

TABLED UPDATE FOR PLANNING WORKING GROUP ITEM: 18/500283/FULL – Land adjacent to Sheppey Academy East, Admirals Walk, Halfway

- During the site meeting held on Monday 3rd September a number of issues and queries were raised (as set out in italics below) which are sought to be addressed as follows.
- *Did the Secretary of State have permission to sell the land for development?* - This relates to the disposal of school land. Firstly, the site has been allocated for residential development in the adopted Local Plan, therefore the site has gone through the formal examination stage and the principle of housing in this location has been accepted by the Planning Inspectorate. Furthermore, KCC Education were consulted both at the Local Plan stage, when the application was allocated for residential development, and as part of the planning application. They have not raised an objection to the scheme and in any case, the Government guidance in relation to the disposal of school land sets out that *"The guidance does not influence or affect the procedures for applying for planning permission"*. As such I do not believe that this is material to this application.
- *The land was contaminated* - The potential for this is dealt with in paragraph 8.25 of the Committee Report. Furthermore conditions 22 and 23 require site investigation and remediation if necessary to mitigate against contamination.
- *There was an underground stream* - Although there is uncertainty as to whether this lies within or outside of the site boundary, this is an existing issue. Southern Water and the Lead Local Flood Authority (KCC) have been consulted and no objection has been raised subject to conditions. As such I do not believe that the proposal would give rise to additional harmful drainage impacts.
- A number of points were raised in regards to highway safety and amenity. Further to the comments received during the course of the application I have received the following update from KCC Highways & Transportation in respect of these matters:

"In answer to concerns regarding the impact of development on the local highway network, the number of vehicle movements generated by the development will be in the region of one additional vehicle every three and a half to four minutes in the peak hours, which will not be a significant in our view. Construction traffic will be expected to adhere to a Construction Management Plan, attached by condition to any approval, which will regulate access to the site for HGVs, timings of deliveries, the provision of parking for workers, and so forth.

A particular concern was raised about vehicle speeds leaving the development, where it needs to be borne in mind that the development is a cul-de-sac that has been designed to restrain vehicle speeds to acceptable levels. This means that the available visibility from private drives adjacent to the development should be adequate for the purpose of highway safety. In relation to parking levels, it again needs to be stressed that the agent has worked closely with KCC Highways to ensure that the new dwellings are adequately provided for in line with current parking standards, which are backed by extensive research. Visitor parking

spaces are suitably positioned within the development to ensure their use and prevent parking overspill.

Comments from the site meeting referred to previous planning applications, where I am not aware of any objections to the principle of access to the site ever having been raised. In relation the junction of Banner Way and Minster Road, initial comments from residents indicated concerns for visibility at the junction of Minster Road/Banner Way. I called for further investigation, noting that any improvements would have to be justifiable given the level of development and the additional vehicle movements associated with the development, which were already anticipated to not put undue pressure on the junction. As the application progressed it became clear that with a reduction in the number of proposed dwellings, the availability of another route to Minster Road via Southdown Road and the small margin by which the Banner Way junction fell short of current visibility standards, that a scheme to improve the junction could not be justified and not doing so could not reasonably constitute an objection from us to the development. The main obstruction to the visibility splay at the junction was determined to be due to be overgrown vegetation that fell within private ownership which has actually since been cut back and has noticeably created a substantial improvement in visibility."

- As a result of the above no objection is raised by KCC Highways & Transportation subject to the relevant conditions recommended.
- *Sought assurance that if the development went ahead, regular monitoring would ensure it was built strictly in accordance with the approved plans* – If the development is approved and implemented, monitoring will be carried out in the usual manner insofar as if necessary, the Planning Enforcement Team will investigate any reported planning breaches and take any appropriate action.
- *Why were there gates at the back of the properties?* - Gates have been provided for future occupiers to access their rear private amenity space, as is typical on a residential development.
- *Concerned that trees were a fire risk* – I do not consider that this is a material planning consideration.
- *Suggested a Tree Preservation Order for existing trees* - It is not considered that any of the trees on the site have significant enough amenity value to warrant a Tree Preservation Order. In addition to this, the Council's Tree Consultant was consulted and did not recommend a Tree Preservation Order.
- *Overlooking issues* - An assessment of the relationship between proposed and existing dwellings was set out in paragraphs 8.12 and 8.13. To clarify, although there is a change in levels, especially between the site and Minster Road, overlooking distances in this instance are in excess of 50m, over double the 21m separation distance that Officer's would usually consider acceptable. The rear of four of the dwellings in the western part of the application

site would face towards the rear of No.s 65, 67, 69 and 71 Highfield Road. The closest rear to rear separation distance here is 29m, rising to 35m. On this basis it is not considered reasonable for windows, unless serving bathrooms / WCs, to be obscure glazed as requested.

- *There was no employment on Sheppey for any residents of new properties* - In respect of this point, the site has been allocated through the Local Plan which allocates land for a mix of uses, this includes housing and employment.
- *Concern on the effect of wildlife in the area* - This issue is dealt with in paragraphs 8.19, 8.20 and 8.21 of the Committee Report. To confirm KCC Ecology are not currently satisfied with the Reptile Mitigation Strategy and therefore delegation is being sought to approve the application, subject to, amongst other things, no objection being raised by KCC Ecology.
- *Views from the marshes were spoiled* - It is considered that this is a well designed scheme with an interesting roofscape and on this basis would not give rise to harm to visual amenities.
- *Facilities such as schools and hospitals could not cope with further development – there was already too much development on the Isle of Sheppey* - I refer to the comments of KCC Education who raised no objection and the NHS who requested a contribution. This contribution has been agreed with the applicant and will in my view mitigate against the impact of the development upon these services.
- *The school could not expand in the future* - This was accepted when the site was allocated in the Local Plan and KCC Education raise no objection.
- *Concern on the affect the development would have on the high population of elderly who lived in the area* - I firstly refer to the conditions imposed in the interests of residential amenity. Secondly, the application has been considered acceptable by Officer's regardless of the age of surrounding occupiers.
- *Bungalows would be more acceptable* - The current application has been considered acceptable in respect of visual and residential amenity. Furthermore, bungalows, by their single storey nature are particularly land hungry and result in less room being available for soft landscaping and parking.
- Concern was also raised in respect of the possible damage to the highway that construction vehicles could cause. This would be a matter for the Highway Authority to deal with, if it was to occur and it would be unreasonable for the Council to impose a condition on land which falls outside of the application site.
- Subsequent to the previous Committee meeting a further written neighbour representation has been received from the occupier of No.2 Admirals Walk as follows:

“Having studied the Landscape Proposals I am concerned as to what is the intention with regards to my boundary with the area to be laid with meadow turf. Nothing is clear on the Proposals as to whether this area will be left fenced as at present or if the palisade fencing will be removed.”

The landscaping proposals show a close boarded fence along part of the boundary with No.2 Admirals which I consider to be acceptable.

- In conclusion, delegated authority is therefore sought to approve subject to no objection being raised by KCC Ecology, condition (2) being amended to refer to the new landscaping drawing, amending condition 12 to the standard foul and drainage condition, further conditions as set out in the report and the signing of a suitably-worded Section 106 agreement.

- PG – 12th September 2018