

2.9 REFERENCE NO - 19/503278/REM		
APPLICATION PROPOSAL Approval of Reserved Matters (access, appearance, landscaping, layout and scale being sought) for the erection of 26no. dwellings and a building comprising of 9no. flats.		
ADDRESS Land To The East Of Ham Road Faversham Kent ME13 7ER		
RECOMMENDATION Grant subject to conditions as set out below and the independent review of the viability appraisal demonstrating that the conclusions of the applicant's viability appraisal are justified.		
SUMMARY OF REASONS FOR RECOMMENDATION: Proposal is in accordance with national and local planning policy.		
REASON FOR REFERRAL TO COMMITTEE – Called in by Cabinet Member for the Environment		
WARD Priory	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Penenden Heath Developments AGENT GDM Architects
DECISION DUE DATE 22/10/19		PUBLICITY EXPIRY DATE 03/03/20

Planning History

16/504575/OUT

Outline application for residential development including access and parking, together with public open space and drainage (all matters reserved for future consideration). Among other things, the Section 106 Agreement required that 30% of the units be provided as affordable housing.

Approved Decision Date: 04.03.2019. The decision notice is attached as Appendix A.

Planning History for land to the west of Ham Road:

SW/14/0257 (Adjacent Site, on land on the western side of Ham Road)

Application on Oare Gravel Works site for 330 dwellings and change of use from storage and vacant uses of the former Gunpowder works listed buildings to provide 873m² of offices, workshop studios and storage, and 714m² of community uses (with retention of the two existing dwellings) and the formation of associated parking areas, earth bund engineering works, country park, landscaping, and demolition of plant and buildings.

Approved Decision Date 05.10.2017

18/505418/REM

Reserved Matters of appearance, landscaping, layout and scale following outline application SW/14/0257 for creation of 113 no. two, three, four and five bedroom houses and apartments, plus associated roads, parking and landscaping, together with the central section of the Heritage Greenway

Approved Decision Date 17.04.2019

(NB. A number of these dwellings are largely complete)

1.0 DESCRIPTION OF SITE

1.1 The site lies approximately one mile from the centre of Faversham, towards the

Oare Marshes, on the edge of the built-up area, on land allocated for residential development under Policy A21.7 of the Local Plan. To be able to understand the configuration of the site, it should be noted that the site is, from north to south, in a diamond shape.

- 1.2 The site, which fronts Ham Road, is located north and east of the existing properties to be found within Springhead Road and Fostall Road. To the north is open countryside, and the Oare Gravel Works site is located immediately to the west, facing this site across Ham Road. To the south is the existing development now known as Goldfinch Close. The site was covered by vegetation but has now been cleared. There are some trees on the edges of the site, some quite mature, but none of which are covered by a Tree Protection Order. Those trees on the perimeters of the site are to be retained.

It should be noted that the site is near to a former landfill site at the northern end of the site which now forms an area of improved grassland.

- 1.3 The land is fairly level, rising approximately two metres between the northern end of the site and the southern end of the site; as such, the site dips very slightly on a south/north gradation. There is a steep bank at the north-western (Ham Road) side of the site, and Members will note that the dwellings would be set down from the level of Ham Road by approximately two metres.
- 1.4 As noted above, The nearby Oare Gravel Works site was subject to a long-running application (SW/14/0257) for the construction of 330 dwellings and associated highways improvements. These improvements include widening Ham Road to a width of 5.5 metres, with a new junction leading to the site. This application was approved in 2017, and development is now well in hand, following approval of reserved matters for the first phase of the development.
- 1.5 A Public Right of Way (ZF33) runs along the south-western boundary of the site, connecting with Ham Road. The PRow is adjacent to but outside the site.
- 1.6 The site is in Flood Zone 1, where flood risk is low.
- 1.7 As noted above, in early 2019, an outline application for residential development including access and parking, together with public open space and drainage (all matters reserved for future consideration), was approved under planning reference 16/504575/OUT. The application was reported to the Planning Committee in November 2016. A full s106 agreement has been agreed and signed under that outline application.

2.0 PROPOSAL

- 2.1 As noted above, the application is for reserved matters with regard to the above proposal, with approval for issues of access, appearance, landscaping, layout and scale being sought. In essence, the principle of development on this site has been approved, and this application seeks approval of the details of the scheme.
- 2.2 The proposed drawings show 26 houses and a small block containing nine flats. The development is two-storey throughout other than in respect of a small element of the flat block, which is single storey. The Outline approval required provision of nine affordable units, but the applicant intends to sell the site to a local housing

provider, and all of the units will be affordable, either via affordable rent or shared ownership. Hyde Housing Association is under contract with Penenden Heath Developments (the applicant) to acquire the scheme upon completion of the construction, though this is not a planning matter.

2.3 The breakdown of accommodation types proposed is as follows:

- 1 bed flats – 3
- 2 bed flats – 6
- 2 bed terraced/semis – 12
- 3 bed semis – 12
- 3 bed detached - 2

2.4 The original submission showed a loop road system, but this has been amended to improve the urban design; although the road layout includes a cul-de-sac, the layout is such that the dwellings on Plots 1 to 3 and 35 all now face Ham Road.

2.5 The proposed properties are of a fairly orthodox style, using materials such as stock brick and weatherboarding. Each property would have commensurate off-road parking provision and amenity areas (a total of 62 parking spaces are proposed); private amenity areas for the houses and a shared amenity area for the flats.

The proposal is accompanied by a Badger and Bat Survey; a Highway Works Safety Audit; a Reptile Survey; a Landscape Plan; and a Transport Statement.

2.6 The buildings have been designed to portray a simple scheme but using a traditional approach to the Kent vernacular. The style of houses and the flat building are similar to those in the locality and that can be found and are popular throughout Kent. Materials will be selected from high quality facing bricks, plain roof tiles and an appropriate change of elevation using weatherboarding. Each of the dwellings will have its identity within a cohesive collection of properties designed to a similar style.

2.7 The scheme has developed around the surrounding landscape, with the north western and western boundaries with an urban built environment and the eastern boundary of the site borders open arable land. This has been reflected in the landscape treatment of the boundaries on the site through the different styles of tree planting. On the western boundaries of the site, a more formal landscape treatment of a single sided avenue has been proposed, whereas the eastern boundary with the open arable land has a more rural design of various groupings of different sized trees.

2.8 To summarise the constituent parts of the application:

- Access – This would be from the north western corner of the site, from the existing Ham Road, but at a location further to the south west than was shown on the indicative outline planning layout. This move has been due to site and road level differences and the need to coordinate with a new road line being constructed as part of the housing scheme to the west side of Ham Road. Pedestrian access is provided via footways within the internal site layout. A footpath link has been designed into the scheme to link on the western boundary

with the existing Public Right of Way running south to north. The applicant has confirmed that the road system is not to be adopted, and shall remain a private road.

- Appearance – As noted above, the housing would comprise of a block of 3no. 1 bed flats and 6no. 2 bed flats, in a two storey building with a ridged roof; 12no. 2 bed terraced and semi-detached houses; 12no. 3 bed semi-detached houses; and 2no. 3 bed detached houses. The entrance to the development would be fairly open, to invite views into the site, with three house facing onto Ham Road.
- Landscaping – A landscaping plan showing hard and soft landscaping for the site has been submitted, showing tree planting to the boundaries of the site and tree and shrub planting throughout the site
- Layout – As noted above, the layout shows properties following the path of the single estate road around the site, with a mixture of house designs throughout the development. A drainage pond is also shown on the northern part of the site.
- Scale – Thirty five dwellings are shown on the submitted drawings. This would produce a density of 22.3 dwellings per hectare.
- The flat block would have an eaves height of 5.5m and a ridge height of 9.9m; the semis and detached houses would have an eaves height of 5m and a ridge height of 9.3m; and the terraced houses would have an eaves height of 4.9m and a ridge height of 8.6m.

SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	1.57ha	1.57ha	-
No. of Storeys	-	2	+2
Parking Spaces	-	62	+62
No. of Residential Units	-	35	+35

3.0 PLANNING CONSTRAINTS

3.1 As noted above, the site is in Flood Zone 1.

4.0 POLICY AND CONSIDERATIONS

4.1 The National Planning Policy Framework (NPPF): Paragraphs 8 and 11 (Sustainable Development); 59-66 (Delivering a Sufficient Supply of Homes); 71 (Entry Level Homes).

4.2 Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies ST1, (Sustainable Development); ST7 (Faversham Area and Kent Downs Strategy); CP3 (Delivering High Quality Homes); CP4 (Good Design); DM7 (Vehicle Parking); DM8 (Affordable Housing); DM14 (General Development Criteria), DM19 (sustainable design and construction), DM21 (drainage), DM28 (biodiversity) and DM29 (trees and hedges).

4.3 The application site is the subject of Policy A21 of Bearing Fruits 2031: The Swale

Borough Local Plan 2017, being allocated as a site for a minimum of 35 new dwellings. Members will note that the policy reads as follows:

Planning permission will be granted for residential development at the following locations listed below: (the present site is included in the list)

Development proposals will:

- 1. Address the matters listed in Table 6.5.3;*
- 2. Achieve design, layout, density and landscaping appropriate to the context of the site and in accordance with Policy CP 4;*
- 3. Avoid adverse impacts on biodiversity where possible, mitigate adverse impacts to acceptable levels and achieve a net gain where possible. Proposals will 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 CP 7 and DM 28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy;*
- 4. Through an integrated landscape strategy and the scale and location of development, retain existing trees and vegetation where possible and enhance through appropriate landscaping, mitigate visual impacts upon landscapes and the integrity of settlements;*
- 5. Provide safe access to the site and respond to issues highlighted by an appropriate transport assessment;*
- 6. Assess whether existing open space should be retained and make new provision as required;*
- 7. Make the site safe from contamination and flood risk;*
- 8. Meet open space needs in accordance with Policy DM 17;*
- 9. Safeguard as far as appropriate, the amenities of existing and new residents;*
- 10. Achieve a mix of housing in accordance with Policy CP 3, including provision for affordable housing in accordance with Policy DM 8; and*
- 11. Provide infrastructure needs arising from the development, including those identified by the Local Plan implementation and Delivery Schedule.*

Table 6.5.3 refers to the requirement of this site specifically:

- Through an integrated landscape strategy consider the creation of a new attractive urban edge to Faversham, with substantial landscaping, achieve the sensitive integration within adjacent open landscapes in a fashion that minimises its impact.*
- Consider the rural amenities and appearance of Ham Road.*
- Site is located within close proximity to a former landfill site and further investigation of any methane gas transmission will be required.*
- Mineral Safeguarding will need to be addressed via a Minerals Assessment.*
- Financial contributions as set out in the Implementation and Delivery Schedule.*

These matters were all considered at outline stage under reference 16/504575/OUT.

5.0 LOCAL REPRESENTATIONS

5.1 One letter of objection has been received from a local resident. The views expressed are summarised as follows:

- Wildlife on site – stag beetles, etc.
- *‘Faversham has become one big building site please save our wild life and trees’*

The Faversham Society originally supported the application, noting that *'It was felt that this application should be SUPPORTED because the entire development was intended as Affordable Housing, for a housing association; That the design and appearance were acceptable and allowed for adequate Open Spaces and also provided access to the existing Public Right of Way through Ham Road and Goldfinch Close.'* However, when re-consulted on the amended layout, the Faversham Society, whilst not objecting, noted that *'There is a public footpath [PROW ZF.33] which runs from Ham Road to Broomfield Road along the South side of the site. Access to this footpath should be provided from within the site close to the block of flats as originally shown, in order to ensure that residents have easier walking routes into Faversham.'*

6.0 CONSULTATIONS

6.1 Faversham Town Council initially supported the original design, but then objected to the present, amended site layout design for the following reasons:

- 1) *The issues raised about the route of the footpath are still relevant and echo the Town Council's concerns.*
- 2) *Concerns are still shared about the turning point for emergency vehicles, and in particular fire engines.*
- 3) *Matters raised by Kent County Council Highways should be addressed.*
- 4) *The Town Council had asked for better pedestrian access to the flats and this has not been addressed*

6.2 The applicant took these views into consideration and submitted new amended drawings for Faversham Town Council's consideration at their meeting on 24th February 2020. The Town Council have accepted these drawings as addressing their previous concerns, and now raises no objection.

6.3 The Environment Agency raises no objection.

6.4 Kent Police has made security recommendations which are included as an Informative below.

6.5 Southern Water raises no objection.

6.6 Natural England declines to comment on the application.

6.7 KCC Highways and Transportation originally had concerns, but following an amended site plan drawing now raises no objection, subject to the inclusion of conditions given below. The concerns referred to access for emergency vehicles, the form of some pedestrian walkways and parking areas; swept path analysis drawings and drawings showing amended footways and parking areas have been submitted, and KCC Highways and Transportation now have no objections to the proposal, subject to conditions noted below. This matter was completed before SBC introduced its new parking requirements in June 2020, and I am of the opinion that it would be wrong to again ask the developer to change the plans as they provide a level of parking sufficient for this site. Under the new SBC parking requirements, 57-76 spaces are advised; the development as submitted offers 62 spaces.

6.8 KCC Flood and Water Management raises no objection, subject to a condition included below.

- 6.9 No response has been received from KCC Public Rights of Way.
- 6.10 KCC Ecology raises no objection to the proposal, subject to conditions included below.
- 6.11 No response has been received from the Lower Medway Internal Drainage Board.
- 6.12 SBC's Housing Officer raises no objection, noting that '*I am happy with the 100% affordable housing scheme proposed, including the mix and types of the 35 dwellings to be provided.*' (Members will note that this cannot be guaranteed under either the outline planning permission already granted or this application for approval of reserved matters, though it would obviously be welcomed if the applicant did decide to deliver a 100%-affordable housing scheme.)
- 6.13 SBC's Principal Urban Design and Landscape Officer originally objected to the proposal, but now raises no objection and considers the scheme '*much improved*'.

7.0 BACKGROUND PAPERS AND PLANS

- 7.1 The applicant and agent have responded to the concerns raised by re -designing the layout of the site and Members will note drawing 4027-P010 D .

8.0 APPRAISAL

- 8.1 As noted above, the principle of development has been established under outline application reference 16/504575/OUT (see appended decision notice). Members will note the various conditions attached (including condition (4), which limits the reserved matters to a total of 35 dwellings and to no more than 2.5 storeys in height. The outline permission is accompanied by a s106 agreement that secures the relevant developer contributions and that 30% of the dwellings are to be affordable.
- 8.2 As such, the issues of access, appearance, landscaping, layout and scale fall to be considered under this reserved matters application. I will deal with these in turn below.
- 8.3 Access – KCC Highways and Transportation consider the proposed access to the site to be acceptable and conforming with highway safety requirements. I am happy to take their expert advice and conclude that the proposed access to the site is acceptable, and in accordance with Policy DM14 of Bearing Fruits 2031 – The Swale Borough Local Plan 2017. The applicant has taken on board the concerns expressed by KCC Highways and Transportation and Faversham Town Council, and has now shown on the submitted drawings an opening on the south western boundary to link with the adjacent public footpath, which runs alongside the site.
- 8.4 Appearance - The simple lines of the proposed dwellings, combined with the use of vernacular materials and the layout proposed would produce a simple, clean appearance to the development. I note the low-key scale of the proposed dwellings, which will sit well within the context of the site and the existing neighbouring residential site. As such, and noting that the housing will be set well below the level of Ham Road, I consider that matters of appearance are acceptable, and in accordance with Policies CP4 and DM14 of Bearing Fruits 2031 – The Swale Borough Local Plan 2017.

- 8.5 Landscaping – I have discussed the submitted landscaping plan with the Council's Arboricultural Consultant, who raises no objection. The plan generally shows a good level of hard and soft landscaping, which should provide a satisfactory visual impact upon the proposed development. I am also mindful that intermittent existing tree and hedge planting along the Ham Road frontage and adjacent to the public right of way is to be retained. As such, and subject to conditions as set out below, I consider this part of the proposal to be acceptable and in accordance with Policies CP4 and DM14 of Bearing Fruits 2031 – The Swale Borough Local Plan 2017.
- 8.6 Layout and Scale – I commend the agent and applicant for listening to and addressing the concerns raised by the Council's Principal Urban Design and Landscape Officer, KCC Highways and Transportation, and Faversham Town Council. I am now of the opinion that the layout and commensurate scale of development is acceptable. As noted above, the density of the development would equate to 22.3 dwellings per hectare, which is an acceptable level of density for this edge of town site. The layout illustrates a level of design which would produce an attractive and fairly open level of development, fully in accordance with Policy CP4 of Bearing Fruits 2031 – The Swale Borough Local Plan 2017.
- 8.7 Other Matters – Early in 2020, Members of the planning committee resolved that all future applications for new housing would be required to achieve an energy efficiency level of 50% above Part L of Building Regulations. When this matter was put to the developers, they responded that their funds would only allow them to build a development with an energy efficiency level of 10% above Part L of Building Regulations. When asked to make their case for same, the developers produced a comprehensive viability report to substantiate their case. This matter, and the report were reported to the Cabinet Member for the Environment, and he requested that the application be referred to the Planning Committee to decide. The viability report is attached to this report as Appendix B and should be read in conjunction with this report. Members will note that the report concludes that the submitted Financial Viability Assessment demonstrates that when the proposed energy efficiency improvements are incorporated into the scheme, the development would produce a residual land value of £1,319,429 and therefore a deficit of £480,571 below the benchmark land value based on normal profit margins expected with an affordable housing based scheme as proposed. According to the developers submission, if the proposed development was required to provide further energy efficiency measures, this would further exacerbate the schemes lack of viability and could render the scheme undeliverable.
- 8.8 Officers have sent the viability report to an independent consultant for his expert appraisal and will report on his findings through an update to Members at the meeting.
- 8.9 I note the comments from the sole objector, but would remind Members that the principle of development has already been approved under planning reference 16/504575/OUT.
- 8.10 It is very encouraging to note that this proposal, if approved, has the potential to provide 35 affordable homes in Faversham, where there is a requirement for such affordable housing, and this level far exceeds the requirement laid down in Paragraphs 62 and 64 of the National Planning Policy Framework (NPPF) and the requirement of the outline planning permission for this development.

9.0 CONCLUSION

- 9.1 In conclusion, and noting that all aspects of the proposal are acceptable, and the approval of this application would result in thirty-five affordable homes for the Borough, I recommend that the application be approved, subject to strict accordance with the Conditions noted below.

10.0 RECOMMENDATION

- 10.1 GRANT Subject to the conditions as set out below and the independent review of the viability appraisal demonstrating that the conclusions of the applicant's viability appraisal are justified.

CONDITIONS

- (1) The development hereby permitted shall be carried out in complete accordance with the following approved drawings: 4027 P010D; 4027 P100A; 4027 P101A; 4027 P102A; 4027 P103A; 4027 P104A; 4027 P105A; 4027 P106A; 4027 P107A; 4027 P108A; 4027 P109A; 4027 P200; 4027 P201; 4027 P202; 4027 P203A; 4027 P204; 4027 P205; 4027 P206; 4027 P207; 19-006_C01A; 19-006_C02A; and 19-006_SKC02A 0228/19/B/1B, and. 0228/19/B/1B.

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

- (2) No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development hereby approved 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.

- (3) Notwithstanding the provisions of Class A, Part 2, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order, no fences, gates walls or other means of enclosure shall be erected to the front and side areas of dwellings which would be publically accessible or visible.

Reason: In the interests of residential amenity.

- (4) The amenity area serving the flats shown on the approved plans shall be retained in perpetuity for use by the residents of all the flats.

Reason: In the interests of residential amenity.

- (5) 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

- (6) The areas shown on the submitted plan (namely 4027 – PO14d) as car parking spaces 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 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 dwellings 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.

- (7) Prior to occupation of the first building a “lighting design strategy for biodiversity” for the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will:

- a) Identify those areas/features on site that are particularly sensitive;
- b) Show how and where external lighting will be installed in accordance with Bats and Artificial Lighting in the UK (Bat Conservation Trust & Institution of Lighting Professionals, 2018).

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

Reason: In the interests of preserving biodiversity.

- (8) No development beyond the construction of foundations shall take place until full network calculations and model details are provided to demonstrate the drainage system’s operation and performance for the critical duration 1 year, 30 year, 100 year +20% and 100 year +40% storm intensities.

Reason: To prevent pollution of controlled waters

- (9) No development beyond the construction of foundations shall take place until detailed drawings showing the floor plans, elevations and roofplans of the proposed pumping station shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved details.

Reason: In the interest of visual and residential amenity.

- (10) No building shall be occupied or the approved use commenced until the off-site highway works to construct a surfaced footway between the site and the existing surfaced footway in Goldfinch Close has been carried out in accordance with a design and specification to be approved in writing with the Local Planning Authority and to be fully implemented to the satisfaction of the Local Planning Authority.

Reason: In the interests of pedestrian access to and from the site and in the further interests of reducing greenhouse gas emissions

- (11) The access details shown on the approved plans shall be completed prior to the occupation of any buildings hereby approved, and the access shall thereafter be maintained.

Reason: In the interests of highway safety.

- (12) No dwelling/building shall be occupied or the approved use commenced until Electric Vehicle Charging facilities have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision and retention of electric vehicle charging facilities in the interest of reducing greenhouse gas emissions.

- (13) The dwellings hereby approved shall be constructed and tested to achieve the following measure:

At least a 10% 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 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.

- (14) The dwellings hereby approved 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.

- (15) Prior to first use of the buildings, specifications and locations of the fence holes for hedgehogs, in accordance with guidance at www.hedgehogstreet.org/help-hedgehogs/link-your-garden, will be submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented and thereafter retained.

Reason: In the interests of promoting biodiversity.

- (16) Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of native planting. The approved details will be implemented and thereafter retained.

Reason: In the interests of promoting biodiversity.

- (17) The flat block hereby approved shall not be first occupied until the path connecting the block to the south-western site boundary and Public Right of Way ZF33 (and as shown on drawing 4027 PO14d) has been provided and is available for residents of the development to use.

Reason: in the interests of encouraging non-car travel modes.

- (18) Notwithstanding the details shown on drawing 0228/19/B/1B, full details of the proposed soil type and wildflower seed mix for that part of the development, together with the proposed boundary treatment to the central open space and the wildflower areas either side of the site access road shall be submitted to and approved by the Local Planning Authority before the first dwelling is occupied. The hard and soft landscaping scheme as a whole shall then be implemented in accordance with the agreed details and the other details as shown on drawing 0228/19/B/1B in accordance with the requirements of condition (8) of 16/504575/OUT.

Reason: In the interests of encouraging biodiversity and visual amenity.

INFORMATIVES

(1) Kent Police advise the following:

1. Front and side fencing to be 0.5-1m high to protect the boundary and ensure corner properties, do not suffer with desire lines leading to privacy concerns, ASB and nuisance.
2. There should be 1.8m high lockable (from both side) gates to secure the rear garden areas sited as close to the front of the building line as possible.
3. All external doorsets including those to the French doors to meet PAS 24 2016 UKAS certified.
4. All the windows on the ground floor and any vulnerable to climbing to be PAS 24 2016 UKAS certified.
5. Ground floor bedroom windows need defensive treatments for privacy.
6. Any bike stores to have secure robust locks and a strong natural surveillance opportunity.
7. Bin storage area to have robust locks and lighting.
8. The apartment buildings need either through the wall mail delivery or an airlock system, trades buttons or timed release systems “are not permitted as they have been proven to be the cause of antisocial behaviour and unlawful access to communal developments”.

(2) Southern Water advises as follows:

1. If the applicant proposes to offer a new on-site drainage and pumping station for adoption as part of the foul/surface water public sewerage system, this would have to be designed and constructed to the specification of Southern Water Services Ltd. A secure compound would be required, to which access for large vehicles would need to be possible at all times. The compound will have to be 100 square metres in area or of some such approved lesser area, as this would provide an operationally satisfactory layout. In order to protect the amenity of prospective residents, no habitable rooms shall be located closer than 15 metres to the boundary of the proposed adoptable pumping station, due to potential odour, vibration and noise generated by all types of pumping stations.
2. An approval for connection to the public foul sewers shall be obtained under Section 106 of the Water Industry Act.
3. KCC Highways and Transportation advises as follows

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 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.

In this instance, the application was considered acceptable, following the submission of amended drawings.

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

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

