

2.4 REFERENCE NO - 17/502604/REM		
APPLICATION PROPOSAL Reserved Matters application, pursuant to application 14/502729/OUT, for the construction of 127 dwellings, public open space, landscape planting, pedestrian, cycling and vehicular links; and associated infrastructure. Related only to the northern section of the site as shown on drawing number BOV1150305 LP.01 C (Location Plan).The discharge of Condition 1 (Reserved Matters) pursuant to application 14/502729/OUT. (Appearance, Landscaping, Layout and Scale being sought).		
ADDRESS Ospringe Brickworks Sumpter Way Faversham Kent ME13 7NT		
RECOMMENDATION APPROVE subject to the receipt of amended landscaping details for the western buffer boundary, no objection being raised by KCC Ecology and conditions as set out below.		
SUMMARY OF REASONS FOR RECOMMENDATION: the proposed reserved matters details are considered to be acceptable and in accordance with both the outline planning permission for the wider site, reference 15/502729/OUT, and the requirements of the adopted Local Plan, including Policy A14, which allocates land at the Western Link for housing development.		
REASON FOR REFERRAL TO COMMITTEE Faversham Town Council Objection		
WARD Watling	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Bovis Homes Limited AGENT Boyer Planning
DECISION DUE DATE 30/08/17		PUBLICITY EXPIRY DATE 26/10/18

Planning History

18/503034/NMAMD

Non Material Amendment to amend the trigger point to first occupation on the development to allow sufficient time for the works as described in Condition 24 to be carried out without undue delay to the delivery of dwellings, both private and affordable of approved planning permission 14/502729/OUT

Approved Decision Date: 12.09.2018

18/505630/SUB

Submission of Details Pursuant to Condition 22 (Part 1) - Supplementary Geo-Environmental Desk Study and Preliminary Site Investigation and (Part 2) the Site Investigation Strategy of planning permission 14/502729/OUT

Pending Consideration Decision Date:

17/502187/SUB

Submission of details pursuant to Condition 7: Development Brief (original application ref: 14/502729/OUT).

Approved Decision Date: 30.10.2018

17/503344/SUB

Submission of Details to Discharge Condition 12 Part i (Archaeology) and Condition 24 (Off-Site Highway Works) Subject to 14/502729/OUT

Approved Decision Date: 18.09.2018

17/503384/SUB

Submission of details pursuant to Conditions 10: Detailed travel plan, Condition 13: Method statement for ecological mitigation, Condition 14: Ecological Design and Management Strategy & 17: Traffic noise level survey (original application ref: 14/502729/OUT).

Pending Consideration Decision Date:

17/503960/SUB

Submission of details pursuant to Conditions 23: Dust suppression details, 25: Protection against deposits of mud and similar substances on the public highway, 26: Details of parking for site personnel/operatives, & 27: Provisions to accommodate operatives/construction vehicles loading, off-loading & turning on site (original application reference: 14/502729/OUT).

Pending Consideration Decision Date:

14/502729/OUT outline (Access not reserved) Demolition of brick making and drying sheds, 2 stores, existing site office and a cottage and the construction of up to 250 dwellings, new vehicular access and roundabout off Western Link, public open space and associated infrastructure

Approved

EIA/13/0029 Screening Opinion for construction of up to 250 dwellings, public open space, two vehicular access points, demolition of existing buildings and associated infrastructure.

Decision Date: 07.11.2013

EIA/12/0012 Screening Opinion

Decision Date: 16.07.2012

EIA/12/0013 Screening opinion

Decision Date: 26.04.2012

Between 2009 and 2012 a number of applications were submitted for employment uses on this site. In the 1970s and 1980s a number of applications relating to the brickmaking business were submitted.

Members will also note that an application (reference 18/506283/REM) has recently been submitted (valid date – 11 December 2018) for the southern part of the wider site, known as the Red Brickworks, for the construction of 123 dwellings. Approval is sought for all outstanding reserved matters, namely layout, scale, appearance and landscaping.

1. DESCRIPTION OF SITE

- 1.1 The application site comprises just the northern area of the original site and is an area of grass and spoil heaps that is bordered on all sides by well-established trees and hedgerows. It is located to the west of Faversham, on the urban edge of the town adjacent to the Western Link. The site – which has an area of 4.58 hectares - undulates in various locations, although the general land fall is from south to north. To the north, south and east are existing residential areas, Bysingwood Primary School and an open Area of High Landscape Value to the west.
- 1.2 The outline planning permission for the wider site (which measures 7.9 hectares) confirmed the location of the vehicular access to the site which will be via a new roundabout to be constructed on the Western Link with a cycle/pedestrian access to

the east leading into Lower Road, which will latterly become a bus route through the site.

- 1.3 This development will link to the southern site adjacent to the existing property 'Hollybank' via a road and an area of public open space.

2. PROPOSAL

- 2.1 Following the granting of the outline permission under reference 14/502729/OUT (for the construction of up to 250 dwellings) conditions were attached to the permission which required, amongst other things, the submission of the reserved matters details following the approval of a Development Brief (condition 7) from which set out the road layout, connectivity within the site, the landscaping, surface water drainage, architectural treatment of the buildings, biodiversity, storey height strategy and the retention of the brick chimney and clay wash mill. However, the subsequent splitting of the site and sale has required the Development Brief to be a document produced by both house builders to cover the whole site whilst the reserved matters applications for each parcel of land are to be dealt with individually. The Development Brief for the whole site was approved on October 30th 2018 under reference 17/502187/SUB. This reserved matters application therefore seeks permission on the northern part of the site for the details of the Appearance, Landscaping, Layout and Scale for the construction of 127 dwellings and the public open space, landscape planting, pedestrian, cycling and vehicular links; and associated infrastructure.
- 2.2 The vehicular access to the site was confirmed – as noted above - in the earlier outline permission which approved a new roundabout off the Western Link which will provide the only private vehicular access to the site. The Transport Assessment attached to the previous application proposed and condition 10 of the subsequent approval requires a Travel Plan to be provided to show how it would “*reduce vehicular flows on to the highway network*” In part to offset the traffic generated by the development a further access initially for cycle and pedestrian use is to be provided to the east of the site which will then, following completion of the 200th dwelling on the site and in line with the Section 106 agreement which covers the entire site be modified, into a public bus route.
- 2.3 The development comprises 127 houses which is a mix of detached, semi detached and terraced houses of 2, 3 and 4 bedrooms and 1 and 2 bedroom flats located in 4 blocks – each of which would be three storeys - throughout the site. The final layout of the site evolved from the concept and illustrative masterplan that was produced to accompany the outline application.
- 2.4 The design and detail of the houses have been amended by the architecture to better reflect the modern approach stipulated within the approved Development Brief.
- 2.5 As there is no identifiable vernacular within the immediate area the northern area, it is proposed that the houses will reflect the historic brickworks and will be constructed in yellow bricks and take on a contemporary style.
- 2.6 As per the Section 106 agreement attached to 14/502729/OUT, 39 affordable houses are to be provided on the site, (30% of 127 houses) and the breakdown of these are:

10 x affordable houses (Plots 41 – 50):

- 1 x 3 Bed Shared Ownership
- 2 x 2 Bed Shared Ownership
- 4 x 2 Bed Affordable Rent Tenure
- 3 x 3 Bed Affordable Rent Tenure

29 x Affordable Flats (including two coach houses):

Block A Plots 1 -9 will be provided as shared ownership flats

- 3 x 1 Bedroom Flats
- 6 x 2 Bedroom Flats

Block C Plots 66-74 will be provided as affordable rent tenure (ART)

- 4 x 1 Bedroom Flats
- 5 x 2 Bedroom Flats

1 x 2 bedroom coach house (Plot 65)

Block D Plots 98-106 will be provided as affordable rent tenure (ART)

- 4 x 1 Bedroom Flats
- 5 x 2 Bedroom Flats
- 1 x 2 bedroom coach house (Plot 97)

- 2.7 In terms of hard landscaping, the surface material to be used for the roads will be surfaced in tarmac and the private driveways and parking bays will be concrete block paved. There is a mix of brick walls with brick on edge coping and fencing for the boundary treatments.
- 2.8 In terms of soft landscaping, a substantial landscape buffer is to be provided to the west of the site along the Western Link road. This needs to be provided along with the retention of the existing Roadside Nature Reserve (RNR) and a new area to be provided to provide mitigation for the area to be lost during the creation of the new access to the site. Additionally, within the site attenuation ponds, part of the SUDS will provide wetland habitat, open spaces with grass and trees and landscape buffers and tree planting are around the site, including within private gardens.

3. PLANNING CONSTRAINTS

- 3.1 There are no planning constraints that warrant mention here.

4. POLICY AND CONSIDERATIONS

The National Planning Policy Framework (NPPF): Para 8, 11 (achieving sustainable development) Para 38, 47 (decision making) para 73 (delivering sufficient supply of homes) Para 92 96 98(promoting healthy and safe communities) Paras 109,110 (Sustainable transport) para 127, 130, (Achieving well designed places) para 165 (meeting challenge of climate change).

Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017 - Policies ST1 (Delivering sustainable development in Swale); ST2 (Development targets for jobs and homes 2014-2031); ST3 (The Swale settlement strategy); ST4 (Meeting the Local Plan development targets); ST7 (The Faversham area and Kent Downs Strategy); CP2 (Promoting sustainable transport); CP3 (Delivering a wide choice of high quality homes); CP4 (Requiring good design); CP7 (Conserving and enhancing the natural environment - providing for green infrastructure:DM6 (Managing transport demand and impact); DM7 (Vehicle parking); DM8 (Affordable housing); DM14 (General development criteria); DM17 (Open space, sports and recreation provision); 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)

Following the submission of the application in May 2017, local residents and technical consultees provided comments. However, following amendments to the application all previous consultees were re contacted for their views on the amended schemes.

5. LOCAL REPRESENTATIONS

- 5.1 Swale Footpaths Group commented that footpath ZF6 is unaffected

6. CONSULTATIONS

- 6.1 **Faversham Town Council:** Objected to the application stating that they had *“...previously requested that the route from the roundabout on the Western Link to Kiln Court be protected but it has not been in this application and secondly that they note the open space is at the North end of the site and it would be preferable for this to be relocated to the middle of the site, were it would be more accessible and visible.”*
- 6.2 **Kent Highways and Transportation:** Commented that the amended layout has taken on board the issues that had been raised earlier with the applicant and subsequently discussed with them at several meetings. They are satisfied that the road hierarchy, and increased parking provision from what was originally submitted, is now appropriate, together with the other changes that have been made to the layout. Consequently, they had no objections to the proposals in respect of highway matters and confirmed that no further highway conditions beyond those already secured with the Outline approval are required.
- 6.3 **Kent County Council Archaeological Officer:** The archaeological condition in connection with this application has been addressed and no further works are required.
- 6.4 **Kent County Council Flood & Water Management:** Offered no objection to these proposed amendments in layout of the site, but did reiterate previous comments made on the 20 June 2017, in particular those relating to the preferred option of having individual plot soakaways instead of trench soakaways. Secondly, no drainage calculations have been submitted at this time to demonstrate the drainage systems operation for the varying storm events and they recommend that full calculations are submitted at the detailed design stage. It should also be demonstrated that no discharge occurs within made/contaminated ground.
- 6.5 **Kent County Council PROW & Access Service:** Highlights the existence of Public Footpath ZF6 and Public Bridleway ZF17, which pass through the proposed development site
- 6.6 **Highways England:** offered no further comments
- 6.7 **Natural England** offered no comments on the amended information provided in support of the discharge of condition 1 but did recommend the views of our in-house ecologist are gained regarding there are any implications for biodiversity.
- 6.8 **Southern Water** offered no objections to the reserved matters application for access, appearance, landscaping, layout and scale.

- 6.9 **Kent Wildlife Trust:** objects to the application as the information shown in the Landscape Management and Maintenance Plan does not match the Landscape Masterplan drawing and as such are inconsistent with the management and mitigation of the Roadside Nature Reserve (RNR)
- 6.10 **UK Power:** Objected to the application on the basis of their understanding that an electricity substation is located within 6m of the site. (However there is no electricity substation within 6 m of the site, although one is proposed on the site.)

7. BACKGROUND PAPERS AND PLANS

14/502729/OUT
17/502187/SUB
17/502604/REM and existing plans

8. APPRAISAL

- 8.1 This is a reserved matters application which seeks approval for the details of the appearance, landscaping, layout and scale of the construction of 127 dwellings and the public open space, landscape planting, pedestrian, cycling and vehicular links; and the associated infrastructure.
- 8.2 Outline planning approval was granted under reference 14/502729/OUT for the principle of the development but also to confirm the access arrangements to the site, which included a new roundabout off Western Link as the only approved vehicle access point.
- 8.3 This application follows on from the Development Brief which was submitted in respect of condition 7 of this permission and approved on 30th October 2018. The Development Brief set out the key design and development parameters to be applied across the whole of the area included within the outline consent, so a key consideration in assessing this reserved matter application from a design perspective is adherence to the principles and more specific development criteria set out in the approved brief document, approved under ref. 17/502187/SUB.
- 8.4 It is important to note that the scheme has gone through a very detailed amendment process during the consideration of the application and amendments have been made to the layout of the development and the design and style of the housing and the flat blocks, which we subsequently re consulted on and received the comments listed above.
- 8.5 This application is before Members due to an objection received from Faversham Town Council where they objected on two grounds. Firstly, that they *“had previously requested that the route from the roundabout on the Western Link to Kiln Court be protected but it has not been in this application”*. I note when this application was first submitted in May 2017 and Faversham Town Council were consulted and they stated that *“road access from the roundabout to Kiln Court should be maintained as a corridor for future access.”* However, it remains the case then as now that any comments regarding the access should have been flagged up at the outline application stage, to which the Town Council did offer comments but no objection and with no reference to the access to the east. Despite the Town Council’s comments the access to the site had already been considered, accepted and approved under planning reference 14/502729/OUT. Therefore it should be remembered that this is a Reserved Matters application, with only issues of appearance, landscaping, layout and scale being the issues for decision at this stage.

- 8.6 The Town Council secondly commented that *“the open space is at the North end of the site. It would be preferable for this to be relocated to the middle of the site, were it would be more accessible and visible”* However, the three main areas of public open space are shown on the site layout drawings and these are located in the north of the site, in the centre of the site, close to the pedestrian and cycle route to the residential properties in Lower Road and beyond and to the south. This area to the south will in fact link up with the public open space to be provided by the site to the south to create a larger area of public open spaces between the two sites.
- 8.7 This site is providing 1.22 ha of useable open space in line with the approved Development Brief and the Section 106 agreement attached to the previous outline approval, it is dispersed throughout the site to the benefit of the residents and is the most rationale locations once consideration of access, pedestrian routes and public footpaths are considered, as such I do not consider there to be any benefit in it being relocated.
- 8.8 In terms of the assessment of the appearance, landscaping, layout and scale these are assessed in the context of the character of the area and the Heritage-related site constraints and opportunities. However, now the site has been split, the application site does not contain any heritage assets as such. Whilst the single storey dwelling known as ‘Hollybank’, which is considered to form a non-designated heritage asset by virtue of its unusual and characterful architectural form, is located immediately adjoining the southern boundary of the site and can be viewed from key angles to its front and west elevations. However, I consider there to be no material heritage impacts arising from the proposed development as the heritage significance of the property is very limited. In any case, the applicant has appropriately altered the layout from submission to improve the openness and setting to the west of the property so that its distinctive architectural form can be appreciated.
- 8.9 The nearest designated heritage asset to the application site is the Syndale Conservation Area, but this is located some 400 metres or so to the south of the application site, and would be visually separated from it by the Linden Homes development in the southern half of the allocated housing area.
- 8.10 In terms of the layout, the final version of the scheme now before us for determination contains less vehicular movement connectivity than would be ideal, this must be balanced by a good level of connectivity for pedestrians and cyclists and an arguably more significant level of landscaping than could have been achieved with less cul-de-sac type roads.
- 8.11 Critically, the layout makes good use of tandem parking to the side of houses and reasonably well landscaped frontage parking bays and rear parking courts so that the street scenes that would be created would not be dominated by parked vehicles.
- 8.12 The large and usable public open spaces - whose location has been objected to by the Town Council - are provided at the northern and southern ends of the application site area which would combine well with the existing and anticipated land uses to the north and south of the site, and there would be an appropriate hierarchy of street types from ‘main street’ i.e. the principle access road to ‘shared driveways’ with the latter representing the more quiet corners of the proposed housing development, where pedestrians would share the hard surfacing with vehicles.
- 8.13 The layout also allows for an appropriate mix of housing types from the 1 bed apartment units up to 4 bedroom detached houses with adequate external amenity space for the occupants of the apartments, decent rear garden sizes for all of the houses and no unacceptable issues with overshadowing and/or overlooking.

- 8.14 The quality of the architectural treatment of the units arguably varies to some degree across the site. However, the agreed changes to the apartment blocks are positive given the more prominent role these play in creating new townscape at this location. I consider that the scale of these blocks (whilst 3 storey in form) is considered compatible with protecting the special visual qualities of the adjacent Area of High Landscape Value and view across this towards the western edge of the town.
- 8.15 Excepting the apartment blocks which display a modern, articulated flat roof elevational treatment, the design approach essentially utilises traditional pitched roof housing forms and pairs these with a modern fenestration design using relatively fine-profiled, colour-coated aluminium framed windows with a varied depth of reveal (and in some case projection) to achieve a type of fusion design with an overall contemporary feel. This type of housing design has been used to good effect elsewhere. It is however reliant on a crispness of detailing which is to be agreed by appropriate planning conditions to ensure its success. I considered that the design approach of the apartment blocks and house types, although markedly different in their overall appearance, would work well together and create an appealing visual contrast in the areas of the scheme where they would be seen together.
- 8.16 The approach before us for consideration, so far as the housing units are concerned, does not display the more clearly distinctive contemporary approach that officers were aiming for however, it is nevertheless still a scheme which if applied with consistent attention to detail and to the overall design theme is capable of working to good effect such that I consider this to be an acceptable scheme.
- 8.17 In terms of the soft landscaping I am confident that there is sufficient soft landscaping, to ensure that this dense residential development will provide a pleasant environment for its residents and visitors, and soften the appearance of the development in views of the open countryside immediately to the west, which is designated as an Area of High Landscape Value (Kent Level).
- 8.18 The hard surfacing to the roads and parking spaces is tarmac but with the shared surfaces and private concrete block driveways it would provide a good variety of textures and colours to break up these necessary hard surface areas.
- 8.19 Lastly, a key requirement of the development brief is the provision of an overall landscape strategy incorporating the retention of existing planting where possible with special regard to be paid to the western boundary of the site and the provision of an area to mitigate for the lose of some of the Roadside Nature Reserve (RNR) and the continued functionality of the remainder. The landscape treatment to the eastern boundary is not unimportant and in this respect, the design response is considered appropriate.
- 8.20 The western boundary of the site is more visually sensitive as it lies directly adjacent the (Kent Level) Area of High Landscape Value to the west, and a well considered landscape approach is therefore needed to ensure that views across this special landscape towards what will in effect be the westernmost edge of the town will present a positive image of both the development itself, and also reflect positively on the town as a whole. Additionally this landscaping needed to ensure the functionality of the RNR was maintained and be of benefit to the ecology of the area.
- 8.21 In policy terms I consider the avoidance, minimisation and mitigation of adverse impacts on the special landscape character, and the form and degree of landscaping provided to the western boundary of the site and on the site in general does provide an appropriate and positive design response to the policy (DM24) requirement and the development brief requirements.

- 8.22 However, it remains the case that confirmation that the proposed landscaping works and the future maintenance plan will not harm the RNR or the ecology of the area is not forthcoming. However the ecologists and landscape architects for the applicant and KCC Ecologist continue to discuss the issue and anticipate agreement to be forthcoming which I intend to report verbally to Members.

9. CONCLUSION

- 9.1 I am of the opinion that all of the reserved matters now proposed, with the exception of the landscaping on the western buffer boundary, have been addressed satisfactorily, and I recommend that the proposal be approved, subject to the receipt of satisfactory landscaping details.

10. RECOMMENDATION

- 10.1 GRANT Subject to the receipt of amended landscaping details for the western buffer boundary, no objection being raised by KCC Ecology and the following conditions for the following reasons:

CONDITIONS to include

- (1) No development shall take place other than in accordance with the following approved plans and drawings:

SL.01 Rev R, CSL.01 Rev P, BDML.01 RevJ, LP.01 Rev C, SE.01 Rev F, HT.HAW.e Rev D, HT.HAW.p Rev B, HT.JUN.e1 Rev D, HT. JUN.e2 Rev D, HT.JUN.p Rev B, HT.MAG.e Rev D, HT.MAG.p Rev B, HT.SH2.e Rev D, HT.SH2.p Rev A, HT.SPR.e Rev D, HT.SPR.p Rev B, HT.SPR.A.e Rev D, HT.SPR-A.p Rev B, HT, X310.e1 Rev D, HT.X310.e2 Rev D, HT.X310.p Rev A, HT.CHE.e Rev D, HT.CHE.p Rev B, HT.CHE-A.e Rev D, HT.CHE-A.p Rev B, HT.CYP-1.e Rev D, HT.CYP-1.p Rev A, HT.CYP-2.e Rev D, HT.CYP-2.p Rev A, FB-A.cpe Rev D, FB-A.pe Rev E, FB-B.cpe Rev D, FB-B.pe Rev E, FB-C.cpe Rev D, FB-C.pe Rev H FB-D.cpe Rev D, FB-D.pe Rev G, P41-44.e Rev D, P41-44.p Rev B, P48-50.e Rev D, P48-50.p Rev B, P62-64.e Rev D, P62-64.p Rev A, P23-24_36-37_77-78.e Rev D, P23-24_36-37_77-78.p Rev A, GAR 01.pe, GAR.02.pe, and JBA 16/115 – 01v.

Reasons: For the avoidance of doubt.

- (2) No development beyond the construction of foundations shall take place until clearly labelled sample board of the facing and roofing materials to be used for each apartment block and each house type, and variation thereto (excluding doors and windows), to be submitted and agreed.

Reason: In the interest of visual amenity.

- (3) No development beyond the construction of foundations shall take place until Manufacturer/supplier colour brochure and technical specification details of the window and door product system(s) to be used, to be submitted and agreed.

Reason: In the interest of visual amenity.

- (4) No development beyond the construction of foundations shall take place until details of any vents or flues required to service the proposed housing and apartment units, to be submitted and agreed (details to include enhanced elevation and roof plan

drawings showing the specific location of these items, together with manufacturer/supplier colour brochure and technical specification details of the products to be used).

Reason: In the interest of visual amenity.

- (5) No development beyond the construction of foundations shall take place until the following key construction detail drawings to be provided in the form of 1:1 or 1:2 scale sections and submitted and agreed before any development commences:
- (a) Eaves and verge detailing for each house type and variation thereto;
 - (b) Timber cladding and facing brickwork vertical junction (typical detail),'
 - (c) Reveal depth(s) for each type of window and door opening for each apartment block and each house type (and variation thereto).

Reason: In the interest of visual amenity.

- (6) No development beyond construction of the foundations shall take place until full hard and soft landscaping details (which shall consist only of native species) have been submitted to and approved in writing by the Local Planning Authority for those areas not covered by the details submitted for the western buffer area adjacent to the Western Link Road.

Reason: In the interest of visual and landscape amenity and enhancing biodiversity.

- (7) The development shall be completed strictly in accordance with details in the form of cross-sectional drawings through the site showing proposed site levels and finished floor levels which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure a satisfactory form of development having regard to the sloping nature of the site.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

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

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

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

