

<b>2.8 REFERENCE NO - 18/500257/EIFUL</b>			
<b>APPLICATION PROPOSAL</b>			
Proposed development of 155 dwellings (8 x 2-bed houses, 77 x 3-bed houses, and 70 x 4-bed houses) together with associated new access road, car parking, linear park with acoustic barrier to the A249, dedicated LEAP, allotments, areas of surface water drainage attenuation and ecological enhancement, and new planting, including an area planted in the style of an orchard.			
<b>ADDRESS</b> Land Adj To Quinton Farm House, Quinton Road, Sittingbourne, Kent, ME10 2DD.			
<b>RECOMMENDATION</b> Grant, subject to receipt of final comments from Highways England, SBC Environmental Protection Team Leader, Bobbing Parish Council, and signing of a s.106 agreement to secure various contributions.			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>			
The development would provide 155 dwellings on an allocated site (as the first phase of the north-west Sittingbourne expansion under adopted Local Plan policy MU1), in a good layout, with well-designed homes, and without giving rise to any significant amenity concerns.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
Objection from Bobbing Parish Council.			
<b>WARD</b> The Meads	<b>PARISH/TOWN COUNCIL</b> Bobbing Parish Council (northeastern corner only).	<b>APPLICANT</b> Redrow Homes <b>AGENT</b> Judith Ashton Associates	
<b>DECISION DUE DATE</b> 21/05/18	<b>PUBLICITY EXPIRY DATE</b> 13/07/18		
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
18/502190/EIHBYB (adjacent site)	Phase 1 North - Erection of 91 dwellings accessed from Grovehurst Road, public open and amenity space (including an equipped children's play area) together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including infiltration basins and tanked permeable paving), utilities and service infrastructure works.  Full Planning Application - Phase 1 South - Erection of 257 dwellings (including 35 affordable dwellings) accessed from Quinton Road, public open and amenity space, together with associated landscaping and ecological enhancement works, internal access roads, footpaths, cycleways and parking, drainage (including infiltration swales, ring soakaways, and permeable paving), utilities and service	Pending	

	<p>infrastructure works.</p> <p>Outline Planning Application - for up to 852 new dwellings (including 10% affordable housing, subject to viability), a site of approximately 10 ha for a secondary and primary school, a mixed use local centre, including land for provision of a convenience store, public open and amenity space (including equipped children's play areas), together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including a foul water pumping station and sustainable drainage systems), utilities and service infrastructure. All matters reserved, except for access for the schools site from Grovehurst Road.</p>		
<p>This is a concurrent application for the majority of the land allocated under policy MU1 (discussed below). It was submitted some time after the Redrow application and is pending determination pending resolution of a number of outstanding issues. In due course, it will be reported to the Planning Committee.</p>			
<p>18/502372/EIOUT (nearby site)</p>	<p>Outline application for the development of up to 115 dwellings and all necessary supporting infrastructure including emergency access, roads, footpath and cycle links, open space, play areas and landscaping, parking, drainage and all utilities and surface infrastructure works. All detailed matters are reserved for subsequent approval except (a) mitigation of impacts on Great Crested Newts; (b) vehicular access to Grovehurst Road and (c) extraction of brickearth.</p>	<p>Pending</p>	
<p>This is a concurrent application for the remaining parcel of the MU1 allocation, north of Grovehurst Road. It is pending determination subject to resolution of a number of outstanding issues.</p>			

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 The application site is a roughly rectangular parcel of land situated in north-west Sittingbourne, to the north of Quinton Road and east of the A249, extending to 8.74 hectares in total. The land is generally flat, having been used for the growing of crops for many years, but does gently slope down towards the north before rising up again outside of the site boundary. The southern, western, and eastern boundaries of the site are marked by clusters of existing trees (roadside planting along the A249

is particularly heavy) and remnants of shelter belt planting, and there is a drainage ditch along part of the eastern boundary.

- 1.02 The site is bordered by Quinton Road to the south and a number of existing residential dwellings to the south and south-east. Quinton Farmhouse and Quinton Cottage, along the southern site boundary, are grade II listed buildings. The A249 lies to the west beyond a stretch of dense verge planting on an elevated bund, and there are open fields to the north and east.
- 1.03 The site forms the southwestern-most corner of a much larger parcel of land that has been allocated for development of a minimum of 1500 dwellings, two new schools, open space, structural landscaping and community facilities adopted Local Plan policy MU1, the full text of which is set out in the policy section below. The remainder of the wider parcel is owned by other developers and extends to a total of 76.1ha. As noted above, further applications for the wider allocation have been submitted under refs. 18/502190/EIHYP (Persimmon scheme) and 18/502372/EIOUT (G.H. Dean scheme), and are currently being considered by officers. Members may be aware of the various applications as a result of the Member's briefing put on by the various applicants earlier this year.
- 1.04 The application is for an Environmental Impact Assessment development and therefore accompanied by an Environmental Statement, which explains, among other things:

*“The application site covers an area of approximately 8.74 ha of which some 0.94 ha will be used to provide an acoustic barrier and a connection to the existing surface water drainage system. The developable area is therefore 7.8 ha and is currently in agricultural use. It forms part of a much larger area of land (76.1 ha) that has been allocated for mixed-use development by the recently adopted Swale Local Plan, 2017. The mixed-use development will comprise a minimum of 1,500 dwellings, community facilities, structural landscaping and open space.”*

## **2.0 PROPOSAL**

- 2.01 The application seeks permission for residential development of the site, amounting to the erection of 155 dwellings broken down as follows:
- Open market housing: 69 x three-bed houses and 70 x four-bed houses; and  
Affordable housing: 8 x three-bed houses, and 8 x two-bed houses (10% provision).
- 2.02 The application includes a new access road from Quinton Road; a linear park along the western edge of the site (including an acoustic barrier to the A249 – consisting of a fence measuring three metres in height and a bund of a typical three metres in height); children's equipped play areas; allotments (which will be transferred to the Council's ownership); surface water drainage attenuation ponds and associated drainage swales; various ecological enhancements; and new planting across the site, including a new orchard adjacent to the site access from Quinton Road.
- 2.03 A central distributor road will lead northwards into the site from Quinton Road, running roughly centrally within the site. This has been positioned to connect up to the developments on the parcels to the north of this site (subject to application reference 18/502190/EIHYP), and the proposed dwellings will be situated on estate roads leading east/west off this distributor road. The submitted drawings show extensive

tree planting along the spine road with the intention of forming a tree-lined avenue when fully established.

- 2.04 Along the full length of the western boundary there will be a linear park separating the houses from the A249, which will include land raising works to form a bund close to the back edge of the existing A249 roadside planting. Atop this bund will be a 3m-high timber acoustic barrier fence which will be screened on both sides by new tree planting, and throughout the linear park there will be substantial new native tree planting. Allotments will be created at the southwestern end of the site, adjacent to Quinton Farmhouse, with access from both within the site and via a gated access onto the existing access road running alongside Quinton Road. A new orchard is to be planted on the western side of the access from Quinton Road, adjacent to Quinton Farmhouse. This will include fruit trees, managed long grass areas, and hibernacula (log piles) for reptiles and other wildlife.
- 2.05 Two SUDS drainage ponds will be located towards the northern end of the site, which connect into the existing drainage ditches running throughout the wider allocation parcel and will be fed by new drainage swales throughout the site. These drainage ponds sit toward the northern end of the site (where land levels are lowest) and lead into/off to the linear park such that they will contribute to the open space. A playground (LEAP) is proposed adjacent to the western SUDS pond, and will provide opportunities for children to interact with nature.
- 2.06 The proposed houses will be of a type and design similar to other Redrow developments in Kent, and from the developer's "heritage" collection, which borrows from mid-20<sup>th</sup> century housing design. (Members may be aware of the recent Redrow development at Crown Quay Lane in central Sittingbourne, which uses many of the same house types.) The development will be primarily two-storey, with only 18 units featuring rooms in the roof (2.5 storeys). There will be a mix of detached, semi-detached, and terraces of four. Projecting bay windows and front porch canopies will be used on many of the dwellings, and there will be a mixture of brick, render, cladding and tile hanging. There are no flats within the development.
- 2.07 Every dwelling will have a garden at or in excess of the Council's 10m minimum standard, and separation distances will be a minimum of 21m rear-to-rear / 11 m flank-to-rear.
- 2.08 All of the affordable dwellings will be M4(2) 'accessible and adaptable dwellings' and, as such, will comply with Building Regulations in terms of disabled access. All market dwellings will be built to M4(1) and are therefore adaptable. 255 solar panels will be installed across the properties (equivalent to 1.6 per dwelling), and construction will be to above Building Regulations requirements in terms of sustainability. The planning agent states that the development will "...*achieve a 14% betterment over Building Regulations – 4% through "Fabric First" and an extra 10% through the use of PV's*".
- 2.09 310 parking spaces are to be provided across the development, which equates to two spaces per dwelling. 98 garage spaces are also provided, but these are not counted due to people's tendency to use them for storage. The layout of the site is such that the roads are wide enough to provide visitor and overspill parking on the road without significantly obstructing the routes. Electric vehicle charging points will be installed at every house.

- 2.10 The application is accompanied by a draft section 106 agreement to secure financial contributions towards off-site infrastructure enhancements, including highways improvements, education provision, expansion of existing GP surgeries within the area, library provision, and SAMMS, amongst others.
- 2.11 It may be helpful for Members to note that the application on the adjoining parcel (the Persimmon scheme, ref. 18/502190/EIHYB), and that on land north of Grovehurst Road (also within the MU1 allocation, submitted by G.H. Dean, ref. 18/502372/EIOUT) seek to provide the remaining 1345 dwellings required by policy MU1, a primary school and a secondary school, a contribution towards the upgrading of Kemsley train station, and other highways and infrastructure improvements within Sittingbourne as a wider area.
- 2.12 The gross density of development would be 17.7 dwellings per hectare.

**3.0 SUMMARY INFORMATION**

	<b>Proposed</b>
Site Area	8.74ha (21.59acres) total, 7.8ha (19.27 acres) developable.
Number of dwellings	155
Car parking spaces	310 (+ 98 garage spaces)
No. of storeys	2 (137 units), and 2.5 (18 units)
No. of affordable units	16

**4.0 PLANNING CONSTRAINTS**

- 4.01 Quinton Farm House and Quinton Cottage, situated either side of the site entrance from Quinton Road, are grade II listed.
- 4.02 The site lies on Grade 1 agricultural land, and known brick-earth deposits.
- 4.03 The western edge and southwestern corner of the site lie within a designated Countryside Gap (policy DM25). Only a couple of the proposed dwellings lie within this area, however, and this land is mostly occupied by the linear park and allotments.

**5.0 POLICY AND OTHER CONSIDERATIONS**

- 5.01 The National Planning Policy Framework (NPPF) and National Planning Policy Guidance) NPPG are relevant in that they require Local Planning Authorities to ensure a 5-year supply of housing land, towards which this application and the wider allocation will contribute a substantial proportion (155 dwellings on this parcel and a further approximately 1350 on the remaining part of the allocation). Both documents also generally encourage the provision of housing within suitable locations and subject to good design, appropriate parking and amenity provision, no significant amenity impacts, and enhancement of the natural and built environments.
- 5.02 The following policies of the adopted Swale Borough Local Plan 2017 are relevant: ST1 (sustainable development), ST2 (development targets), ST3 (the settlement strategy), ST4 (Local Plan development targets), ST5 (Sittingbourne area strategy), CP3 (wide choice of homes), CP4 (good design), CP5 (health and well-being), CP6 (community facilities), CP7 (green infrastructure), CP8 (historic environment), MU1 (land at north west Sittingbourne), DM6 (transport demand and impact), DM7 (vehicle parking), DM14 (general criteria), DM17 (open space and recreation), DM19

(sustainable design), DM21 (water and flooding), DM25 (Countryside Gaps), and DM28 (biodiversity).

- 5.03 The proposed development forms part of a larger allocated site - land at north-west Sittingbourne - which is allocated under Policy MU1 in the Council's adopted Swale Borough Local Plan 2017. Policy MU1 anticipates that the larger allocated site will contribute towards the delivery of a minimum of 1500 dwellings, *at least* 22ha of open space, the provision of primary and secondary schools, and enhancement of local healthcare services:

**Policy MU 1**

**Land at north-west Sittingbourne**

Planning permission will be granted for mixed uses on land at North West Sittingbourne, as shown on the Proposals Map and will comprise a minimum of 1,500 dwellings, community facilities and structural landscaping and open space adjacent the A249. Development proposals will:

1. Be in accordance with a Masterplan/Development brief prepared by the landowners/developers involved in the delivery of the allocation, in consultation with the Borough Council and which reflects the requirements of this policy;
2. Be in accordance with Policy CP4 and in particular, achieve an integrated landscape strategy to provide a minimum of 22 ha natural and semi-natural greenspace and other open space as a continuous buffer along the A249 that will form part of the important local countryside gap between Sittingbourne and Bobbing/Iwade in accordance with Policy DM25 and Policy New A17 for Iwade, as well as contributing toward an appropriate link between the two via Bramblefield Lane/old Sheppey Way. This area will link to a network of green spaces and corridors throughout the allocation to achieve open space provision;
3. Ensure that, through both on and off site measures, any significant adverse impacts on European sites through recreational pressure will be mitigated in accordance with Policies CP7 and DM28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy;
4. Provide on-site flood mitigation measures;
5. Integrate heritage assets, having regard to their setting;
6. Be accompanied by a Health Impact Assessment in accordance with Policy CP5;
7. Be supported by a transport assessment and access strategy in the Masterplan /development brief to determine the need and timing for improvements to the transport network and phasing of development and address the following:
  - a. The scale, nature and timing of interim improvements at Grovehurst Road/A249 junction and if necessary at the Bobbing/A249 junction;
  - b. Identification of vehicular access points from Quinton Road and Grovehurst Road and mitigation of traffic impacts on the local road network and existing neighbourhoods by defining an appropriate quantum of development relative to these access points;
  - c. The timing of any necessary off site highway improvements relative to the phasing of development;
  - d. Identification of improvements to the public transport network between the site and Sittingbourne;
  - e. Encouragement of increased rail use from Kemsley Halt through enhancement of the facilities there and public pedestrian and cycle links;
  - f. Secure safe and attractive pedestrian and cycle links within the development and to the adjacent network including links to Iwade over the A249;
  - g. Have regard to the availability of land to the north of Swale Way already safeguarded for the remodelling of the A249/Grovehurst Road junction and should the mitigation design require it, within any other relevant allocation.
8. Achieve a mix of housing in accordance with Policy CP3, including provision for affordable housing in accordance with Policy DM8;
9. Achieve suitable means of sustainable energy production and carbon reduction measures compliant with Policy DM20;
10. Secure new primary and secondary schools on site, with dual public/school use facilities (including a land reservation for its provision), to include land for artificial playing pitches; and
11. Provide appropriate community facilities and other infrastructure within the site to meet the needs of future residents, including those within the Local Plan Implementation and Delivery Schedule, in particular those arising from primary health care, libraries and community, learning and skills services.

- 5.04 The Council has adopted Building For Life 12 as a technical document. This is a useful tool to assess the base-level quality of developments, and the officer's assessment is appended to this report.

## 6.0 LOCAL REPRESENTATIONS

- 6.01 Eight letters of objection have been received from 5 separate addresses, raising the following summarised concerns:

- Was not notified of the application;
- Impact upon the listed buildings;
- More open space and screening should be provided around the listed buildings;
- Proposed access onto Quinton Road will cause accidents due to poor visibility;
- Proposed access will cause conflict of movements with vehicles accessing the properties / shop on Quinton Road;
- Sonora Way is a rat-run for commuter vehicles, and access from Quinton Road should be restricted;
- Traffic calming should be introduced on Quinton Road and Sonora Way;
- Loss of farmland;
- Local infrastructure (schools, doctors, etc.) can't cope with additional residents;
- Loss of privacy for neighbouring residents;
- Existing trees will be situated within gardens of the new houses, and could be removed by future residents;
- The site contains brickearth deposits and removal of this has not been considered;
- The amended drawings don't address local objections;
- The frontage units should be removed and replaced with parkland to mirror the other side of the access road; and
- Trees on the southern side of Quinton Road shouldn't be removed [NB: this area is outside the application site boundary].

- 6.02 The Sittingbourne Society express concern that, if the local sewage network is not upgraded to cope with the demands of the wider allocation, sewage will be discharged into Milton Creek. They "urge the Council to resist this and further applications for large housing developments" until Southern Water can demonstrate the network has capacity. They also raise concern in respect of impacts upon the local road network; the capacity of local medical facilities and schools; and the "ability of local water suppliers to meet demand."

## 7.0 CONSULTATIONS

- 7.01 Bobbing Parish Council objects to the application for the following reasons:

**Plots 1-8:** *Consideration needs to be given to the houses on these plots due to the impact on the Grade II Quinton Cottage. The current proposal shows houses on these plots of standard design. The planting of the orchard and allotments around Quinton Farmhouse shows consideration of the listing of that building but Quinton Cottage has been ignored.*

**Parking:** *A number of plots appear to have tandem parking, which is usually under-utilised. This could encourage on street parking and may cause problems, especially on the main access roads.*

**Countryside Gap:** *Concern that the Countryside Gap has been encroached; this could present a precedence and open this important area between Bobbing and Iwade up to further development.*

**Link to existing highway:** *Concerns over safety where the development links to Quinton Road. The proposed access comes out on to Quinton Road close to the brow of a hill from where the road spans over the A249. Where the speed limit changes from the national speed limit to 30mph a number of vehicles do not slow down and speeding on this road is a problem. Bringing more vehicles on to Quinton Road at this point could potentially increase the rate of accidents, especially with it being close to the access of Sonora Way.*

**Impact on existing highway:** *Because of the sheer volume of traffic on the A249, Quinton Road and Sheppey Way are experiencing higher numbers of road users. Of more concern is that these users are utilising Sonora Way as a means of bypassing to bypass busy areas, which has significantly increased traffic on this road. Of concern is that this development will further add to the already pressurised Sonora Way and will make it the main route from this development.*

**Safety:** *Consideration to the impact on Sheppey Way and the safety outside of Bobbing School, and to the pedestrians and other road users who use Quinton Road as the route to get to school. Whilst there is a primary school proposed elsewhere on the allocation site children from this development could potentially use Bobbing School which will further add to the safety consideration mentioned above.*

I have gone back to the Parish Council to clarify a number of the issues above (as the application has progressed substantially since they commented), and await further comments as to whether or not they maintain their objection.

- 7.02 The Ward Councillor has been in regular contact with officers in regards to highway safety (particularly at the Quinton Road access point) and the impact of the development upon existing neighbours along the northern side of Quinton Road. Officers have kept the Ward Councillor apprised of progress and he is aware of this recommendation.
- 7.03 The Ministry of Housing, Communities and Local Government has no comments.
- 7.04 Highways England initially raised concern about the impact of the development upon the A249 and the M2. However, further to the recent refusal of application 18/503135/OUT (700 dwellings on land at Barton Hill Drive) Highways England have re-allocated the network capacity from that site to other sites, and now have no objection to this application. A final written response is awaited and I will update Members at the meeting.
- 7.05 Natural England has no objection subject to securing financial contributions towards the SAMMS amounting to £38,061.80 (@ £245.56 per dwelling).
- 7.06 Environment Agency has no objection subject to the conditions set out below.
- 7.07 KCC Education requests a total of £2,101,605.30, broken down as follows:
- Primary school land: £314,064.10 [though it is envisaged that this land will be provided at no cost to the LPA by the developer of 18/502190/EIHYB];



- Primary education: £702,925.00;
- Secondary school land: £299,484.80 [though it is envisaged that this land will be provided at no cost to the LPA by the developer of 18/502190/EIHYB];
- Secondary education: £726,485.00;
- Community learning: £9,366.16;
- Youth service: £5,825.38;
- Libraries: £35,185.00; and
- Social care: £8,270.80.

They also request the initial groundworks to enable superfast broadband to be provided to each dwelling.

- 7.08 KCC Highways & Transportation have no objection to the application subject to the conditions set out below. They have commented on a number of particular aspects in detail (including vehicle, pedestrian and cycle access; Sonora Way / B2006 roundabout; parking; fire and refuse vehicle access and tracking; travel plan; and impact on local junctions), and consider the development to be acceptable subject to the imposition of standard conditions which secure the delivery of local highway improvements. It should be noted that many of the works will be wrapped up within a S.278 consent issued directly by KCC and are therefore not subject to planning conditions.
- 7.09 KCC Flood Risk officer has no objection subject to conditions as set out below.
- 7.10 KCC Waste and Minerals officer initially objected because the brickearth deposits on site are not proposed to be extracted. However, further to liaison with local brick manufacturers (who do not want the mineral) additional information from the applicant, and consideration of the housing land supply issues, KCC have removed their objection:
- “On the basis of this further evidence, the County Council as mineral planning authority is satisfied in this case that the need for the non-mineral development is sufficiently overriding of the presumption to safeguard minerals, as set out in KMWLP Policy CSM 5: Land-won Mineral Safeguarding and the NPPF. Therefore criterion 5 of Policy DM 7: Safeguarding Mineral Resources can be invoked, and the County Council has no objection regarding the mineral safeguarding policy concerns.”*
- 7.11 KCC Ecologist has, following amendments to the original development and clarification on various points, no objection subject to various conditions that are set out below.
- 7.12 The Lower Medway IDB has no objections, and supports the KCC Flood Risk officer's comments.
- 7.13 NHS Swale CCG comments that there is a need for further services within the area (especially GP services, which they say are at capacity), and request a contribution of £133,920 *“towards expanding existing facilities within the vicinity of the development.”*
- 7.14 Southern Water comment that there is currently no water distribution pipe within the site, and that further infrastructure will be required to properly service foul and surface drainage within the proposed development. They don't object, however, and recommend a standard condition requiring submission of drainage details.
- 7.15 UKPN has no objections.

- 7.16 Kent Police recommends a condition requiring the developer to discuss crime prevention measures with them. Such a condition would not meet the required tests, however, so I have added it as an informative.
- 7.17 SBC Strategic Housing Manager has no objection, and comments:
- 1) *As per affordable housing policy DM8, we would seek 10% affordable housing rounded up to provide 16 affordable homes across the whole site.*
  - 2) *The affordable housing split should be as per planning policy with 14 (90%) dwellings to be delivered as Affordable Rent Tenure, and 2 (10%) provided as shared ownership.*
  - 3) *The affordable property types/sizes should be a reasonable and proportionate mix to the open market homes and distributed evenly across the site...*
  - 4) *I note from the plan that the affordable homes are clustered in one corner on the site, which is acceptable due to the low number of affordable homes being provided.*
  - 5) *I can confirm that there is a requirement for all types of affordable housing in the Sittingbourne area.*
- 7.18 SBC Climate Change officer recommends electric charging points be installed on all properties with private driveways, and communal ones be installed in shared parking areas. She also comments that, while it is commendable that the developer proposes to introduce a car club, it might be more useful for them to work with the adjacent landowner (Persimmon Homes) to have a shared car club across the wider allocation parcel (when an application for that site comes forward).
- 7.19 SBC Cleansing Manager seeks contributions totalling £16,486 towards the provision of wheelie bins for the new dwellings.
- 7.20 SBC Greenspaces Manager comments that *“generally the landscaping and planting species mix is good, with native planting and opportunities for species rich grassland.”* He notes, however, that kick-about areas are quite narrow and there needs to be additional refuse bins throughout the site. (Additional refuse bins have been shown on subsequent amended drawings.)
- 7.21 SBC Environmental Protection Team Leader initially requested additional information in respect of noise, vibration, and air quality. Further to receipt of such details from the applicant he has no serious concerns subject to the conditions set out below. Additionally, however, he has informed me that monitoring data from the St Pauls AQMA has been received (on the day this report was being finalised) which indicates there is a need for air quality enhancements over and above those already put forward by the applicant. The Team Leader has no objection, but suggests that revised “damage cost” calculations should be carried out on the basis of this new data and additional mitigation put forward. I have raised this with the applicant and will update Members at the meeting.

## 8.0 BACKGROUND PAPERS AND PLANS

- 8.01 The application is accompanied by a full Environmental Statement (ES), which covers all aspects of the development and potential impacts in considerable detail, including site selection; landscape and visual impact; drainage; transport; noise and vibration; air quality; ecology; and heritage, amongst others. This document stretches to several volumes, with each section being appraised by the relevant consultees / experts.

- 8.02 The application is also accompanied by full drawings illustrating all aspects of the development.
- 8.03 Of interest are the concurrent applications for the rest of allocation MU1: 18/502372/EIOOUT and 18/502190/EIHYB, which are noted at 2.11 above.
- 8.04 There have been no planning applications of any relevance on the site previously.

## 9.0 APPRAISAL

### Principle

- 9.01 The application site lies within land allocated for “*a minimum of 1,500 dwellings, community facilities and structural landscaping and open space adjacent the A249*” as set out by policy MU1 of the adopted Swale Borough Local Plan 2017 (the full text is set out above). This allocation, as part of the Local Plan process, has been formally reviewed by both the Council and the Local Plan Inspector, found to be sound, and therefore adopted as part of the Council’s strategy to 2031. It is therefore the default starting position that the use of this land for the purposes of working towards the provision of “up to 1,500 dwellings” etc. is acceptable in principle, subject to the matters of detail set out below.
- 9.02 This site does, of course, form only a small part of the wider Policy MU1 allocation, and proposes 155 dwellings as part of that 1,500 unit target. The two concurrent applications noted above will contribute the remainder of the units, and the school developments are included within the Persimmon application (reference 18/502190/EIHYB).
- 9.03 Officers considered the merits / possibility of determining all three applications at the same time, but due to various issues this has not been possible. This application is not subject to issues that would justify delaying determination to coincide with the remaining parcels, which may have resulted in a considerable delay, to the significant detriment of the Council’s five-year housing supply.
- 9.04 In that regard it should be noted that this scheme will contribute considerably to the Council’s five-year supply. The Council is not currently meeting its target and, as a result, we are vulnerable to development on otherwise unacceptable sites being approved to meet this need (as required by paragraph 11 of the NPPF). The addition of 155 houses to the Council’s supply would strengthen our position in terms of resisting inappropriate development, as well as the need to have an identifiable five-year supply being a fundamental requirement of national planning policy.
- 9.05 The site also lies within a sustainable urban location, and within walking distance of local and town centre shops, services, public transport, and other amenities.
- 9.06 The principle of development is therefore wholly acceptable in my opinion. The relevant matters of detail are set out below.

### Layout

- 9.07 Access to the development is from Quinton Road. A new entrance to serve the development will be created off the access road currently serving the dwellings along the southern boundary (which sit on a small lane that runs parallel to Quinton Road) and the spine road through the site will run from this point up to the northern boundary. This road will eventually link up with the roads on the neighbouring

- parcel. Visibility at the junction will be improved to facilitate the access, with sight lines being cleared back to provide drivers with clear views in both directions along Quinton Road. The original masterplan for the wider allocation envisaged only one access to the whole parcel, further to the east along Quinton Road, but the proposed access was agreed early on in the application process as it will a) allow the applicant to get onto their land before the adjacent parcels come forward, and b) reduce pressure on a sole point of access throughout the life of the development.
- 9.08 The main road through the site will be lined with dwellings, featuring formal tree planting to create an avenue, and will be constructed of varying materials to accentuate the junctions for safety. Four roads will lead off this main road to provide local streets. The roads are to be laid in generally straight lines, with no artificial curves: this improves visibility for both drivers and pedestrians, and is considered to be better design than the wiggly estate roads of previous decades.
- 9.09 The layout provides a vehicle connection to the north along the central estate road. Redrow has been working with Persimmon to ensure this will feed into the roads on the neighbouring phase, and I have no serious concerns in this regard. There are very limited possibilities for any vehicle links to the east due to existing drainage ditches, but pedestrian routes through are provided.
- 9.10 The proposed dwellings all front on to the various roads, framing and defining the streets appropriately. Frontage parking is common across the development but this is an increasingly common feature within modern developments and, in conjunction with a good landscaping scheme (which is the case here), would not detract significantly from the overall character and appearance of the area. I have visited a number of recent Redrow developments in Sittingbourne, Faversham, Folkestone, and Gravesend to view similar layouts, and any concerns I may have had in regards to frontage parking were dispelled – in fact I found the quality of these developments to be very high overall.
- 9.11 Dwellings were originally proposed along the western side of the access, but were removed and replaced with the orchard area at officer's request in order to protect the setting of the Grade II listed Quinton Farmhouse. The allotments are located to the rear of the farmhouse for the same reason. The dwellings along the eastern side of the access were originally set far back from the road to maintain an open aspect to the site entrance, but have been pulled forward to retain open space around the grade II listed Quinton Cottage – there is now in excess of 25m between the cottage and the new houses. Officers have considered historic maps of the area and noted that there used to be farm buildings roughly in the position of the proposed access, and in that regard development in this area is not out of context with the listed buildings. Officers are therefore satisfied that the development would not harm the special architectural or historic interest of these listed buildings.
- 9.12 The linear park is positioned along the western boundary to – in addition to providing valuable open space – serve as a buffer between the houses and road noise from the A249. This will be a minimum of 30m wide and includes open / play space and pathways. Along the very western edge of the open space will be a 3m tall bund to be planted on both sides with new trees. On top of the bund, and screened by the new trees will be a 3m tall timber acoustic fence – the combination of trees and acoustic fence will protect the development from the road nose of the A249. This planted area will also create a substantial wildlife corridor. Walkways through the park will connect up to walkways in the land to the north and, again, I understand that the various developers are working together to ensure this.

- 9.13 Towards the northern end of the site there will be two SUDS ponds, one either side of the north/south road. The western pond will be adjacent to a children's play area, and will be the smaller of the two ponds, while the eastern pond will be substantially larger. A condition below requires sectional details of the ponds so that officers can ensure they have a gradual profile (rather than steep banks) that allows safe exit from the pond if necessary, and enables people to get closer to the water so that it forms an intrinsic part of the open landscaping rather than an obstacle.

### Design

- 9.14 In respect of both layout *and* design: I have assessed the development against the criteria of Building for Life, and it scores a very respectable 34 out of 35. I would suggest however, that it could be considered to score full marks as the one missing point (retention of existing buildings) is not applicable.
- 9.15 The proposed dwellings come from the applicant's standard palette within their "heritage" range. These dwellings are of a conventional design and feature a mix of projecting two-storey front bays, porch canopies, enclosed porches, cladding, and tile hanging. I consider the houses to have a definite mid-20<sup>th</sup> century aesthetic and in that regard they sit comfortably with many dwellings within Sittingbourne as a whole. I consider the design of the dwellings to be of a high standard and believe that the development will be an attractive place on completion.
- 9.16 Particularly elegant units have been selected for along the site access. This benefits the applicant in terms of an impressive approach to their sales office, but also fits the character of this particular location in that these units will sit comfortably adjacent to the listed cottage, and without harming its special interest.
- 9.17 I am mindful that exceptional urban design pays regard to the specifics of a particular location in terms of site context and building design, but in this regard the surrounding area is of no particular identified merit and the applicant's approach is therefore acceptable in my opinion. A dominant feature of the site will be the linear park and I am certain that this, along with the character of the dwellings and the overall spacious nature of the site, will create a very pleasant development that will be a benefit to Sittingbourne.

### Amenity

- 9.18 I consider that the proposed development will provide a good standard of amenity for future residents. The houses are all of a decent scale and with sensible, spacious internal layouts. Gardens are all a minimum of 10m deep and the layout provides a minimum of 21m rear-to-rear / 11m flank-to-rear. Garden sizes, separation distances, and garage positions are such that all dwellings will have a good degree of privacy within the rear gardens and residents will not be unduly overlooked. I have no serious concerns in this regard.
- 9.19 The Council's Environmental Protection Team Leader is satisfied that the proposed bund and acoustic screen will prevent unacceptable levels of road noise (from the A249) reaching the new properties, and has no serious concerns in respect of noise, vibration, contamination, or air quality. In respect of air quality it is noted that traffic movements from the development are not anticipated to substantially impact any AQMA within Swale (further discussed below).
- 9.20 Separation distances between proposed dwellings and the existing dwellings on Quinton Road are well in excess of the Council's minimum 21m standard, and

deliberately so to minimise the impacts upon those residents. The layout originally proposed a block of flats in the SE corner of the site, to the rear of existing houses, but this has been replaced with two-storey houses and thus the potential impact upon existing resident's outlook and privacy greatly reduced. I note local concerns about loss of privacy and outlook but consider that the scheme accommodates the neighbours as far as possible, and there will not be significant harm arising such that permission could justifiably be refused on those grounds.

### Parking

- 9.21 The layout provides 310 parking spaces across the development, which is two spaces per dwelling in accordance with adopted parking standards. No dedicated visitor spaces are provided but, as set out above, there is sufficient space on-street to accommodate visitor parking without obstructing the highway. KCC Highways and Transportation have no objection to the parking provision. It is anticipated that the new bus stops on Quinton Road and improvements to Kemsley station (both secured within the s.106) will encourage sustainable transport methods and contribute to reduced car ownership.
- 9.22 There are no parking courts within the development; all parking is on plot. This, in my mind, represents good design as parking courts can often be desolate spaces with poor circulation which can attract anti-social behaviour. Parking to the front of properties is broken up with soft landscaping and, as above, I consider this to have worked well on other developments by this applicant and have no serious concerns.
- 9.23 Independently accessible parking is provided for the proposed allotments, which will be via the existing access road to the front of Quinton Farmhouse and controlled by a lockable barrier.
- 9.24 I have no serious concerns in respect of parking provision within the development.

### Highways

- 9.25 Significant discussions have taken place between the developer (and also the developers of the remaining parts of the MU1 allocation) and both KCC Highways and Transportation and Highways England (HE). KCC are responsible for local roads (Quinton Road, Sonora Way, Grovehurst Road, etc.), while HE look after the strategic national infrastructure (A249 and M2 in this instance).
- 9.26 The development includes improvements to the local highway infrastructure, which comprise:
- 1) Improvements to visibility in both directions on Quinton Road at the proposed access point, to ensure inter-visibility between all drivers, particularly those approaching over the brow of the bridge to the west;
  - 2) Traffic calming measures (further to consultation with KCC Highways) including: erection of a mini roundabout at the Quinton Road / Sonora Way junction; kerb narrowing on Quinton Road to the east of the site; and an enhanced "gateway" at the speed limit change to the west of the site (when approaching from Bobbing), all intended to reduce speeds along Quinton Road;
  - 3) Enhancement of the Sonora Way / Staplehurst Road roundabout junction, which KCC are satisfied will actually result *in an improvement to traffic flows* rather than just maintaining current, pre-development flows; and

- 9.27 These works are to be secured through the conditions set out below and a s.278 highways agreement (separate from the grant of planning permission), and I have no significant concerns in respect of local highway safety or amenity subject to these works being carried out.
- 9.28 HE initially objected to the development on the grounds that M2 junction 5 did not have sufficient capacity to absorb the predicted traffic flows arising from this scheme (and others). However: the Council recently refused permission for application 18/503135/OUT (700 dwellings on land at Barton Hill Drive), which has enabled HE to “re-allocate” the predicted capacity from that development to other schemes in Sittingbourne and on the Island, including this current application. The predicted peak flow generation from this scheme is 34 vehicles, which is well within the remaining capacity, and HE has therefore removed their holding objection and are content for this scheme to come forward without any restriction on dwelling occupations before the M2 J5 improvements are built out.
- 9.29 Further to HE removing their objection, I have no serious concerns in respect of highway safety or amenity on the strategic network.
- 9.30 Overall, I do not consider there to be any justification for refusal of this application on highways grounds.

#### Brickearth

- 9.31 The site lies within an area containing identified brickearth deposits, and amounts to a narrow strata across the surface of the site. The KCC Waste & Minerals team initially objected, stating that the deposits should be removed prior to any works commencing on site. However, the applicant has submitted information to demonstrate it would not be viable to extract the mineral due to the thinness of the strata, and Wienerberger (the local brick manufacturers) have confirmed that they i) have a sufficient supply without extraction of this site and ii) do not want the mineral unless it could be extracted cheaper than the cost of their current supply which, as per Redrow’s evidence, is not possible.
- 9.32 Taking this into account, and with regard to the Council’s urgent requirement to meet its five-year housing land supply, KCC Waste & Minerals have removed their objection. I therefore consider the matter to be resolved and have no serious concerns.

#### Sustainability and air quality

- 9.33 The submitted Sustainability Strategy explains that the key sustainability features of the proposed development are:
- 1) An energy efficient design that performs above minimum compliance with current Building Regulations L1A:2013 and achieves a reduction in the regulated dwelling carbon emissions across the site by approximately 3%;
  - 2) Dwelling design that is adaptable to change and reuse over the long term through consideration of daylighting, home working, drying space and cycle storage;
  - 3) A waste strategy that promotes waste reduction, re-use, recycling, during both construction and the lifetime of the development;
  - 4) A water efficiency performance which complies with the Government’s Housing Optional Technical Standard which is set at 110 litres per person per day;

- 5) A strong commitment to the reduction of air pollution, particularly through the adoption of a robust Travel Plan; and
- 6) A contribution to the network of green infrastructure and biodiversity, including through tree planting, soft landscaping and sustainable drainage systems.

- 9.34 These measures will ensure that the development exceeds the Building Regulations sustainability requirement by 3%. In addition to the above the applicant has committed to installing a minimum of 255 solar photovoltaic panels across the development (equivalent to 1.6 panels per dwelling) which will achieve a reduction in carbon emissions by 10% over similar developments and results in the development exceeding Building Regulations requirements by 13%.
- 9.35 Over and above this, the applicant will also be installing an electric vehicle charging point at every dwelling This will comprise a “Wallpod:EV” smart socket which will allow residents to monitor / control charging through an app, and which will be installed either in the garage or on the external wall of the building.
- 9.36 The submitted ES recognises that there may be air quality issues arising from various aspects of the development, including exhaust emissions and dust from construction traffic, dust during construction, and emissions from resident’s vehicles. They have also considered these impacts in combination with the wider MU1 allocation and other major developments in and around Sittingbourne.
- 9.37 Assessments have been carried out in accordance with DEFRA guidance and the requirements of the NPPF and the adopted Local Plan. These conclude that the impacts arising from construction phase will be short-lived and can be mitigated effectively through relatively simple measures such as routing of vehicles, dust control on site, and not allowing any bonfires during construction. Impacts from the “operational phase” (when residents are living on the site) can be mitigated through a number of measures put forward as part of the application, including:
- 1) Installation of electric vehicle charging points at each property with a driveway or garage;
  - 2) Provision of new bus shelters on Quinton Road to support / encourage public transport use;
  - 3) Installation of solar panels (as above) will provide a net benefit over the life of the dwellings;
  - 4) A voucher (£50 per dwelling) to help / encourage residents to buy bicycles / public transport tickets and guide them towards sustainable transport options;
  - 5) A development-wide travel plan; and
  - 6) As part of the wider allocation development enhancements will be made to Kemsley station which will encourage and support train travel by residents of the allocation parcel.

- 9.38 Paragraph 12.74 of the ES concludes (my emphasis in bold):

*“The predicted concentrations at proposed relevant locations for the future year scenarios are below the relevant objectives and as such, explicit mitigation measures are not required. It should however be noted that walking, cycling and the use of public transport will be encouraged via a Travel Plan to reduce the use of surrounding road network by private vehicles.”*

- 9.39 In particular regard to NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> concentrations the data concludes (at 12.127 – 12.134 of the ES) that there will be “permanent long-term neutral (insignificant) effects.” Para. 12.145 concludes on the topic:



*“The cumulative assessment shows that the development and the rest of the north-west Sittingbourne Allocation causes increases in the annual mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations at the modelled existing receptors, with impacts at all individual receptors being negligible, with no predicted exceedances of the AQS objectives.”*

- 9.40 As above, the Council’s Environmental Protection Team Leader has assessed the submissions and raises no significant objection in respect of air quality, noise, or contamination. I therefore have no serious concerns and do not consider there to be any justifiable reason for refusal on such grounds. I do note, however, the late additional comments from the Environmental Protection Team Leader, which seek to secure enhanced mitigation for the St Pauls AQMA as a result of the latest monitoring data. This request was received at the time of writing; I have raised it with the agent for the scheme; and I will update Members at the meeting. I do not envisage there being any significant concerns arising from this, however.

### Ecology

- 9.41 It is noted that the KCC Ecologist has requested additional information in respect of translocating reptiles. The applicant has now provided this, and KCC Ecology are happy for the proposed orchard to be used as the reptile receptor site.
- 9.42 The submitted ecological surveys show little of particular concern in respect of other species – the majority of the land having been a largely bare agricultural field for many, many years. There is some potential habitat within existing planted areas, particularly along the western edge where the site borders the A249 but this is to be strengthened and improved by creation of the linear park, which will feature heavy planting on the proposed bund. In that regard there is actually some biodiversity gain to be had.
- 9.43 KCC Ecology raise no objection subject to conditions as set out below.

### Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017

- 9.44 The application site is located within 6km of The Medway Estuary and Marshes Special Protection Area (SPA) which is a European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
- 9.45 SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.
- 9.46 The proposal therefore has potential to affect said site’s features of interest, and an Appropriate Assessment is required to establish the likely impacts of the development.
- 9.47 In considering the European site interest, Natural England advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 63 and 64 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advise that the proposal is not necessary for the

management of the European sites and that subject to a financial contribution to strategic mitigation and site remediation, the proposal is unlikely to have significant effects on these sites.

- 9.48 The April 2018 judgement (*People Over Wind v Coillte Teoranta*, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected areas, *“it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.”* The development therefore cannot be screened out of the need to provide an Appropriate Assessment solely on the basis of the mitigation measures agreed between Natural England and the North Kent Environmental Planning Group.
- 9.49 However, the proposed development includes provision ecological enhancements within the site and, in itself and in combination with other development (including the strategic developments coming forward on adjacent sites), would not have an adverse effect on the integrity of the SPA, subject to the conditions set out within the report.
- 9.50 Notwithstanding the above, NE has stipulated that, when considering any residential development within 6km of the SPA, the Council should secure financial contributions to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the North Kent Environmental Planning Group (NKEPG), and that such strategic mitigation must be in place before the dwelling(s) is/are occupied.
- 9.51 Due to the scale of development there is scope to provide on site mitigation by way of the proposed linear park and associated areas of public open space. However, due to the location and scale of the development there is considerable potential for future residents to utilise the SPA for recreational purposes which could be harmful in terms of recreational disturbance including walking, dog walking (particularly off the lead), and possibly predation of birds by cats.
- 9.52 Based on the correspondence with Natural England (via the NKEPG), I conclude that off site mitigation is required.
- 9.53 In this regard, whilst there are likely to be impacts upon the SPA arising from this development by way of recreational disturbance, the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff (to be secured by either s106 agreement) will ensure that these impacts will not be significant or long-term. I therefore consider that, subject to mitigation, there will be no adverse effect on the integrity of the SPA.
- 9.54 It can be noted that the required mitigation works will be carried out by Bird Wise, the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, which itself is a partnership of local authorities, developers and environmental organisations, including SBC, KCC, Medway Council, Canterbury Council, the RSPB, Kent Wildlife Trust, and others (<https://birdwise.org.uk/>).

#### Section 106 contributions

- 9.55 Section 106 contributions have been set out and discussed in the round above. In brief, however: standard contributions towards local education and social services provision have been requested, healthcare, along with SAMMS, wheelie bin provision, and affordable housing.

- 9.56 The s.106 secures affordable housing at 10% (16 dwellings), which is in accordance with the Council's adopted policy and the Council's Strategic Housing manager has agreed the house and tenure mix with the applicant. I am advised that a registered social provider is on-board to take ownership of the social housing units, which indicates that they will in fact come forward. I am aware of Members' concerns in respect of affordable housing should be provided in excess of the 10% policy requirement (which was raised at the Member's briefing held by the developer). The applicant has commissioned a report from Lichfield's, which indicates that viability is marginal and the current 10% provision is in fact the maximum achievable. I would also remind Members that 10% is the current adopted policy position and there is no policy justification to request an enhanced provision.
- 9.57 The s.106 is currently being finalised by the Council's and applicant's solicitors, and I anticipate this could be completed shortly after a resolution has been agreed by Members.

#### Other matters

- 9.58 Objections from local residents are noted above. Any matters not already covered in the previous sections are addressed below.
- 9.59 Consultation letters were sent out to more properties than required by the legislation, several site notices were erected at locations all around the perimeter of the site and within nearby estates, and adverts were displayed in the local newspapers. I consider that the Council has more than fulfilled its consultation requirements in respect of the application.
- 9.60 The site lies on grade 1 best agricultural land, and this development will result in the loss of that agricultural potential. However, the site has been specifically allocated for development and the background work for policy MU1 took all matters – including agricultural use – into consideration. Development on this site forms a natural rounding-off of Sittingbourne up to the A249, and meeting the five-year housing supply on allocated sites such as this will enable the Council to more strongly resist development of other sites, on land not allocated for development under the Local Plan or otherwise unsuitable for it.
- 9.61 The Sittingbourne Society has raised concern in respect of site drainage, however Southern Water, the EA, and KCC SUDS have not objected to the scheme and I therefore have no significant concerns. I am aware that Southern Water's comments suggest sewage infrastructure needs to be improved but this is addressed through the conditions below which require full details of drainage to be submitted and agreed prior to development.

### **10.0 CONCLUSION**

- 10.01 This application seeks planning permission for the erection of 155 dwellings together with an associated access road, car parking, linear park, acoustic barrier to the A249, children's playground, allotments, SUDS ponds, ecological enhancements, and new planting on a site allocated for such development by adopted Local Plan policy MU1.
- 10.02 I consider the scheme to be well-considered and well designed, and believe that it would be unlikely to give rise to any significant negative impacts upon local residential amenity, highways safety and amenity, ecology, or the special interest of nearby listed buildings, amongst others. I have considered objections from local residents but they do not amount to a justifiable reason for refusal in my opinion.

10.03 Taking the above into account, and on balance, I recommend that planning permission should be granted subject to receipt of final comments from SBC Environmental Health (and any additional conditions recommended by them), and completion of a s.106 agreement to secure contributions towards local services, affordable housing, SAMMS, and wheelie bin provision.

**11.0 RECOMMENDATION** – GRANT planning permission subject to the signing of a suitably-worded Section 106 agreement and to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development shall take place other than in accordance with the following drawing numbers:

A759\_01\_REV H\_PLANNING LAYOUT, A759\_02\_REV D\_PARKING PLAN, A759\_02\_REV D\_PARKING PLAN, A759\_04\_REV D\_MATERIALS PLAN, A759\_05\_REV D\_OCCUPANCY PLAN, A759\_06\_REV D\_MASSING PLAN, A759\_07\_REV D\_TENURE PLAN, A759\_08\_REV D\_REFUSE PLAN, A759\_09\_REV A\_SITE LOCATION PLAN, A759\_10\_REV H\_COLOUR LAYOUT, A759\_11\_REV E\_STREET SCENES, Design & Access Statement rev. C, and House Type brochure rev. D (which includes drawings: A759\_20\_D\_Ludlow-EF\_LUDL\_SM\_Plans, A759\_21\_D\_Ludlow-EF\_LUDL\_SM\_Brick, A759\_22\_C\_Ludlow-EF\_LUDL\_SM\_Render, A759\_23\_D\_Warwick-EF\_WARW\_DM\_brick, A759\_24\_C\_Warwick-EF\_WARW\_DM\_Render, A759\_25\_C\_Warwick-EF\_WARW\_DM\_Corner, A759\_26\_C\_Amberley-EF\_AMBY\_DM, A759\_27\_C\_Leamington Lifestyle-EF\_LEAMQ\_DM, A759\_28\_C\_Leamington Lifestyle-EF\_LEAMQ\_DM, A759\_30\_C\_Oxford Lifestyle-EF\_OXFOQ\_DM, A759\_31\_C\_Oxford Lifestyle-EF\_OXFOQ\_DM, A759\_32\_C\_Stratford-EF\_STRA\_DM\_Brick, A759\_33\_D\_Stratford-EF\_STRA\_DM\_Render, A759\_40\_C\_Marlow-EF\_MARO\_DM, A759\_42\_C\_Oxford-EF\_OXFO\_DM, A759\_43\_C\_Oxford-EF\_OXFO\_DM, A759\_44\_D\_Grantham (Four Block)-EF\_GG4\_M, A759\_45\_D\_Grantham (Four Block)-EF\_GG4\_M, A759\_46\_D\_Grantham (Four Block)-EF\_GG4\_M, A759\_47\_C\_Canterbury-EF\_CANT\_DM, A759\_48\_C\_Canterbury-EF\_CANT\_DM, A759\_53\_ACAD-Garages 2014 901 (1), A759\_53\_ACAD-Garages 2014 901 (1), A759\_56\_SPECIAL A&B ELEVATIONS 1, A759\_57\_SPECIAL A&B ELEVATIONS 2, A759\_58\_SPECIAL C FLOOR PLANS, and A759\_59\_SPECIAL C ELEVATIONS).

Reason: For the avoidance of doubt.

- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - i. storage of plant and materials used in constructing the development

- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of the area and highway safety and convenience.

- 4) No 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 – 1900 hours, Saturdays 0730 – 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.

- 5) 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 any other day except between the following times:-

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

Reason: In the interests of residential amenity.

- 6) Adequate underground ducts shall be installed before any of the buildings hereby permitted are occupied to enable telephone services and electrical services to be connected to any premises within the application site without resource to the erection of distribution poles and overhead lines, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no distribution pole or overhead line shall be erected other than with the express consent of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 7) No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure (which, among other things, shall be designed to ensure that the development is permeable for reptiles and hedgehogs), hard surfacing materials, and an implementation programme.

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

- 8) The trees identified as “trees to be kept” on drawing 9233-KC-XX-YTREE-TPP02RevC shall be retained and maintained. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of the date of this permission shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity.

- 9) No development shall commence until a 2m high paling fence (as shown on drawing 9233-KC-XX-YTREE-TPP02RevC) has been erected in accordance with BS5837 (2012) 'Trees in relation to Design, Demolition and Construction' around the extremities of the crowns of any trees where the trunk lies within 10m of any part of the development hereby permitted. All post holes shall be dug by hand, and the fence shall be retained throughout the period of construction. Under no circumstances shall any building material, spoil, or machinery connected with the development be stored or placed within the area beneath the extremities of the crowns of the trees so defined, nor shall any excavations be made, the ground levels altered, nor any fires lit, during the period of construction.

Reason: As the trees are considered to add to the visual amenities of the area, and such activity beneath the trees is likely to harm the trees to their detriment.

- 10) Notwithstanding the submitted details no development beyond the construction of foundations shall take place until constructional details and sections of the proposed bund and acoustic fence along the western boundary of the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity.

- 11) No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity

- 12) No development beyond laying of foundations shall take place until details have been submitted to and approved in writing by the Local Planning Authority for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the dwellings hereby permitted. Following approval the infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process, and be available for use on the first occupation of the dwellings unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Reason: To ensure that the new development is provided with high quality broadband services.

- 13) No development shall take place until a drainage scheme detailing the proposed means of foul and surface water drainage and disposal, including an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The 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 100 year storm) can be accommodated and disposed of at the rates shown on drawing 5824/1011 prepared by GTA Civils as part of the strategic drainage network design without an increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can

be adequately managed to ensure there is no pollution risk to receiving waters. The development shall thereafter be carried out in accordance with the approved scheme and timetable.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of foul and surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 14) No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by and implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

- 15) No development shall take place until sectional details of the SUDS ponds have been submitted and approved in writing by the Local Planning Authority. Such details shall show areas of gradual gradient that allow unassisted egress from the pond in the event of persons entering the water.

Reason: In the interest of safety, good design, and to better integrate the ponds into the wider public open space.

- 16) No development shall take place until an Ecological Design Strategy (EDS) addressing ecological enhancement of the site has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works;
- b) Review of site potential and constraints;
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) Persons responsible for implementing the works;
- h) Details for monitoring and remedial measures;
- i) *Updated Preliminary Ecological Appraisal*
- j) *Updated specific species (if required by the PEA).*
- k) *Details of on going management prior of the implementation of the LEMP required as part of Condition (25)*

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To enhance biodiversity.

- 17) Within 3 months of construction commencing a detailed lighting scheme (informed by the bat activity surveys) must be submitted to the Local Planning Authority for written approval. The lighting scheme shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Show how, where and what external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

Reason: In the interest of minimising harm to wildlife.

- 18) No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

- 19) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

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

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

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

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

- 22) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.



Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

23) No dwelling hereby permitted in any phase shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the Local Planning Authority. The manual, at a minimum, shall include the following details:

- A description of the drainage system and its key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SUDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including 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. The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction).

24) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system for that phase, has been carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems

25) No dwelling hereby permitted shall be occupied unless information demonstrating that off-site surface water drainage works are appropriately secured and protected has been submitted to and agreed in writing by the Local planning Authority. The approved works shall then be implemented in accordance with the agreed details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water.

26) A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;

- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions, together with a plan of management compartments;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures.
- i) Mechanisms to ensure that the management of ecology on this site is well integrated with arrangements for the adjoining parts of the Local Plan allocation, which are subject to planning application reference 18/502190/EIHYB.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interest of minimising harm to wildlife.

- 27) Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or any dwelling fronting on a highway.

Reason: In the interests of visual amenity.

- 28) The garages and parking spaces shown on drawing A759\_02\_REV D\_PARKING PLAN shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- 29) The areas shown on the approved drawings as LEAP and linear park shall be reserved for the general amenity of the area. Play spaces shall be surfaced and equipped with play equipment, in accordance with a schedule agreed by the Local Planning Authority before the first dwelling is occupied and these areas shall be provided before the last dwelling is occupied; no permanent development whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or not shall be carried out in the areas so shown without the prior written approval of the Local Planning Authority.

Reason: To ensure that these areas are made available in the interests of the residential amenities of the area.

- 30) Notwithstanding the submitted details, no dwelling shall be occupied until active electric vehicle charging points have been installed at each property in accordance with a specification which shall have first been agreed in writing by the Local Planning Authority.

Reason: In the interest of sustainable development.

- 31) No dwelling hereby approved shall be occupied until the Highways works providing site access as shown on plan 22294-GA-05 Rev A have been provided in accordance with a design and specification to be approved in writing with the Local Planning Authority and fully implemented to the satisfaction of the Highway Authority.

Reason: In the interests of amenity and road safety.

- 32) No more than 50 dwellings shall be occupied until the B2006/Sonora Way mitigation scheme as shown on plan 22294-GA-07 P02 has been provided in accordance with a design and specification to be approved in writing with the Local Planning Authority and fully implemented to the satisfaction of the Highway Authority.

Reason: In the interest of road safety.

- 33) The delivery of the actions and objectives contained within the Residential Framework Travel Plan version TP01 dated November 2018 shall be adhered to throughout the life of the development. Any accompanying Section 106 should take into account the financial provisions contained within the Travel Plan.

Reason: In the interest of promoting sustainable access.

- 34) No dwelling hereby permitted shall be occupied until the following works have been completed:

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Reason: In the interest of highway safety.

- 35) The vehicle and pedestrian visibility splays shown on the approved drawings shall be provided prior to occupation of any dwelling hereby permitted and thereafter maintained with no obstructions over 0.5 metres above carriageway level within the splays.

Reason: In the interest of highway safety.

- 36) The access details shown on the approved plans shall be completed prior to the occupation of any dwellings hereby permitted and the access shall thereafter be maintained in perpetuity.

Reason. In the interest of highway safety.

- 37) No dwelling hereby approved shall be occupied until a zebra crossing has been provided on Sonora Way in accordance with a design and specification to first be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

38) Any other conditions recommended by the Council's Environmental Health Team Leader.

## INFORMATIVES

1. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
2. The developer is advised to contact Kent Police to discuss crime prevention measures that could be incorporated into the development ([pandcr@kent.pnn.police.uk](mailto:pandcr@kent.pnn.police.uk) or 01622 653209).
3. 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.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

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 on site.

### **The Council's approach to this application:**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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.

In this instance the applicant/agent was advised of minor changes required to the application and these were agreed.

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.



