

2.2 REFERENCE NO - 19/500887/FULL		
APPLICATION PROPOSAL Erection of 15 dwellings with associated parking and new road access.		
ADDRESS Land Adjacent To 127 High Street Eastchurch Sheerness Kent ME12 4DF		
RECOMMENDATION Grant, subject to the conditions below and the signing of a suitably worded Section 106 Agreement		
SUMMARY OF REASONS FOR RECOMMENDATION The application is allocated in the adopted Local Plan for residential use and would not give rise to any unacceptable impacts upon highway, visual or residential amenities. There are no objections from technical consultees.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection		
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mr & Mrs W Snow AGENT Woodstock Associates
DECISION DUE DATE 30/05/19	PUBLICITY EXPIRY DATE 31/03/20	

1. DESCRIPTION OF SITE

- 1.1 The site relates to a 0.8ha parcel of land situated to the north side of the High Street adjacent to the entrance roundabout to Eastchurch village from the Lower Road which is the B2231 linking Minster and Leysdown by-passing the village centre.
- 1.2 The site is within the built up area of Eastchurch as set out within the Bearing Fruits 2031: The Swale Borough Local Plan 2017.
- 1.3 The site is currently in use as paddocks with single storey stables and associated paraphernalia along the northern part of the site, and there is an existing access gate to the site approximately mid way along the road frontage. The site is bordered by post and wire fencing along the western, northern and part of the southern boundary (to the west of the field gate). The remainder of the southern boundary is defined by post and rail fencing. The eastern boundary with 127 High Street is partially enclosed by close boarded fencing.
- 1.4 The land level on the site rises gently from the west to east.
- 1.5 To the east of the site are existing residential dwellings fronting onto both sides of the High Street, including the adjacent dwelling at 127 High Street which is in the ownership of the applicant. To the north and west of the site are agricultural fields, with a public right of way (ZS23) to the west. As noted above, to the south of the site is a roundabout linking the A2500 (Lower Road), B2231 and the High Street.

2. PROPOSAL

- 2.1 The application seeks planning permission for the erection of 15 dwellings. The dwellings will comprise 14 semi-detached dwellings and a detached dwelling, with a mix of 6 x 2 bed dwellings; 8 x 3 bed dwellings and 1 x 3/4 bed dwelling (the submitted floor plan for this dwelling shows a ground floor room as either a dining room or bedroom).
- 2.2 Five house types are proposed comprising a mix of bungalows, one and half storey dwellings and two storey dwellings;
- 4 x 'A' house type: 1 ½ storey semi-detached dwelling with three bedrooms. This house type has a mixed hipped/gable roof form with first floor windows set at eaves level. These dwellings would be finished in a mix of multi-stock brickwork, white Cedral boarding and clay roof tiles.
- 4 x 'B' house type: single storey semi-detached dwelling with two bedrooms. This house type has a gable roof form with front/rear gable element. These dwellings would be finished in a mix of multi-stock brickwork, brindle brickwork, white Cedral boarding and clay roof tiles.
- 1 x 'C' house type: 1 ½ storey detached dwelling with three/four bedrooms. The submitted floor plan for this dwelling shows a ground floor room as either a dining room or bedroom. This house type has gable roof form with projecting bay window element across the ground/first floor. This dwelling would be finished in a mix of brindle brickwork, white render, Cedral boarded bay window and clay roof tiles.
- 4 x 'D' house type: 2 storey semi-detached dwelling with three bedrooms. This house type has a hipped roof form with front/rear gable element. These dwellings would be finished in a mix of multi-stock brickwork, brindle brickwork, white render, white Cedral boarding and clay roof tiles.
- 2 x 'E' house type: single storey semi-detached dwelling with two bedrooms. This house type has a hipped roof form. These dwellings would be finished in a mix of multi-stock brickwork, white render and clay roof tiles.
- 2.3 The layout of the proposed dwellings would create two linear rows of dwellings, with single storey and 1 ½ storey dwellings along the front row, and a mix of single storey, 1 ½ storey and 2 storey dwellings among the group of dwellings in the northern part of the site.
- 2.4 The proposal would have a density of 19 dwellings per hectare, with provision for 3-metre wide landscape buffers along the western and northern site boundaries (where the site adjoins open countryside). Soft landscaping is also proposed along the southern and eastern site boundaries.
- 2.5 The existing vehicular access would be removed/closed and relocated to the east of the existing access, further away from the roundabout. The site would be served by a singular vehicular access with a turning head, and cul-de-sac layout with a shared pedestrian and vehicular surface to access the dwellings. A pedestrian access is proposed to the east of the new vehicular access and will link up with the existing

footpath on the opposite side of the High Street. The vehicular access would be located to the east of the change in speed limit from 40mph to 20mph along the High Street.

- 2.6 Each dwelling would have two car parking spaces, and four visitor parking spaces are proposed for the site. Each dwelling will be provided with an electric charging point and the supporting information notes these will be AC fast charger to enable vehicle charging in up to four hours (rather than a trickle charge which would charge overnight).

3. SUMMARY INFORMATION

	Proposed	
Site Area (ha)	0.8ha	
Approximate Ridge Height (m)	A: 7m C: 6.8m	B & E: 5.7m D: 7.7m
Approximate Eaves Height (m)	A: 3.9m C: 3.7m	B & E: 2.6m D: 4.9m
No. of Storeys	Single storey, one & ½ storey; and two storey	
Parking Spaces	34	
No. of Residential Units	15	
No. of Affordable Units	0	

4. PLANNING CONSTRAINTS

- 4.1 Inside the built up area boundary of Eastchurch

5. POLICY AND CONSIDERATIONS

- 5.1 The National Planning Policy Framework (NPPF): Paras 7, 8, 11 (sustainable development); 34 (developer contributions); 62 (affordable housing); 67 (identifying land for homes); 73 (maintaining a supply of housing sites); 78 (sustainable development in rural areas); 98 (public rights of way); 102 (transport); 127 (achieving well designed places); 165 (sustainable drainage systems); 170 (local and natural environment); 175 (biodiversity).

- 5.2 Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies ST 1 Delivering sustainable development in Swale; ST 2 Development targets for jobs and homes 2014-2031; ST3 (The Swale settlement strategy); ST 4 (Meeting the Local Plan development targets); ST6 (The Isle of Sheppey area strategy); CP3 (Delivering a wide choice of high quality homes); CP4 (Requiring good design); 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); DM29 (Woodlands, trees and hedges) A21 (Smaller allocations as extensions to settlements).

For clarity, Policy A21 sets out a minimum of 15 dwellings for the site, and sets out the following expectations in relation to this site:

- *Any planning application for development proposals on this site will need to have considered the possibility of archaeological remains being on site.*
- *Financial contributions include those towards health, youth services and primary education.*

6. LOCAL REPRESENTATIONS

- 6.1 33 dwellings were consulted and site notices were erected, but no responses were received.

7. CONSULTATIONS

- 7.1 **Eastchurch Parish Council** – object to the proposal on the following grounds:

27/03/2019;

- *In its present form, there is an over intensification of the site with 15 dwellings, which in turn reduces the access roads, road widths and turning circles within the site.*
- *The Committee would like to make the following comments:*
- *There are concerns with the entrance location and its proximity to the roundabout with a 40mph speed limit.*
- *To protect the rural street scene, sufficient screening hedging needs to be agreed and planted prior to any building works. The planting needs to be sympathetic to the surrounds and needs to provide protection from head lights both for the site and road users. It should therefore be a minimum of 1.5m and provision has to be agreed for the ongoing maintenance of the hedging once the building work is complete.*
- *Highways paths should make provision for the root protection of existing trees.*
- *There is concern at the proposed location of the crossing and it is suggested that it should be sited closer to the entrance of 127, High Street.*

16/01/2020;

- *There is overall concern with the increased pressure on local services such as Doctors, Dentist and School which are already oversubscribed.*
- *Councillors do not feel that the original objections have been dealt with.*
- *Visitor parking should be increased to meet the requirements of the number and type of property suggested.*
- *There is inadequate provision for bin collection with just one central point on the development of 15 properties.*
- *There is inadequate information on the screening for the southern boundary which is an important visual amenity on the rural landscape.*
- *The members are concerned at the continuing points raised by the Police and Fire Service.*
- *Because of the shortage of visitor parking, parking restrictions should be implemented from 125 High Street to the roundabout to prevent obstructive parking.*

01/04/2020;

Eastchurch Parish Council Planning Committee would like to make the following comment having received an email from the agent regarding their concerns;

“Councillors agreed that they would have preferred the plans to have remained with the applicants original intention of bungalows for which, there is a great need. They were very mindful of the impact the development would have on the entrance to the village and the need to protect it from urbanisation. The advice from Swale Borough Council to change to mixed types of property is short-sighted as bungalows would release larger family homes from existing homeowners who wished to downsize. The screening on

the Southern side is of high importance to the visual aspect, a matter that the Councillors felt was too important to be left to delegated powers.”

- 7.2 **Natural England** comment (08/01/2020) that this proposal will give rise to increased recreational disturbance to the coastal Special Protection Area and Ramsar site. However, subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site. However, due to the People Over Wind ruling by the Court of Justice of the European Union, Natural England advise that the measures to avoid or reduce the likely harmful effects from the development may need to be formally checked and confirmed via an Appropriate Assessment. It is for the Council to decide whether an Appropriate Assessment is required and Natural England must be consulted.

An Appropriate Assessment has been carried out and Natural England have confirmed (13/05/2020) they raise no objection, subject to the standard financial contribution.

- 7.3 **Southern Water raise no objection**, subject to conditions regarding foul and surface water sewerage disposal and the public water supply main (10/01/2020).
- 7.4 **Swale NHS Clinical Commissioning Group** requests a contribution of £12,960 towards expanding existing facilities within the vicinity of the development (Dr A S Pannu & Partners Practice located at 62 High Street, Eastchurch, approximately 450m to the east of the site). (05/04/2019).
- 7.5 **KCC Archaeology** raise no objection, subject to a condition seeking details of a programme of archaeological works (20/05/2019).
- 7.6 **KCC Economic Development** request the following contributions (15/03/19 & 19/12/19) ;
- Primary Education - £3324 per new dwelling (total £49,860) towards Minster in Sheppey Primary School
 - Secondary Education - £4115 per new dwelling (total £61,725) towards phase 1 Highsted Grammar School expansion.
 - Library Bookstock- £48.02 per new dwelling (total £720.24), towards bookstock for the mobile library attending Warden Bay.
 - An informative regarding high speed fibre optic broadband connection
- 7.7 **KCC Ecology** raises no objection subject to a lighting and ecological enhancement condition, and an informative regarding breeding birds (09/02/2020).

Comment that they are satisfied with the conclusions of the preliminary ecological appraisal and reptile survey that no additional ecological surveys or mitigation strategies are required to be submitted prior to the determination of the planning application.

- 7.8 **KCC Flood and Water** raise no objection subject to conditions seeking a detailed sustainable surface water scheme (24/03/2020).

21/01/2020: Commented that the proposed strategy for managing surface water for the site is for cellular soakaways on site to manage the bungalows and access road with permeable paving for parking areas. KCC raised concerns regarding the infiltration rate for this proposed method noting that the infiltration rate was marginal, and recommended other options for surface water management should be explored.

24/03/2020: Amended information was submitted which outlined changes to the drainage design from soakaways to permeable paving with subbase for gradual infiltration. KCC agree that the low infiltration rate obtained on site from the test requires infiltrating features with a large surface area, of which permeable paving achieves this. KCC advise further infiltration testing is undertaken prior to detailed drainage design to better inform the design. Ideally, the testing should be taken at in various locations around the site and at the proposed depth of the subbase. It is on this basis on the information supplied KCC recommend conditions seeking a detailed sustainable surface water scheme are attached to this application should permission be granted.

7.9 **KCC Highways** raise no objection subject to conditions (23/01/2020).

21/03/2019: “I am satisfied that the submitted Transport Statement has addressed the aspects of the proposed development I outlined in my initial pre-application response. I consider its findings in relation to trip rate robust enough for the purpose of demonstrating a minimal increase in vehicle movements on the highway in relation to these proposals, even with the increase in dwellings over the pre-application proposals, and the road safety record of the immediate vicinity offers little cause for concern for resultant highway safety. The proposed access meets our current standards and appears fit for the purpose of providing safe access to 15 dwellings for all likely vehicle types.”

KCC Highways also made observations for the original site plans regarding; need for a Stage 1 Safety Audit; an adoption plan to be subject to a Section 23 agreement; bin collection points to be no more than 25m from the highway; siting of visitor spaces; boundary treatments; details of vehicle tracking; and electric charging points. The original plans also included a footpath on the north side of the High Street, KCC Highways outlined this may cross the root protection areas of street trees, however this pedestrian footpath has been removed from the proposals.

07/01/2020: KCC Highways sought further information comprising a Stage 1 Road Safety Audit in relation to the pedestrian access to the site; details of delivery van swept path drawings; and details of electric charging points.

23/01/2020: KCC Highways comment “I have examined the additional documents and consider them to address the points I raised previously. I agree with the points raised by the Stage 1 Road Safety Audit and consider these to have been suitably addressed in the designer's responses. In relation to section 2.4 however, I would expect that our agreements team would reserve the right to take a view on the necessity of additional street lighting in this location, given the proximity of an existing column.” Subject to conditions KCC Highways raise no objection to the development.

- 7.10 **Kent Police** recommends a condition is imposed if the application is approved to ensure that crime prevention is fully dealt with (19/03/2019 & 06/01/2020). The comments note crime prevention methods should be considered regarding boundary treatment; parking; landscaping and defensive parking; windows/doors; lighting; and electric charging points.
- 7.11 **SBC Environmental Protection Team** raise no objection, subject to conditions seeking details of a code of construction (18/03/2019) and an electric vehicle charging point and low NOx boiler installed in each property (24/12/2019).

Comment that the site is allocated under the latest Local Plan. No technical documents have been provided regarding air quality, noise and land contamination however the officer is satisfied there is no necessity to do so, because of the location and lack of traffic numbers, i.e. there is not likely to be either an air quality or noise issue affecting this site. There is no evidence of any historic contamination on this site or within any nearby distance. The latest Air Quality Planning Technical Guidance indicates that the minimum mitigation measures should be installed in all new development and this is no exception. Therefore there should be an electric vehicle charging point and low NOx boiler installed in each property.

- 7.12 **SBC Affordable Housing Manager** confirms that Policy DM8 requires zero percent affordable housing for the Isle of Sheppey and therefore has no comments in respect of the scheme.

8. BACKGROUND PAPERS AND PLANS

- 8.1 Location Plan; Block Plan; Elevations and Floor Plans; Site Landscaping Plan; Site Sections; Construction Details; Surface Water Management Plan; Surface Water Disposal Strategy; Foul Water Disposal Strategy; Design and Access Statement; Preliminary Ecological Appraisal; Archaeological Desk-Based Assessment; KCC Highways Pre-App; Transport Statement & Appendices; Sustainability Appraisal; Road Safety Audit Stage 1: Letter in response to KCC Highways & KCC SUDs

9. APPRAISAL

Principle of Development

- 9.1 The application site is allocated in the adopted Local Plan under policy A21 for a minimum of 15 dwellings and is situated within the built up area boundary. The proposal would provide 15 dwellings which would contribute towards the Council's housing supply on a site which is specifically allocated for this type of development. To reach the point whereby the site has been allocated in the Local Plan it has gone through a rigorous selection process and has been independently assessed by a Planning Inspector, reaching the opinion that it is suitable for residential development. In addition to this, it is also relevant to note that the Council is unable to currently demonstrate a 5-year supply of housing land. As such, it is considered that even greater weight should be given towards the suitability of this site for housing. On this basis it is considered that the principle of this development on this site is accepted.

The quantum of housing and mix of units

- 9.2 As set out above, the proposal seeks planning permission for 15 dwellings – which is the minimum number of dwellings that Local Plan envisaged for the site - on a site of 0.8 hectares. This equates to a density of 19 dwellings per hectare. The site is to comprise a new edge to the built up area before opening out into the rural landscape to the north and west.
- 9.3 In regards to national and local policy, the NPPF (paragraph 122) states that *‘decisions should support development that makes efficient use of land, taking into account’*, amongst other matters, *‘the desirability of maintaining an area’s prevailing character and setting’*. Furthermore, Local Plan policy CP3 states that proposals will *“Use densities determined by the context and the defining characteristics of the area”*. The proposal would meet the minimum number of dwellings required by Policy A19, and the proposed layout and density allows sufficient space for a landscaped boundary along the northern and western boundaries which adjoin the open countryside. A denser form of development would not be reflective of the low density form of the existing settlement pattern in Eastchurch and may look at odds with its siting adjacent to the countryside. As such, in the context of the site, which is located adjacent to the open countryside it is considered that this is an appropriate scale of development and is compliant with the NPPF and Local Plan in this regard.
- 9.4 The overall aim of policy CP3 is to deliver a wide choice of high quality homes. In this case, the proposal would provide a mix of 6 x 2 bed units (40%), 8 x 3 bed units (53%), and 1 x 3/4 bed unit (7%). Furthermore Table 5.3.1 of the Local Plan sets out for ME12 *‘demand is greatest for family housing. Future development of quality family housing that reflects the character of the area should be encouraged’*. It is considered that the proposed mix of housing in terms of bedroom numbers, and inclusion of both two storey dwellings and bungalows will ensure the provision of family housing, and scope for those looking to downsize. As such it is considered that the proposed mix of housing is acceptable and enables the scheme to sit comfortably in its context.
- 9.5 The Parish Council raised concerns that the proposed development of 15 dwellings would result in an over intensification of the site. As set out above the adopted policy requires a minimum of 15 dwelling; it is considered that the proposed dwellings and housing mix are acceptable for the site, and there is sufficient spacing for landscaping and the density (19 dwellings per hectare) is reflective of the site’s location adjacent to the countryside. The sections below outline that the layout, design and future amenity for the site are acceptable, and therefore it is not considered there is an over intensification of the site.

Visual Impact and Landscaping

- 9.6 The proposal site has an undeveloped nature, comprising equestrian paddocks and small scale stables, and at the current time the start of the built up area becomes apparent from the roundabout and the 20mph entry markers along the High Street heading into Eastchurch. As such, development of the site for residential use will provide a new definition of the start of the built-up area of Eastchurch.

9.7 The application site does not lie within any designated landscapes and as such the proposal is required to be considered in terms of policy DM24 which states that non-designated landscapes will be protected and enhanced and planning permission will be granted subject to;

- 1. The minimisation and mitigation of adverse landscape impacts; and*
- 2. When significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh the harm to the landscape character and value of the area.*

In addition to this, policy A21 of the Local Plan requires development to achieve design, layout, density and landscaping appropriate to the context of the site (criteria 2), and also seeks a substantial integrated landscaping scheme (criteria 4) to mitigate visual impacts and maintain the integrity of settlements.

9.8 Significant weight is given to the allocation of the site in the Local Plan for residential use, and it has been accepted in principle that the site in visual terms will alter quite significantly. In addition, and as set out above, the application proposes 15 dwellings, which is the minimum number which would be acceptable on this site.

9.9 The existing character of the area within Eastchurch along the High Street comprises dwellings fronting onto either side of the road, with small garden areas or driveways to the front/side of the dwellings. The dwellings along the High Street include detached and semi-detached dwellings comprising both bungalows and two storey properties. There is a mix of different type of dwellings with varying roof forms, and external material palette including brickwork, render, concrete fascias, with plain concrete/clay roof tiles.

9.10 The proposal would be an extension to the existing residential development in Eastchurch, and would continue residential form fronting onto the High Street. The proposed development would introduce a mix of bungalows and 1 ½ storey dwellings fronting onto the southern boundary, with a mix of bungalows, 1 ½ storey dwellings, 2 storey dwellings along the northern part of the site resulting in a staggered building form within the site. The proposal includes provision for soft landscaping along the southern boundary, and parking areas within the site which is reflective of the form of nearby dwellings. The proposed mix of house types and varying design and scale will create visual interest in the site itself, whilst also complimenting the mixed character of the area.

9.11 A key issue in terms of the success of this scheme from a visual perspective will be the careful selection of materials. The submitted plans note that the external facing materials will be comprised of a mix of multi-stock brickwork, brindle brickwork, white render, Cedral boarding, and clay roof tiles (Marley Eden clay pantiles and Marley Ashdowne clay tiles). The details of the proposed materials are considered to be broadly acceptable with the exception of the proposed clay pantiles which would not be reflective of the area and a flatter clay tile would be required. As such condition (3) below will seek alternative roof tiles where the pantile is noted on the submitted plans and elevations.

- 9.12 In terms of landscaping, a landscape screening buffer is proposed along the western and northern boundaries of the site which will be separate to the residential garden areas. This is noted to comprise a 3m shelter belt of mature tree planting and mixed hedgerows to be maintained by a landscape management company. Further details of this area and other landscaping in the site will be sought by condition, but it is considered that the proposed buffer area is of sufficient size to create a suitable native landscape buffer which will create an appropriate landscaped edge to the extended built form of Eastchurch, and will provide screening from the wider open countryside to the west and north. To the south of the site, existing trees beyond the site boundary are shown to be retained, and a new mixed species hedgerow behind a 1.2m post and rail fence is proposed along the southern site boundary. The site plan also shows there is sufficient space within the site for landscaping opportunities adjacent to the internal roads, parking areas and to form front gardens for the dwellings. A condition will be attached to the permission requiring a detailed landscaping scheme to include appropriate native species, and details of landscape management to secure long term management for the 3m shelter belt area and areas beyond the residential curtilages of dwellings. As such, it is considered that there is sufficient space within the site to provide good quality landscaping along key boundaries to maintain the character of the area, and create a suitable boundary between the open countryside and edge of the settlement to meet the aims of policy A19.
- 9.13 The Parish Council raised concerns that there should be sufficient landscaping and screening to help protect the “rural streetscene”. It is considered that the 3m shelter belt along the western and northern site boundaries, and the proposed hedging and soft landscaping along the southern boundary and within the site will provide suitable boundaries reflective of the site’s location adjacent to the open countryside. As noted, further details will be controlled by condition, including a detailed landscaping scheme and details of landscape management.
- 9.14 A further contributory factor to the success or otherwise of the development will be the boundary treatments. The submitted proposed location plan shows 1.8m close boarded fencing to enclose garden areas, it is considered this is likely to be suitable for rear garden areas not visible from the public realm; however alternative boundary treatments will be required for areas fronting the internal roads/parking areas and front of the site to achieve a higher quality of design/character. There is the potential that if these boundaries are not treated sensitively then this could have a detrimental impact upon visual amenities. As such, further details for boundary treatments will be sought by condition.
- 9.15 Internally within the site the layout works well with active frontages overlooking the internal access road and surveillance of the parking areas. Overall it is considered that the dwellings have been well designed within their context and display good planning principles such as dwellings positively engaging with the High Street. As such, through the careful choice of materials, a well considered landscape approach and the appropriate choice of boundary treatments that the proposal will not give rise to any significant harm to this designated landscape or visual amenities.

Impact upon residential amenities

- 9.16 The closest residential dwelling is 127 High Street which would be adjacent to plots 7, 8 and 9 and there would be a separation distance of approximately 23m between plots 8 & 9 and the dwelling at 127 High Street. The proposed dwellings adjoining 127 High Street are bungalows and therefore there would be no overlooking concerns to this existing neighbour, and a hedgerow is proposed along the eastern boundary to maintain privacy. There is sufficient spacing between the existing dwelling and proposed dwellings to ensure no significant harm in terms of light or outlook. Nor is it considered that the proposed development would result in the significant harm to the residential amenity of any other neighbouring property, due to the separation distance of the proposal from other neighbouring dwellings.
- 9.17 In relation to the residential amenity of the future occupiers, the site has been arranged internally so that there are limited opportunities for overlooking. The plots have been arranged to ensure there is either sufficient distance between plots, or the relationship/angle between first floor windows and private amenity areas does not result in direct overlooking. The proposed dwellings have a minimum garden depth of 10m and/or are a suitable width/size to provide adequate outside amenity space for each of the dwellings.
- 9.18 The proposed dwellings are sited next to a roundabout, but would be set back by existing landscaping between the site and highway network, and the proposed internal access roads within the site. The SBC Environmental Protection Team has considered potential noise impact, and has not raised any concerns due to the low traffic numbers and therefore does not consider there would be a noise issue affecting the site. As such it is considered the site would provide suitable amenity for future occupiers.
- 9.19 There is a potential for construction works, if carried out at unsociable hours, to cause harm to residential amenities. Therefore a condition which controls construction hours will be included.
- 9.20 On the basis of the above, I do not believe that the proposal would give rise to unacceptable harm to residential amenities.

Highway safety and amenity

- 9.21 The proposal has been considered in detail by KCC Highways & Transportation. It is noted that the Parish Council have raised concern regarding the vehicular access and proximity to the roundabout, and that there is a lack of visitor parking.
- 9.22 With regard to the vehicular access, the existing vehicular access serving the site would be closed, and a new vehicular access is proposed to the east of the existing access and approximately 10 metres further away from the roundabout. The proposed access would be located within the 20mph section of the road, and would be adjacent to where the speed limit changes from 40mph off the roundabout, to 20mph along the High Street. As part of the consultation comments, KCC Highways have outlined that the proposed access meets the current standards and appears fit for the purpose of providing safe access to 15 dwellings for all likely vehicle types. Furthermore, a Transport Statement was submitted with the application, and KCC Highways are

satisfied that the findings and that there would be a minimal increase in vehicle movements on the highway and that road safety record of the immediate vicinity does not cause concern for resultant highway safety.

- 9.23 The proposal includes an uncontrolled pedestrian crossing adjacent to the access which links to the existing footway on the south side of the High Street and KCC Highways outlined there was no objection to the principle of this subject to A Stage 1 Road Safety Audit being undertaken which was submitted during the course of the application. KCC Highways outlined they were satisfied with the findings of the Stage 1 Road Safety Audit including tactile paving for the new crossing points; road gullies to prevent surface water from entering the highway; and a restriction of planting height within the visibility splays of the access. KCC Highways therefore raise no objection to the proposed vehicular and pedestrian access subject to conditions which will be attached to any planning permission.
- 9.24 In summary, the conclusion has been drawn that due to the relatively modest scale of the development, the limited increased usage of the surrounding road network is unlikely to significantly increase congestion, and that the proposal would have a suitable vehicular access.
- 9.25 In terms of parking provision, each dwelling would have two car parking spaces, the majority of which would be independently accessible parking spaces, with some dwellings having tandem parking (plots 3, 4, 11 and 12). This meets the parking standards for a village location which requires 1.5 spaces per 1 & 2 bed houses, and 2 spaces for 3 & 4 bed houses as set out within the KCC Residential Parking standards. The parking standards set out that visitor parking should be calculated from 0.2 per unit, and therefore 3 visitor parking spaces would be required for 15 dwellings. The submitted block plan shows there are 4 visitor parking spaces proposed, which would exceed the requirement set out in the parking standards. As such the level of residential parking and visitor parking is considered to be acceptable for the site.
- 9.26 Each dwelling is shown to have a cycle storage area within the external amenity space which is considered to be acceptable and will be secured via condition. Two bin collection points are shown within the site, both of which are in a suitable location to allow for collection by refuse vehicles.
- 9.27 The Transport Statement outlines that the turning head would be built to adoptable standards. Members will be updated as to whether the internal road layout is being offered for adoption by the Highway Authority.
- 9.28 Overall, it is noted that KCC Highways & Transportation raise no objection subject to a number of conditions which are recommended below. On this basis and for the reasons set out above, it is considered that the impact upon highway capacity, safety and amenity would not be unacceptable.

Archaeology

- 9.29 Policy A21 sets out that for this site, any development will need to have considered the possibility of archaeological remains being on site. The application has been supported

by an Archaeological Desk-Based Assessment which has been reviewed by KCC Archaeology, and they have provided the following comments;

- 9.30 *"I have reviewed the case and our own records and note that the applicant has commissioned an archaeological desk based assessment that sets out the known finds in the area. The archaeological record for this area suffers from a limited amount of development activity in the past. It lies on the western edge of the historic settlement of Eastchurch alongside the principal route into that settlement. Topographically it falls below the higher ridge of Sheppey and is overlooked by the important and extensive prehistoric sites at Kingsborough Manor and on elevated land close to the marshes. Such locations would be attractive to local peoples taking advantage of the resources of the marshes as has been seen elsewhere on Sheppey. Metal detecting finds in the lands around Eastchurch are revealing evidence of early peoples and as noted in the desk study Iron Age gold coinage has been found.*

The site is presently undeveloped and new development has a potential for impacting archaeology. I am satisfied that further archaeological measures can be secured through a requirement on any consent and suggest that the following clause for a programme of archaeological works be attached. (condition 10).

The archaeological works should initially comprise an evaluation through trial trenching that would inform whether further measures are needed."

- 9.31 As such, it is considered that the development has met the requirement of Policy A21, and KCC Archaeology raise no objection subject to a condition seeking details of a programme of archaeological works (condition 10).

Ecology

- 9.32 Paragraph 174 of the NPPF 2018 advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. The site is predominately comprised of grassland which is grazed by horses, however there are trees and hedges in close proximity to the site. The application has been supported by ecological surveys and KCC Ecology are satisfied with the conclusions of the preliminary ecological appraisal and reptile survey and outlined that no additional ecological surveys or mitigation strategies were required during the course of the application.

- 9.33 As a result, KCC Ecology raise no objection to the application subject to a number of conditions being imposed such as the requirement for ecological enhancements including native species hedgerow and hedgehog gaps within the boundaries of the dwellings, and a details of lighting to be sought by condition to ensure there is no harmful impact on bats. These conditions will be included, and this will help achieve the aim of providing net gains for biodiversity.

Drainage

- 9.34 In regards to drainage, a Flood Risk Assessment and Drainage Strategy was originally submitted in support of the application. As set out in the consultation section above, the Lead Local Flood Authority (KCC) required further information to demonstrate that

adequate drainage can be accommodated within the proposed layout. Amended information was submitted which outlined changes to the drainage design from soakaways to permeable paving with subbase for gradual infiltration. KCC agree that the low infiltration rate obtained on site from the test requires infiltrating features with a large surface area, of which permeable paving achieves this. Further details would be required, some of which would be necessary prior to the commencement of the development, however the Lead Local Flood Authority take the view that this can be adequately dealt with via condition. On this basis, no objection is raised subject to the imposition of these conditions.

- 9.35 Southern Water have requested a condition requiring details of the means of foul sewerage and surface water disposal. This condition is amended to remove reference to surface water disposal as this is dealt with under conditions recommended by the Lead Local Flood Authority and consider that this adequately deals with this issue. Southern Water have also requested a condition seeking details of measures to be undertaken to protect the public water supply main and this has been attached.
- 9.36 Therefore it is considered the proposed development would comply with policy DM21 of Bearing Fruits 2031: The Swale Borough Local Plan 2017 and paragraph 165 of the NPPF.

Sustainable design and Construction

- 9.37 The Council has declared a Climate Change and Biodiversity Emergency, and this is a material planning consideration. The application has been supported by a sustainability appraisal which sets out measures to meet the aims of policy DM19 (Sustainable design and construction) and the Climate Change and Biodiversity Emergency.
- 9.38 This includes measures to ensure a thermally efficient design; details for sourcing local materials and responsible sourcing will be pursued; measures to prevent dust and air pollution during the construction process; limiting water consumption for the dwellings (to a maximum of 115 l/person/day); the use of low energy light fittings; and the provision of electric vehicle charging points. Each dwelling will be provided with an electric charging point and the supporting information notes these will be AC fast charger to enable vehicle charging in up to four hours (rather than a trickle charge which would charge overnight).
- 9.39 Conditions have been incorporated to this application (nos. 22, 25 and 26) to ensure that the development incorporates sustainable measures. Condition 25 (which relates to achieving at least a 50% reduction in Dwelling Emission Rates) is a pre-commencement condition, and Members will note that the applicant has agreed to it. Condition 26 is seeking a water consumption rate of no more than 110 litres per person per day in the interests of water conservation and sustainability which is considered reasonable for new developments.

Developer Contributions

- 9.40 Members will note from the consultation responses received above that in line with normal procedures for a development of this size, it would generate a requirement for

financial contributions to deal with additional demand on local infrastructure. The contributions requested are as follows:

Primary Education - £3324 per new dwelling.	Total	£49,860
Secondary Education - £4115 per new dwelling.	Total	£61,725
Library Bookstock- £48.02 per new dwelling.	Total	£720.24
NHS CCG - £360 per new resident (2.4 people per unit)	Total	£12,960
SPA Mitigation (SAMMS) – £250.39 per dwelling.	Total	£3755.85
SBC Refuse Bins –£105.20 per new dwelling.	Total	£1578
SBC Play contribution– £446.00 per dwelling.	Total	£6690
SBC Formal Sport - £593.00 per dwelling.	Total	£8895
Administration and Monitoring Fee	Total	£5000
Total Developer Contributions:		£151,184.09

9.41 The applicant has agreed to pay these contributions and it is considered that they meet the relevant tests for planning obligations. Furthermore, despite concern from the Parish Council regarding a lack of local infrastructure, no objections have been received from the relevant consultees on this basis.

9.42 It is also considered that a Section 106 Agreement is the best mechanism for addressing the SAMM contribution (of £250.39 per dwelling), the details of which are set out under the subheading 'The Conservation of Habitats and Species Regulations 2017'.

Affordable Housing

9.43 Policy DM 8 of the Local Plan sets out that on the Isle of Sheppey, the affordable housing percentage sought will be 0%.

9.44 Paragraph 6 of Policy DM 8 sets out possible exceptions to the adopted 0% requirement for the Isle of Sheppey and states that *'If evidence demonstrates that economic conditions, or the proposed characteristics of the development or its location, have positively changed the impact of viability of the provision of affordable housing, the Council will seek a proportion of affordable housing closer to the assessed level of need, or higher if development viability is not compromised.'* It is not considered that there is any evidence that would demonstrate that the economic circumstances on the Isle of Sheppey have improved since the adoption of the Local Plan in 2017 to be able to sustain the provision of affordable housing in this location.

9.45 It is noted that paragraph 64 of the NPPF states the following:

9.46 *"Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership²⁹, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:*

a) provides solely for Build to Rent homes;

b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

c) is proposed to be developed by people who wish to build or commission their own homes; or

d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

²⁹ As part of the overall affordable housing contribution from the site.”

9.47 Therefore the Local Plan, which is area specific, must be given a significant amount of weight and due to the above considerations it is not considered that affordable housing could be insisted upon on this site.

Other Matters

9.48 The Parish Council also raise concerns about the comments from the Police and Fire Service. With regard to the comments made by Kent Police, it is considered many of the details can be addressed via condition (24). No comments have been submitted by the Fire Service.

The Conservation of Habitats and Species Regulations 2017

9.49 The application site is located within 6km of The Medway Estuary and Marshes Special Protection Area (SPA) and the Swale SPA which are European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). 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.

9.50 Residential development within 6km of any access point to the SPAs has the potential for negative impacts upon that protected area by virtue of increased public access and degradation of special features therein. The HRA carried out by the Council as part of the Local Plan process (at the publication stage in April 2015 and one at the Main Mods stage in June 2016) considered the imposition of a tariff system to mitigate impacts upon the SPA (£250.39 per dwelling as ultimately agreed by the North Kent Environmental Planning Group and Natural England) – these mitigation measures are considered to be ecologically sound.

9.51 However, the recent (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 area, “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 (AA) solely on the basis of the agreed mitigation measures (SAMMS), and needs to progress to consideration under an AA.

9.52 In this regard, whilst there are likely to be impacts upon the SPAs arising from this development, the scale of development (15 dwellings within the built up area boundary with access to other recreation areas) and the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff I believe will ensure that these impacts will not be significant or long-term. However, in order to confirm this I have carried out an Appropriate Assessment and re-consulted with Natural England. The consultation response from Natural England (13/05/2020) outlines that they raise no objection to the Appropriate Assessment undertaken, subject to securing appropriate mitigation via the SAMMS payment. As set out, above, the applicant has agreed to pay the tariff and as such I therefore consider that, subject to mitigation, there will be no adverse effect on the integrity of the SPAs.

9.53 Finally, 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/>).

10. CONCLUSION

10.1 In overall terms, significant weight is given to the allocation of the site in the Local Plan for a minimum of 15 dwellings and that the Council can no longer demonstrate a five year supply of housing land. As such, the proposal would contribute towards the Council's housing supply in a location which is accepted in principle.

10.2 Taking into account the views of consultees and the appraisal of the application as set out above it is considered that subject to the imposition of the conditions below that the proposal would not give rise to unacceptable harm in regards to residential or visual amenity, landscape character or highway safety and amenity. Additionally, matters in relation to ecology, drainage, archaeology and sustainability can be adequately dealt with by virtue of the conditions recommended. The applicant has committed to the payment of the developer contributions to mitigate against increased demand on local infrastructure.

10.3 On the basis of the above, I consider that planning permission should be granted for the development subject to the conditions listed below, and an appropriately worded Section 106 Agreement to include the contributions as set out in this report.

11. RECOMMENDATION

GRANT Subject to the following conditions and suitably worded Section 106 Agreement, to cover the matters itemised at paragraph 9.40 above, (including authority to make such minor amendments to the wording of the legal agreement and the conditions as may reasonably be required):

CONDITIONS to include

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. The development hereby approved shall be carried out in accordance with the following drawings: SN/17/138.01 Rev F; SN/17/138.04 Rev F; SN/17/138.05 Rev D; SN/17/138.06 Rev D; SN/17/138.07 Rev D; SN/17/138.08 Rev D ; SN/17/138.09 Rev D ; SN/17/138.10 Rev D; SN/17/138.11 Rev D; SN/17/138.12 Rev D; SN/17/138.13 Rev D; SN/17/138.14 Rev D; SN/17/138.15 Rev D; SN/17/138.16 Rev D ; SN/17/138.17 Rev D ; T-2019-050-04 Rev 00; T-2019-050-02

Reason: For clarity and in the interests of proper planning.

3. Notwithstanding the submitted details, no development beyond the construction of foundations shall take place until details of the external roof 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

4. No development beyond the construction of foundations shall take place until detailed drawings at a suggested scale of 1:20 of the verge details for the new dwellings; and details of the feature window on plot 5 at a suggested scale of 1:20 have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

5. No development beyond the construction of foundations shall take place until manufacturers details of the rooflights 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. The rooflights should be of a flush design, similar to conservation style rooflights.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

6. Manufacturers details of the windows and doors to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Works shall then commence in accordance with the approved details.

Reason: In the interests of visual 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, hard surfacing materials, an implementation programme, and details of long term management. The long term management details shall include the shelter belts on the west and north boundaries, southern boundary and amenity landscape areas outside of private resident ownership within the proposed development. 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.

8. 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.

9. No development beyond the construction of foundations shall take place until a detailed site layout drawing at a scale of 1:200 showing the boundary treatments to be used across the site, including details of the bricks, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details before the 1st dwelling is occupied or in accordance with a programme that shall have been agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and highway amenity.

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

Reason: To ensure that features of archaeological interest are properly examined and recorded.

11. Construction of the development shall not commence until details of measures to be undertaken to protect the public water supply main have been submitted, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure suitable access to the public water supply.

12. Construction of the development shall not commence until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure that foul and surface water is adequately disposed of.

13. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the and 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 without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):
 - that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters

- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of 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 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 and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

15. Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

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

16. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

17. Before the first occupation of a dwelling / premises the following works between that dwelling / premises and the adopted highway shall be completed as follows:
- (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 interests of highway safety.

18. The access hereby approved (as shown on drawing no. SN/17/138.04 Rev F) shall be constructed and completed prior to the occupation of the first dwelling, and the existing access shall be closed prior to the use of the site commencing, in accordance with details to be submitted to an approved by the Local Planning Authority.

Reason: To ensure that a satisfactory means of access is provided for the site.

19. The off-site highways works as shown in drawing no. SN/17/138.04 Rev F will need to be delivered by the applicant via a Section 278/38 agreement with the Highways Authority prior to the use of the site commencing.

Reason: in the interests of highway safety

20. The visibility splays shown on drawing no. SN/17/138.04 Rev F shall be provided prior to the first occupation of the dwellings hereby approved and maintained at all times and any obstruction exceeding a height of 0.9 metres above the level of the nearest part of the carriageway within the visibility splays shall be removed. A bound surface shall be used for the first 5 metres of the access from the edge of the highway.

Reason: To ensure provision of the visibility splays and in the interests of highway safety

21. The area shown on the submitted plan as vehicle parking spaces, cycle parking facilities, vehicle loading/unloading and turning facilities shall be used for or be available for such use at all times when the premises are in use and no 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 that area of land or in such a position as to preclude vehicular access to this reserved area; such land and access thereto shall be provided prior to the commencement of the use hereby permitted.

Reason: Development without adequate provision for the parking, loading or off-loading of vehicles is likely to lead to parking inconvenient to other road users.

22. Each dwelling shall be provided with 1 electric vehicle charging point as shown on drawing no. SN/17/138.04 Rev F and no dwelling shall be occupied until the charging point for that dwelling has been installed.

Reason: To encourage the use of electric vehicles, in the interests of climate change and reducing pollution.

23. Prior to the commencement of the development, a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority. The code shall include:

- An indicative programme for carrying out the works
- Measures to minimise the production of dust on the site(s)

- Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)
- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water
- The location and design of site office(s) and storage compounds
- The arrangements for public consultation and liaison during the construction works

Reason: In the interests of residential amenity, highway safety and amenity.

24. The development hereby approved shall not commence until details have been submitted to and approved in writing by the Local Planning Authority demonstrating how the development will meet the principles of 'Secure by Design'. The development shall then be completed strictly in accordance with the approved details.

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

25. The dwelling(s) hereby approved shall be constructed and tested to achieve the following measure:

At least a 50% reduction in Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended);
No development shall take place until details of the measures to be undertaken to secure compliance with this condition have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

26. The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwellings shall not be occupied unless the notice for the dwellings of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

27. Prior to occupation an ecological enhancement plan, must be submitted for approval in writing by the Local Planning Authority, detailing what ecological enhancements will be incorporated in to the site. They must include the creation of a native species hedgerow and hedgehog gaps within the boundaries of the dwellings. The development shall then be completed strictly in accordance with the approved details.

Reason: In the interests of biodiversity.

28. No external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.
- Lighting design strategy for biodiversity (taking into account Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals).

Reason: In the interests of visual amenity and the residential amenities of occupiers of nearby dwellings.

29. Upon completion, no further development, whether permitted by Classes B or C of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

Reason: In the interests of the amenities of the area.

30. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

31. 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.

INFORMATIVES

KCC Ecology:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub, hedgerows and buildings are likely to contain nesting birds between 1st March and 31st August inclusive. Vegetation and buildings are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

The Council's approach to the 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.

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.

