local Planning Authority and upon approval shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Grounds: In the interests of residential amenity

INFORMATIVES

1. All nesting birds and their young are legally protected under the Wildlife and Countryside Act 1981 (as amended) and as such any vegetation must be removed outside the breeding bird season, and if this is not possible an ecologist must examine the site prior to works starting and if any nesting birds are recorded all works must cease within that area.
2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement.
3. The applicant or developer should enter into a formal legal agreement with Southern Water to provide the necessary sewerage infrastructure required to

service the development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 3030119 or www.southernwater.co.uk).

4. A formal application for connection to the public sewerage system is required in order to service the development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 3030119 or www.southernwater.co.uk).

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by: <https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

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.