

PLANNING COMMITTEE – 4 MARCH 2021**PART 2**

Report of the Head of Planning

PART 2Applications for which **PERMISSION** is recommended**2.1 REFERENCE NO - 18/502190/EIHYB****APPLICATION PROPOSAL**

Phase 1 North - Erection of 91 dwellings accessed from Grovehurst Road, public open and amenity space (including an equipped children's play area) together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including infiltration basins and tanked permeable paving), utilities and service infrastructure works. Full Planning Application - Phase 1 South - Erection of 257 dwellings (including 35 affordable dwellings) accessed from Quinton Road, public open and amenity space, together with associated landscaping and ecological enhancement works, internal access roads, footpaths, cycleways and parking, drainage (including infiltration swales, ring soakaways, and permeable paving), utilities and service infrastructure works.

Outline Planning Application - for up to 852 new dwellings (including 10% affordable housing), a site of approximately 10 ha for a secondary and primary school, a mixed use local centre, including land for provision of a convenience store, public open and amenity space (including equipped children's play areas), together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including a foul water pumping station and sustainable drainage systems), utilities and service infrastructure. All matters reserved.

ADDRESS Land North Quinton Road Sittingbourne Kent ME10 2SX

RECOMMENDATION GRANT Subject to the views of KCC Education in respect of the BREEAM conditions for the proposed schools, the signing of a suitably worded Section 106 agreement (to secure the mitigation set out at paragraphs 9.16.1 to 9.16.3 below) and the conditions set out below. Authority is also sought to amend the wording of the Section 106 agreement and the wording of conditions as may reasonably be required.

SUMMARY OF REASONS FOR RECOMMENDATION:

The proposed development would accord with the requirements of the adopted Local Plan (Bearing Fruits, adopted 2017) and, in particular, Policy MU1, which allocates the wider site (of which the application site makes up the majority) for a minimum of 1500 dwellings. By providing up to 1200 dwellings, this development would make a major contribution to the delivery of housing in Swale, and in particular Sittingbourne.

Other key benefits of the development would be the provision of land for the delivery of two schools (a secondary to serve the development and to cater for significant existing demand from the wider area and to broaden choice in the Sittingbourne area; a primary to serve the proposed development), a country park and substantial areas of other open space and strategic landscaping; a spine road would provide to create a new connection between Quinton Road and Grovehurst Road; the provision of 120 affordable dwellings; and the provision of a mixed use local centre.

<p>With specific regard to the details area of the development (namely Phase 1 South and Phase 1 North), it is considered that the development would deliver a good layout, with well-designed homes, and without giving rise to any significant amenity concerns.</p> <p>Any adverse impacts that would otherwise have resulted from the development will be mitigated by developer contributions as summarised below and the imposition of conditions (also set out below).</p>		
<p>REASON FOR REFERRAL TO COMMITTEE</p> <p>Objection from Bobbing Parish Council, and the very substantial scale of the development.</p>		
<p>WARDS: Kemsley; Bobbing, Iwade and Lower Halstow: and The Meads.</p>	<p>PARISH COUNCIL Bobbing (part of the site – to the west of the ditch running through the centre of the site is located within Bobbing Parish); Members will note that most of the site falls within the Sittingbourne area, which is un-parished. Iwade Parish is located to the north of the site, though is separated from it by the A249.</p>	<p>APPLICANT Persimmon Homes Ltd AGENT JB Planning Associates</p>
<p>DECISION DUE DATE</p> <p>Extension of the original time limit will be agreed in due course.</p>		

Planning History (for application site)

15/506121/ENVSCR

EIA Screening Opinion - A sustainable urban extension comprising up to 1,400 new dwellings (of a range of sizes, types and tenures, including affordable housing), a site of 10.00ha for a secondary and primary schools, and public open and amenity space, together with associated landscaping, access, highways (including footpaths and cycleways), parking, drainage (including a foul water pumping station), utilities and service infrastructure works

EIA Required Decision Date: 21.08.2015

15/506821/EIASCO

EIA Scoping Opinion - A sustainable urban extension comprising up to 1,400 new dwellings (of a range of sizes, types and tenures, including affordable housing), a site of 10.00ha for a secondary and primary schools, and public open and amenity space, together with associated landscaping, access, highways (including footpaths and cycleways), parking, drainage (including a foul water pumping station), utilities and service infrastructure works

Decision Date: 2.12.2015

16/506014/EIASCO

EIA Scoping Opinion - A sustainable urban extension comprising up to 1,100 new dwellings (of a range of sizes, types and tenures, including affordable housing), a site of 10.50 ha for a secondary and primary school, and public open and amenity space, together with associated landscaping,

access, highways (including footpaths and cycle ways), parking, drainage (including a foul water pumping station), utilities and service infrastructure works.

Decision Date: 12.04.2017

Planning History (relating to adjacent sites)

19/501845/OUT – Members resolved, at the Planning Committee on 27 January 2020, that outline planning permission (with all matters reserved) should be granted for the erection of 23 dwellings with access road on land to the rear on land at 2 Bramblefield Lane, Kemsley subject to conditions and the signing of a suitably-worded Section 106 agreement. The decision notice has not yet been issued for this development, which would adjoin the northern part of the site of the current application, as the drafting of the s106 Agreement is on-going.

18/500257/EIFUL – Planning permission was granted on 21st December 2020 for the development of 155 dwellings (9 x 2 bed flats, 13 x 2 bed houses, 66 x 3 bed houses, and 67 x 4 bed houses) together with associated new access road, car parking, linear park with acoustic barrier to the A249, dedicated LEAP, allotments, areas of surface water drainage attenuation and ecological enhancement, and new planting, including an area planted in the style of an orchard on 8.74 hectares of land in the south-west corner of the Local Plan (Policy MU1) allocation, with its northern and eastern boundaries adjoining the site of the current application. Among other things, Members will note that the applicant has committed to achieving a 14% betterment to the requirements of the current Building Regulations in terms of minimising CO2 emissions associated with the development.

18/502372/EIOUT - Outline application for the development of up to 115 dwellings and all necessary supporting infrastructure including emergency access, roads, footpath and cycle links, open space, play areas and landscaping, parking, drainage and all utilities and surface infrastructure works on 4.98 hectares of land at the northern end of the Local Plan allocation, between Grovehurst Road and Swale Way (and known as land at Great Grovehurst Farm). All detailed matters are reserved for subsequent approval except (a) mitigation of impacts on Great Crested Newts; (b) vehicular access to Grovehurst Road and (c) extraction of brickearth. This application is to be approved under delegated powers. Assessment of it is at an advanced stage, though the s106 agreement to accompany the permission has not yet been completed.

1. DESCRIPTION OF SITE

- 1.1 The site comprises a total of 64.5 hectares of arable farmland on the western edge of Sittingbourne. This can be sub-divided into 11 hectares located to the north of Bramblefield Lane and the public right of way ZU54 (and known as Pheasant Farm) and approximately 53.5 hectares to the south of this. As noted in the Planning Statement, the northern parcel “...comprises largely of an artificial mound...constructed from spoil arising from the construction of the adjacent A249 road.” The southern portion is further sub-divided by a ditch and intermittent tree / hedge line running south-west across the site and by a field boundary (featuring intermittent trees and hedging) running south-east from Bramblefield Lane to the eastern boundary of the site.
- 1.2 The boundaries of the site are defined as follows: to the west, the site adjoins the A249 dual-carriageway, which connects the M2 to Sittingbourne and Isle-of-Sheppey and is classified as a trunk road. To the south, the site fronts Quinton Road. Meads Avenue and the more-recent Meads housing estate are located immediately to the south of Quinton Road. To the east, the southern parcel is bounded by the railway line, which links the main London-Dover line to Kemsley and the Isle-of-Sheppey. At the northern end of the southern parcel, the site adjoins the Kemsley Halt Station and the Grovehurst Surgery

medical centre. The Bramblefield Lane cul-de-sac – characterised by a mix of single- and two-storey dwellings and some chalet bungalows - forms part of the northern boundary of the southern parcel and the southern boundary of the northern parcel.

1.3 The Environmental Statement describes the topography of the site as follows:

“The topography of the site comprises a very gradual slope from c.20 AOD (Above Ordnance Datum) in the central-west...at Bramblefield Lane down to the south-east at the railway line. The north of the site between Bramblefield Lane and Swale Way comprises gently undulating land at around 18m AOD, and the extreme north of the site lies on a very gradual slope from c.10m AOD on Swale Way down towards Coldharbour Marshes in the north which lie below 5m AOD.”

- 1.4 Although the site is predominantly open in character given its use for arable farming, there are some areas of hedge and tree growth on the site, and Members will note that these are generally confined to the site boundaries, exceptions being the areas alongside the ditch that bisects the southern parcel and the field boundary located towards the northern end of the southern parcel, which runs north-east from the central ditch and connects with public right of ZU54 (just to the west of Bramblefield Lane). Both areas are characterised by intermittent tree growth, which includes a number of native species such as field maple (*acer campestre*) and hawthorn (*crataegus monogyna*). The application is accompanied by a comprehensive Tree Survey and plans that describe the trees on site and their condition and grade.
- 1.5 With regard to public rights of way, in addition to ZU54, ZR110 and ZU6 run north-west across the southern part of the site before running alongside the boundary with the A249 corridor and then ultimately connecting to ZU54, close to the pedestrian footbridge over the A249. Immediately to the east of the site, ZU6 crosses (at-grade) the railway line.
- 1.6 As well as being a public right of way, the path from the western end of Bramblefield Lane forms part of the National Cycle Route network, meaning that as well as the formal pedestrian route, there is an important link for cyclists between Kemsley and locations to the west (including Bobbing and Iwade) bisecting the application site.
- 1.7 The application is supported by a drawing showing the agricultural land classifications for the site; almost all of the site is classed as Best and Most Versatile (ie Grades 1, 2 and 3a), while small parts of the site are identified as 3b and ‘other’.
- 1.8 With regard to brick earth, Members will note that a detailed Minerals Assessment was submitted with the application. Among other things, it acknowledges the existence of some brick-earth on the site, but states that it “...effectively comprises a thin, gravelly deposit of limited lateral extent in the central section of the site.” This issue is fully evaluated in the ‘appraisal’ section below, and Members will also note the summary of the response from KCC Waste and Minerals at Paragraph 7.11 below.
- 1.9 With regard to heritage assets, none of the site is within – or close to – a conservation area; Bramblefield Farmhouse, which is the last dwelling on the southern side of Bramblefield Lane, is a Grade II listed building; the southern and western boundaries of its curtilage adjoin the application site. There are further Grade II listed buildings on land just to the south and west of the application site, namely Quinton Cottage and Quinton Farmhouse. Grovehurst Farmhouse, another Grade II listed building, lies on the eastern

side of Grovehurst Road, facing the northern part of the application site, where a Country Park is proposed. Featherbed House, which although not listed is considered to be of some heritage value, is located adjacent to the northern tip of the application site, on land set down from the adjacent Grovehurst Road junction with the A249 and Swale Way.

- 1.10 The majority of the site lies outside the Important Countryside Gap. However, Members will note that a strip of land parallel to the A249 corridor – projecting a typical 50 metres into the application site – and a more substantial area of land at the northern end of the site fall within this designation. Members will note that the original Design and Access Statement contains – on page 20 – a plan showing the extent of the relevant part of the Countryside Gap. Plans showing the gap boundary over-lain on the proposed development layout have now been provided. This issue is dealt with in the ‘appraisal’ section below.
- 1.11 Members will note that none of the application site is subject to a local, county-level or national landscape designation.
- 1.12 A high-pressure gas pipeline runs approximately east-west across the centre of the site (within the area the application is in outline form).

2. PROPOSAL

- 2.1 The application is in hybrid form and can be divided into three main parts:
- 2.2 In Phase 1 North, detailed planning permission is sought for the development of 11.35 hectares of land to provide 91 houses, public open space in the form of a Country Park (measuring 7.12 hectares) and incorporating a Neighbourhood Equipped Area for Play and ancillary works, including an acoustic barrier along the boundary with the A249. The proposed housing in this phase is set back from the boundary with the A249 corridor by a minimum of 57 metres towards the southern end (at Plot 265). At this point, the gap between the Spine Road and the A249 boundary would be 42 metres. At the northern end of the phase, Plot 342 would be located a minimum of 143 metres from the boundary with the A249 corridor (while the gap between the Spine Road and the A249 boundary would be 125 metres).
- 2.3 In Phase 1 South, detailed planning permission is sought for the development of 257 dwellings – including 34 affordable dwellings – on a site area of 7.97 hectares, which will include 1.2 hectares for green infrastructure. The dwellings would be a mix of houses and flats.
- 2.4 Outline planning permission with all matters reserved is sought in respect of the remaining 45.2 hectares of the site, where permission is sought for up to 852 dwellings, a secondary school and a primary school on a site extending to just under ten hectares (it has been agreed that the extent of the land to be transferred will be 9.89 hectares), a mixed use Local Centre on a site of a minimum of 0.5 hectares and supporting infrastructure, including open space, strategic landscaping, play areas and road infrastructure, including a Spine Road that will ultimately connect with corresponding sections of road in the areas of development to the south and north, allowing the creation of a link road running from Quinton Road in the south to Grovehurst Road in the north, where a new roundabout would be provided.

- 2.5 Members will note that the application includes a 'Planning Budget' drawing, which provides a visual summary of what is proposed, showing the disposition of the key aspects of the application such as the housing areas (detailed and outline), the site for the two schools, the local centre, and the public open spaces. Other key features such as the spine road and the noise barrier adjacent to the A249 are also shown. The drawing also sets out the dimensions of the key components of the scheme together with the densities for the respective housing areas.

Phase 1 North

- 2.6 With regard to Phase 1 (North) and Phase 1 (South), Materials Plans have been provided for both and these give a broad indication of the applicant's intentions in respect of facing materials for the walls of buildings and roofing. The applicant has also provided examples of facing bricks that they consider would be appropriate for this development. The issue is discussed further in the 'appraisal' section below.
- 2.7 In this phase, the 91 houses proposed would be developed on a net developable area of 2.4 hectares giving an average density of 38 dwellings per hectare. The layout shows a mix of detached, semi-detached and short terraces of three houses arranged to continue the built frontage on the northern side of Bramblefield Lane (though vehicular access would be via the new layout and not directly from Bramblefield Lane, which would remain a cul-de-sac), with a corresponding building line; six detached houses are shown in this area (on Plots 271 to 276), and these would sit within the setting of the Grade II listed Bramblefield Farmhouse. These house types have been designed with the relative sensitivity of the location in mind, with particular attention being paid to the design and detailing of them. With specific regard to Plots 271 to 276, detached houses on these six plots. Members will note that dedicated conditions are included below in an effort to ensure that the facing materials, doors and other key details used are of a correspondingly high standard.
- 2.8 The layout in this area would back on to the existing properties at Bramblefield Lane, in particular numbers 34 to 52, and to the land for which Members have resolved to grant permission for 23 dwellings – on a site measuring approximately 0.65 hectares - under reference 19/501845/OUT, and which is described above. Phase 1 (North) would also have a long frontage with the Spine Road, where houses are proposed on its eastern side; street trees are proposed on both sides of the Spine Road to create an avenue. The layout would create three perimeter blocks, and although some cul-de-sacs are proposed, these would be configured in such a way that the layout would generally be permeable, particularly for pedestrians and cyclists.
- 2.9 With regard to architectural treatment, ten different house types are proposed, and the style is described by the applicant as 'Kent vernacular'. The dwellings would be a mix of two-bedroom (25 units), three-bedroom (30 units), four-bedroom (15 units) and five-bedroom (21 units) dwellings. The floor areas of dwellings range from a minimum of 59.3 square metres to a maximum of 131.4 square metres (gross internal floor area). Amendments have been made to some of the house types to add extra detailing (for example, chimneys and windows to flank elevations) to key plots such as those on Plots 342 and 345 and Plots 259 and 258, which will be relatively prominently located.

- 2.10 With regard to storey heights, the amended house types are a combination of two and 2.5 storeys in height. The number of the latter dwellings proposed is 10 and, in particular, no 2.5 storey units are now proposed on plots backing directly on to existing dwellings on Bramblefield Lane (previously five such dwellings were proposed in this part of the layout); Plots 334 and 335 are 2.5 storey and face towards Bramblefield Lane, but the plot behind them is the very large rear garden to 34 Bramblefield Lane and the separation between the new dwellings and the dwelling at 34 Bramblefield Lane would be just over 70 metres.
- 2.11 Full details of hard and soft landscaping for Phase 1 North have been provided in respect of the part of the phase where houses are proposed. The soft landscaping drawings (five in total) show a detailed scheme of tree and other planting that includes, but is not limited to, street trees addressing the Spine Road and the addition of trees to some of the rear gardens. Generally, the level of detail is sufficient, though only illustrative details of the landscaping for the Country Park have been provided; The 'Illustrative Landscape Masterplan' shows how the area could be configured with space for a Neighbourhood Equipped Area for Play, a Kick-about space, a 'wildlife area' and a noise attenuation bund along the boundary with the A249 corridor. With regard to hard landscaping, full details of the proposed surfacing to roads and paths have been provided (the latter would be surfaced in a mix of tarmac, block paving and self-binding gravel), together with boundary treatment details, which are shown on the proposed layout and consist of a mix of walls, close boarded fencing, parkland metal estate railings and timber post and rail fencing.
- 2.12 With regard to photovoltaic panels, these are shown on drawing 1076_54 Sheet No 2, and Members will note that the applicant is proposing to install panels on the rear roof slopes of 20 of the proposed dwellings.
- 2.13 This phase has a total of 201 car parking spaces, including 18 visitor car parking spaces.
- 2.14 All of the dwellings in this phase would be for private sale.
- 2.15 Detailed approval is also sought for the length of Spine Road between the proposed houses and the junction with Grovehurst Road, where a roundabout is proposed. The roundabout – which is detailed on drawing D118_12 Revision C – would also accommodate vehicular access to the residential development proposed on land at Great Grovehurst Farm (application reference 18/502372/EIOUT).
- 2.16 With regard to electric vehicle charging points, these are identified on the layout drawing (namely P1076_10 Sheet 2 Rev ZJ, and Members will note that an EV charging point is proposed for each house.

Phase 1 South

- 2.17 Phase 1 (South) consists of 257 dwellings on a net developable area of 5.54 hectares giving a typical density of 44 dwellings per hectare.
- 2.18 The Phase is bounded on its southern side by Quinton Road, the branch railway line to the Isle-of-Sheppey to the east and the boundary with the southern part of the proposed Redrow development (see 18/500257/EIFUL – the full description is given above) to the west, though a line of established poplar trees will provide a green buffer between the two housing areas. To the north, further housing is proposed, though this is in outline form so

full details have not been provided. The southern vehicular entrance to the development would be taken from Quinton Road (and is detailed on drawing 27239-5504-021 Revision G) and the Spine Road would form an avenue running north-south through the phase; various streets are proposed which run approximately east-west from this main road. The dwellings would be arranged into a number of perimeter blocks, creating an outward-facing development. Members will also note that a linear open space is proposed along the western, southern and eastern boundaries of the phase to, among other things, allow for informal recreation and non-car travel. An area for informal play is proposed within the open space close to the south-east corner of the development, facing Plots 37, 104 and 105.

- 2.19 With regard to storey heights, these are shown on drawing 'Phase 1 South Building heights', and Members will note that a mix of two storey houses (which predominate), 2.5 storey houses (34 units), 3 storey houses (17 units) and three storey apartments (five blocks containing a total of 35 flats).
- 2.20 With regard to architectural treatment, 12 different house types are proposed and four different apartment block types (a total of five apartment blocks are proposed), and following negotiations with officers and local Members, the originally-proposed 'vernacular' house and flat types have been replaced with a proposal for dwellings with a contemporary architectural treatment, and the latest Addendum to the Design and Access Statement asserts that this phase "...now has a very distinctive character, which will help announce and define a new high quality Sittingbourne neighbourhood".
- 2.21 The document also explains that:
- "Phase 1 South now includes a range of contemporary detailing including: large plain windows, vertical brick banding, contemporary Juliet balconies, vertical weatherboarding and contemporary box bay windows."*
- 2.22 The houses (221 in total) would be a mix of two-bedroom (110 units), three-bedroom (47 units), four-bedroom (51 units) and five-bedroom (13 units) dwellings. The apartments (36 in total), would be a mix of 1 bed M4(3) (two units), 1 bed (13 units), and 2 bed (21 units) dwellings. The floor areas of dwellings range from a minimum of 46.8 square metres to a maximum of 113.5 square metres.
- 2.23 With regard to the M4(3) standard, a summarised definition is as follows:
- "Wheelchair user dwellings category M4(3) must allow for reasonable provision for people to gain access to and use the dwelling and its facilities and include sufficient provisions to allow for simple adaptations of the dwelling to meet the needs of the occupants who use wheelchairs."*
- 2.24 With regard to electric vehicle charging points, these are identified on the layout drawing (namely P1076_10 Sheet 2 Rev ZE), and Members will note that an EV charging point is proposed for each house. With regard to the five flat blocks, in each case a communal EV 'charging post' is proposed.
- 2.25 With regard to photovoltaic panels, these are identified on drawing 1076_54 Sheet Number 1, and Members will note that panels are proposed on the rear roof slopes of 63 dwellings.

- 2.26 With regard to tenure, a plan ('Phase 1 South Tenure Plan') setting out where the affordable units would be provided, the unit types and the mix of affordable rent and affordable shared ownership has been provided. In particular, Members will note that a total of 35 affordable dwellings are proposed – a mix of 15 apartments and 20 houses. Of these, four of the houses would be provided for affordable shared ownership and the remainder for affordable rent. The delivery of the units would be secured under the Section 106 Agreement. The remainder of the units in this phase (222 in total) would be for private sale.
- 2.27 This phase has a total of 511 car parking space, including 62 visitor car parking spaces.
- 2.28 Full details of the hard and soft landscaping have been provided for Phase 1 South. The soft landscaping drawings (eight in total) show a detailed scheme of tree and other planting that includes, but is not limited to, street trees addressing the Spine Road (including a limited number of non-native Turkish hazels, which are favoured by KCC Highways for use in this type of location). Members will note that trees are now proposed in a number of the rear gardens. The level of detail is considered to be sufficient. With regard to hard landscaping, full details of the proposed surfacing to roads and paths (the latter would be surfaced in a mix of tarmac, block paving and self-binding gravel) have been provided, together with boundary treatment details, which are shown on the proposed enclosures layout and consist of a mix of walls, close boarded fencing, parkland metal estate railings and timber post and rail fencing.
- 2.29 As explained in the Design and Access Statement Addendum, the applicant has provided engineering drawings with the intention that all of the roads within Phase 1 North and Phase 1 South are built to adoptable standard and "...*hence [they] will be seeking adoption by the Highways Authority [KCC Highways and Transportation]*."
- 2.30 Further to Paragraph 2.4 above, the outline elements include two schools, which as set out in the Planning Statement would be a six-form-entry secondary school (up to three storeys in height) and a two- form-entry the primary school (up to two storeys in height). The schools would be located immediately to the south of Bramblefield Lane and to the west of the Kemsley Halt railway station. The Concept Masterplan (P1076_18Q) shows the intended configuration for the whole site and connections to adjacent land, and this obviously includes an illustrative layout for this part of the site. The application is supported by various documents that explain why this position was chosen for the schools, rather than them being located elsewhere within the wider site, and this issue is discussed in the 'appraisal' section below.
- 2.31 Members will note that vehicular access to both schools would be from the proposed Spine Road (and not from a secondary vehicular access from Grovehurst Road as initially envisaged); a pedestrian and cycle access will be provided from Grovehurst Road.
- 2.32 With regard to the Local Centre, and further to Paragraph 2.4 above, the Concept Masterplan, which is illustrative only, shows this located just to the west of the proposed primary school, and accessed from the Spine Road. The 2019 Design & Access Statement Addendum includes an indicative ground floor plan and a corresponding street-scene drawing showing commercial units at ground floor level and apartments above. Page 29 of the document provides clarification and a justification for the approach being

proposed. Among other things, it suggests that ‘retail, commercial or community activity’ could be provided at ground floor level and states that:

“...together with the adjacent school site [it] would act as a focus for activity and social interaction within the development.”

2.32.1 Members will also note that the Design & Access Statement Addendum (2019) suggests that:

“Given the proximity of the town centre, other local centres and other convenience shopping opportunities, it is considered to be commercially unfeasible to create a new local centre accommodating a particularly large amount of retail or commercial floorspace as part of this development.”

2.32.2 The document goes on to suggest that approximately 1200 square metres (or approximately 12,500 square feet) of retail / commercial could potentially be supported, and this could comprise, for example, a mini-supermarket (of approximately 230 square metres / circa 2,500 square feet) *“...as well as some smaller units allowing for other retail uses such as hairdressers and takeaways.”*

2.33 With regard to the acoustic bund, as well as running through Phase 1 North (which is covered above) it will run along the western side of the outline part of the application site – for a distance of approximately 680 metres – and Members will note that the details provided to date are illustrative. The details will be agreed in due course using a condition included below. The applicant has commented as follows:

“I can confirm that the total area occupied by the bund [including where it runs through Phase 1 North] will be approximately 3.4ha out of 20.15ha green infrastructure provided within the entire site. It is important to flag that this is an estimate, the bund has not been fully designed so we cannot confirm absolutely the area accommodated.

The acoustic fence will be set in from the application boundary; this is necessary to allow us to construct the bund wholly within our land. The position of the fence will depend upon the detailed design of the bund, but based upon the sections we have estimated approximately 2ha of land will sit outside of the accessible area (albeit this land will be planted up for ecology purposes and will provide an important ecology function as previously explained).”

2.34 This application is for an Environmental Impact Assessment development and is therefore accompanied by an Environmental Statement. The application has, among other things, been determined in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

2.35 The key supporting documents are as follows:

- Planning Statement (April 2018);
- Planning Statement Addendum (December 2019);
- Environmental Statement (April 2018) – this gives a very detailed assessment of the potential environmental impacts of the development and includes chapters covering ‘noise and vibration, ‘air quality’ and ‘landscape and visual effects’;

- Environmental Statement, Non-Technical Summary (April 2018);
- Environmental Statement Addendum (February 2019);
- Technical Note – Noise (Train Noise Assessment)(October 2020);
- Design and Access Statement (April 2018);
- Design and Access Statement Addendum (February 2019);
- Design and Access Statement Addendum (September 2020);
- Habitat Regulations Screening Report (January 2018);
- Ecological Enhancement and Management Plan (September 2018);
- Landscape and Ecological Management Plan – Framework (October 2020);
- Arboricultural Survey Impact Assessment & Preliminary Method Statement (December 2020);
- Development Framework (draft; April 2018);
- Transport Assessment (amended version received August 2018);
- Framework Travel Plan (April 2018);
- Letter dated 7 December 2020 and accompanying table and plans in respect of Biodiversity Net Gain;
- Flood Risk Assessment (updated version dated December 2020);
- Sustainability Statement (July 2020);
- Minerals Assessment (April 2018); and
- Statement of Community Involvement (April 2018).

3. SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	64.5	64.5	0
Typical Ridge Height – two storey unit (m)	N/A	7.5 metres*	N/A
Typical Ridge Height – 2.5 storey unit (m)	N/A	9.1 metres*	N/A
Typical Ridge Height – three storey house (m)**	N/A	10.7 metres*	N/A
Typical Ridge Height – three storey apartment (m)**	N/A	11.5 metres*	N/A

Parking Spaces (for Phase 1 North; 91 dwellings)	0	201	+201
Parking Spaces (for Phase 1 South; 257 dwellings)	0	511	+511
No. of Residential Units	0	1200	1200
No. of Affordable Units	0	35	35

*This is to give Members an indication of heights, and it should be noted that there is some difference depending on the particular house type in question.

** Only proposed in Phase 1 South.

4. PLANNING CONSTRAINTS

- 4.1 There are no listed buildings within the site. The Grade II listed Bramblefield Farmhouse is adjoining the site, facing Phase 1 North and with the schools site behind it (to the south). There are two Grade II listed buildings close to Quinton Road, but they are to the west of the application site and unlikely to be significantly affected by it. Great Grovehurst Farmhouse, also Grade II, is located on land just to the east of Grovehurst Road, though built development is not proposed in the vicinity of it.
- 4.2 None of the application site is located in a Conservation Area (CA), nor is any of the site close to the boundary of a CA or likely to affect the setting of one.
- 4.3 There are no TPO trees on the site.
- 4.4 The site is not located close to any Air Quality Management Areas, though Members will note that two have been designated in Sittingbourne: at St Paul's Street and on the A2 to the east of the Town Centre. A further AQMA has recently been designated at Keycol Hill, on the A2 just to the east of Sittingbourne.
- 4.5 The application site is located predominantly in Flood Zone 1, where the risk of flooding is considered to be low. A small part of the site, along the central ditch and towards the eastern site boundary, falls within Flood Zone 3, where the risk of flooding is considered to be high.
- 4.6 A High Pressure Gas Pipe runs under the centre of the site from the vicinity of Volante Drive / Attlee Way to the east to Howt Green to the west.
- 4.7 The Important Countryside Gap between Sittingbourne and Iwade includes a narrow strip along the western side of the application site. This issue is dealt with in the appraisal section below.

5. PLANNING POLICY

The National Planning Policy Framework (NPPF)

- 5.1 The following Paragraphs of the NPPF are considered to be relevant: 7 (achieving sustainable development); 8 (over-arching sustainability objectives); 10 (the presumption in favour of sustainable development); 11 (decision taking when local policies most important for determining the application are out of date); 12 (the status of the development plan in decision making); 34 (developer contributions); 38 (the approach to

decision making in a positive and creative way); 48 (weight to be given to emerging Local Plans); 54-56 (use of planning conditions and Planning Obligations); 59 (supporting the Government's objective of significantly boosting housing); 61 (housing mix); 62/64 (affordable housing); 67 (identifying land for homes); 73 (maintaining a supply of housing sites); 91 (promoting healthy / safe communities); 92 (providing social / recreational facilities); 96 (access to high quality open space); 102 (transport); 108 (consideration of transport issues in development proposals); 109 (that development should only be refused if highway impacts would be severe); 110 (priority to pedestrians, cyclists and access to public transport within developments); 111 (travel plan requirements); 112 (need for high quality communications); 117 (making effective use of land); 122 (achieving appropriate densities); 124 (achieving well designed places); 127 (design criteria for developments); 128 (consideration of design quality between applicants, the local planning authority and local community); 129 (access to / use of tools and processes for assessing and improving design); 130 (refusal of poor design), 149 to 154 (planning for climate change); 155 to 165 (planning and flood risk); 163 (flooding / drainage); 165 (sustainable drainage systems); 172 (protecting / enhancing valued landscapes) preventing new / existing development from unacceptable risks from pollution / air quality); 174-177 (protecting habitats and biodiversity, including Special Protection Areas / Ramsar sites); 178 (land suitability and risks from contamination); 180 (protection from noise / light pollution), 181 (air pollution, including AQMAs); 203 (making best use of minerals); and 212 -213 (the status of the NPPF in relation to development plans).

National Planning Practice Guidance (NPPG)

- 5.2 The following categories of the NPPG are relevant: Appropriate Assessment; Air Quality; Design; Determining a planning application; Flood Risk; Housing Supply and Delivery; Natural Environment; Open Space, Sports and Recreation Facilities, Public Rights of Way and Local Green Space; Planning Obligations; and Use of Planning Conditions.
- 5.3 In September 2019, the Government published its 'National Design Guide', which sets out guidance for planning practice on how to achieve '*beautiful, enduring and successful places*', and is intended to be a tool to assist in achieving the objectives for high-quality design that are enshrined in the NPPF. Among other things, the document sets out ten characteristics for well-designed places (see paragraph 36), and the intention is that the document will, among other things, assist (see paragraph 11) "*local authority planning officers, who...assess the quality of planning applications; and councillors, who make planning decisions...*"
- 5.4 The Swale Borough Local Plan (Bearing Fruits 2031) (adopted July 2017) includes the following policies that are relevant to this development:

ST1 (Delivering sustainable development in Swale); ST2 (development targets for jobs and homes); ST3 (The Swale settlement strategy); ST4 (Meeting the Local Plan development targets); ST5 (The Sittingbourne Area Strategy); CP2 (promoting sustainable development); CP3 (Delivering a wide choice of high quality homes); CP4 (Requiring good design); CP5 (Health and wellbeing); CP6 (Community facilities and services to meet local needs); CP7 (Green infrastructure); DM1 (Town Centres); DM6 (Managing Transport Demand); 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); DM25 (Important Countryside Gaps); DM28 (Biodiversity and geological conservation); DM29 (Woodlands, trees and hedges); DM31 (Agricultural land) and DM32 (Development involving listed buildings)

- 5.4.1 With regard to Policy DM19, Members note in respect of the non-residential buildings that are proposed that, at Paragraph (3), it states:

“All new non-residential buildings over 1000 square metres gross floor area should aim to achieve the BREEAM “Very Good” standard or equivalent as a minimum.”

- 5.4.2 Policy MU 1 of the Local Plan allocates approximately 75 hectares of land for a mix uses including a minimum of 1500 dwellings and reads as follows:

“Land at north-west Sittingbourne

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

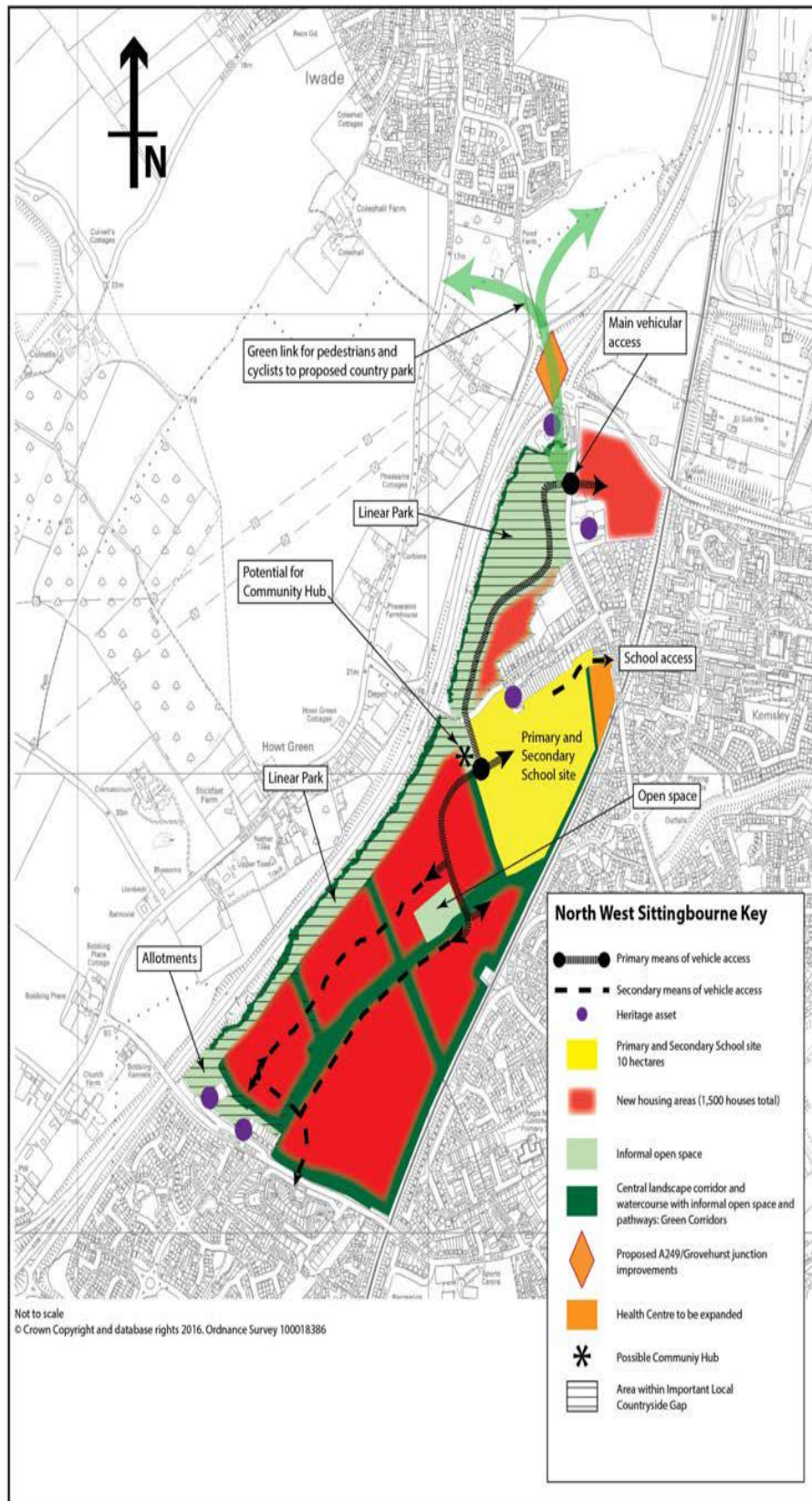
- 1. Be in accordance with a Masterplan/Development brief prepared by the landowners/developers involved in the delivery of the allocation, in consultation with the Borough Council and which reflects the requirements of this policy;*
- 2. Be in accordance with Policy CP 4 and in particular, achieve an integrated landscape strategy to provide a minimum of 22 ha natural and semi-natural greenspace and other open space as a continuous buffer along the A249 that will form part of the important local countryside gap between Sittingbourne and Bobbing/Iwade in accordance with Policy DM 25 and Policy A 17 for Iwade, as well as contributing toward an appropriate link between the two via Bramblefield Lane/old Sheppey Way. This area will link to a network of green spaces and corridors throughout the allocation to achieve open space provision;*
- 3. Ensure that, through both on and off site measures, any significant adverse impacts on European sites through recreational pressure will be mitigated in accordance with Policies CP 7 and DM 28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy;*
- 4. Provide on-site flood mitigation measures;*
- 5. Integrate heritage assets, having regard to their setting;*
- 6. Be accompanied by a Health Impact Assessment in accordance with Policy CP 5;*
- 7. Be supported by a Transport Assessment and access strategy in the Masterplan /development brief to determine the need and timing for improvements to the transport network and phasing of development and address the following:*
 - a. The scale, nature and timing of interim improvements at Grovehurst Road/A249 junction and if necessary at the Bobbing/A249 junction;*
 - b. Identification of vehicular access points from Quinton Road and Grovehurst Road and mitigation of traffic impacts on the local road network and existing neighbourhoods by defining an appropriate quantum of development relative to these access points;*

- c. The timing of any necessary off-site highway improvements relative to the phasing of development;*
 - d. Identification of improvements to the public transport network between the site and Sittingbourne;*
 - e. Encouragement of increased rail use from Kemsley Halt through enhancement of the facilities there and public pedestrian and cycle links;*
 - f. Secure safe and attractive pedestrian and cycle links within the development and to the adjacent network including links to Iwade over the A249;*
 - g. Have regard to the availability of land to the north of Swale Way already safeguarded for the remodelling of the A249/Grovehurst Road junction and should the mitigation design require it, within any other relevant allocation.*
8. *Achieve a mix of housing in accordance with Policy CP 3, including provision for affordable housing in accordance with Policy DM 8;*
 9. *Achieve suitable means of sustainable energy production and carbon reduction measures compliant with Policies DM 19 and DM 20;*
 10. *Secure new primary and secondary schools on site, with dual public/school use facilities (including a land reservation for its provision), to include land for artificial playing pitches; and*
 11. *Provide appropriate community facilities and other infrastructure within the site to meet the needs of future residents, including those within the Local Plan Implementation and Delivery Schedule, in particular those arising from primary health care, libraries and community, learning and skills services.”*

The Policy is accompanied by supporting text. Members will note that Paragraph 6.6.14 refers to “...*a combined site of a minimum of ten hectares...*” for the provision of the primary and secondary schools.

Members will also note that the supporting text suggests that “*some 1300 dwellings are envisaged*” on land north of Quinton Road, which extends northwards as far as Bramblefield Lane. It also suggests that a “*...minimum of 80 dwellings are envisaged...*” on land between Bramblefield Land and Grovehurst Road.

Policy MU1 is also accompanied by a proposals map, which is included below:



5.5 The consultation for the 'Local Plan Review Pre-submission Draft' (LPR) commenced on 8th February and will run until 22nd March 2021.

- 5.5.1 In effect, and given that this consultation exercise is on-going, there is very limited weight that can be given to the LPR, because the extent and nature of any objections (or whether any objections are made by Statutory Consultees) to policies and allocations is not yet known. This will probably not become clear until late Spring/early Summer 2021.
- 5.6 The Kent Minerals and Waste Local Plan 2013 – 2030 (KM&WLP) - Policy DM 7: Safeguarding Mineral Resources and Policy CSM 5 (Land-won Mineral Safeguarding) should be noted.
- 5.7 The Council has adopted Supplementary Planning Documents (SPD) on the following:
- 5.7.1 'Swale Landscape Character and Biodiversity Appraisal SPD' (SLCBA) (adopted September 2011) (the site falls within the 'Iwade Arable Farmlands' character area, which is considered to be in 'poor condition and of moderate sensitivity').
- 5.7.2 SPD 'Developer Contributions' (November 2009), which sets out the Council's key expectations in respect of developer contributions to be secured when planning permission is granted for, among other things, housing developments of 10 or more dwellings.
- 5.7.3 'Parking Standards' SPD (adopted May 2020):
- 5.7.3.1 With regard to the level of car parking provision required for the housing proposed, like KCC Highways and Transportation (see Paragraph 7.21 below), I consider 'suburban' to the applicable standard. Members will note that the SPD recommends (as the guidance is intended to be flexible, rather than prescriptive) the following for suburban areas:
- 1 & 2 bed flats – 1 space per dwelling
 - 1 & 2 bed houses – 1 to 2 spaces per dwelling
 - 3 bed houses – 2 to 3 spaces per dwelling
 - 4+ bed houses – 3+ spaces per dwelling
 - Visitor parking – 0.2 spaces per dwelling
- 5.7.3.2 With regard to the level of car parking that is proposed for the two schools proposed and the Local Centre, Members will note the guidance at Appendix D of the SPD. With regard to schools, 1 space per staff member plus an additional 10% for visitors is recommended. With regard to the Local Centre, I note that the mix of uses that will ultimately be provided within the Local Centre is not known at this stage because the application is in outline with these details reserved for future consideration under a separate reserved matters application. As such the relevant guidance in Appendix D will need to be applied at the reserved matters stage, rather than needing to be considered as part of this application.
- 5.7.3.3 The SPD also deals with electric vehicle charging points and states, at paragraph 102, that:
- "It is vital that new developments provide the necessary infrastructure to cater for the future demand from ULEVs [ultra-low emission vehicles], by incorporating electric vehicle charging points into parking design as well as ensuring that the necessary power supply is provided to support the infrastructure implemented."*
- 5.7.3.4 The SPD also gives advice on the layout and design of car parking areas and the appropriate ways to incorporate trees, other landscaping and SUDS into the design of car parking areas.

- 5.7.3.5 The documents provides guidance in respect of the car parking for non-residential development, including for schools (paragraphs 93 to 96) and for mixed use developments, which is applicable to the proposed Local Centre (see paragraphs 85 to 88).
- 5.8 The Council has adopted 'Building For Life 12' as a technical document. This is a useful tool to assess the base-level quality of developments.
- 5.9 'Guidance for complying with the climate change planning condition to reduce operational carbon of new dwellings in Swale by 50%' was published in June 2020.
- 5.10 The 'Air Quality and Planning - Technical Guidance (July 2019)'
- 5.10.1 Among other things, it is noted that the guidance – which has not been adopted as an SPD - suggests the following as standard mitigation for new dwellings:
- All gas-fired boilers to meet a minimum standard of <40mgNOx/kWh; and
 - 1 Electric Vehicle charging point (best technology available at the time of planning approval) per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking).

6. LOCAL REPRESENTATIONS

- 6.1 An initial consultation with 394 local addresses (together with the positing of four site notices) and four subsequent rounds of consultation following receipt of amended details have generated a total of 18 responses. These are summarised as follows:

1st Consultation

- 6.2 Five responses were received and generally the concerns raised relate to Phase 1 North, rather than the development as a whole. The comments are summarised as follows:
- Possible harmful impact on setting of Bramblefield Farmhouse [Grade II listed], particularly if the schools are built-out as shown on the indicative layout with sport pitches on the boundary with this property;
 - Harm to residential amenity from proposed schools, particularly associated with sports pitches;
 - Could the sports pitches be located elsewhere and noise attenuation provided;
 - Existing trees (including mature oak trees) should be preserved, together with existing hedges;
 - Could a mini-roundabout be provided at the junction of Bramblefield Lane and Grovehurst Road;
 - Access to schools could cause road safety issues;
 - Existing infrastructure is inadequate to cope with this development – reference is made to road capacity, doctors and dentists;
 - Dwellings on Bramblefield Lane will be overshadowed and over-looked;
 - Visual appearance and density of dwellings on Phase 1 North will be detrimental to amenity of Bramblefield Lane dwellings;
 - Bramblefield Lane may become a through road;
 - New dwellings should not have a vehicular connection to Bramblefield Lane, and appropriate boundary treatment should be provided so that vehicles cannot access the existing road from Phase 1 North;
 - Parking capacity on Bramblefield Lane will be reduced if Phase 1 North does not have adequate car parking (including for visitors);
 - Best and Most Versatile farmland will be lost;

- Existing dwellings will be de-valued;
- Existing dwellings will be exposed to noise and disturbance from the development;
- Three-storey dwellings should not be sited on plots (specific reference is made to 320, 321 and 322) backing on to existing dwellings on Bramblefield Lane (in particular, Numbers 40 to 46 inclusive); specific reference is drawn to the Lumley house types, which has rooms in the roof-space providing accommodation on a 3rd level;
- Internal roadways may not be wide enough;
- The development will be constructed over more than a decade causing disturbance to existing residents;
- Brownfield sites should be re-developed in preference to developing sites such as this;
- What works are to be carried out to Grovehurst Road?

2nd Consultation

6.3 Four responses were received, and these generally re-state concerns as set out in response to the 1st consultation. Additional points were raised as follows:

- Bramblefield Lane will be used as a parking area by people dropping off children for the proposed schools;
- Use of the school sport pitches will detract from residential amenity, and not just during school operating hours;
- Vehicular access to the schools from Grovehurst Road would cause road safety and amenity issues [this has now been deleted from the proposed development];
- New medical facilities should be provided; otherwise existing doctors' surgeries will "*be inundated with new patients*";
- Density of development would be too high and dwellings "...squashed together..."; and
- There should not be a vehicular access from Quinton Road, because traffic will then access the B2006 [Staplehurst Road] and the A249 from the development, causing various traffic problems and noise disturbance, including on Sonora Way and Quinton Road.

3rd Consultation

6.4 Five responses were received and the comments are generally as set out in the summaries above, though new points were made as follows:

- The A249, the B2005 [Grovehurst Road] and other local roads will not be able to accommodate the additional traffic, causing a danger to road users;
- Additional screening [compared to that shown on the illustrative layout] is required between rear gardens to properties on Bramblefield Lane and the school site;
- The proposed level of development is too high;
- Three-storey dwellings are still proposed – on re-numbered plots 324, 325 and 326;
- Visitor car parking provision has not been addressed; and

- LPA should ensure developments are “...*not unreasonably and unnecessarily detrimental...*”

4th Consultation

6.5 Three responses were received, including one with a petition attached (signed by 15 people). The comments are generally as set out in the summaries above, though new points were made as follows:

- Development should be reviewed with “...*a holistic awareness of the wider impacts of this...on the communities within Swale...*”;
- Concern expressed about the safety of the existing PROW crossing linking the site to Middletune Avenue;
- Application should be refused as it leaves many questions unanswered;
- Post Brexit, farmland may be needed more than ever; as such, application should not be determined until “...*at least 24 months after Brexit.*”;
- The proposed housing may be needed;
- Adverse impact on M2 Junction 5;
- Heavy Goods Vehicles associated with building the development will add to local traffic congestion;
- Vibration impacts should be monitored if the development is approved;
- Local Accident and Emergency facilities may not have sufficient capacity and this development would add to the issues arising;
- Biodiversity on site may be adversely affected;
- Developers should sign up to Considerate Constructors Scheme;
- Concerns is expressed about potential flooding impacts, if development reduces the site’s surface water drainage capacity; and
- Foul drainage and drinking water infrastructure should be assessed to ensure infrastructure is sufficient.

5th Consultation

6.6 In response to this round of consultation one responses was received and the new issues raised are summarised as follows:

- Surface water should be attenuated to the rate required by the Lower Medway Internal Drainage Board;
- How will Grovehurst Road and Hurst Lane [a cul-de-sac linked to the eastern side of Grovehurst Road] residents access the site?

- Additional traffic management may be required for residents of Grovehurst Road;
- Additional traffic will cause light pollution; and
- Will covenants on existing properties be removed as a result of this development?

6.7.1 **The Sittingbourne Society** have twice commented on this application. Their initial response is summarised as follows:

- Concern is expressed about the proposed development, though they accept that the site is “...as acceptable as any in the area for residential development...”;
- Is foul drainage capacity adequate?
- Concern expressed about potential pollution of Milton Creek;
- Development should be resisted until it can be demonstrated that there is sufficient local foul drainage capacity;
- Concern is expressed off-site highway impacts and potential adverse air quality impacts;
- The proposed affordable housing provision is “very low”;
- Existing healthcare, school and water supply infrastructure may not have capacity to serve this development, and this development should be resisted unless the Local Planning Authority is satisfied that there is sufficient infrastructure capacity.

6.7.2 The Society subsequently commented as follows, reiterating their objection:

“The proposed amendments outlined in your latest letter give us no reason to change our views on the undesirability of this major development and we hope the Council will resolve to refuse it.”

6.8 **Swale Footpaths Group** raise no objection, but state that the application should be clear about the extent of any footpaths that are to be diverted.

Ward Councillor comments

6.9 The Meads (Cllr Hunt);

Cllr Hunt has provided various detailed responses to consultation on this application and has liaised directly with the applicant from time to time in order to secure positive amendments to the layout. His comments on the current version of the application can be summarised as follows:

- Concerned about noise from train horns from the adjacent railway line; is an updated Noise Assessment required and can mitigation (for example additional planting or an acoustic fence) be incorporated in the scheme;
- Path surfacing needs to be carefully considered so that it corresponds with what is proposed for the Redrow development and in order to ensure it is suitable for cyclists;

- Concerned about the management of some areas of open space / landscaping that may not be adopted by KCC Highways – such areas may end up not being well managed in the future;
- Generally the proposed off-site pedestrian / cycle routes are welcomed, though concerns are raised about the detail in respect of the Vicarage Road/Quinton Road bridge;
- Lighting on the proposed roads is welcomed, but need to ensure that cycle / footpaths are also lit to allow safe use by pedestrians and cyclists;
- The contemporary design approach for Phase 1 South is welcomed and suggests it is officers to evaluate the detail, including how the design envisaged for Phase 1 South will sit alongside that proposed for other parts of the development;
- The adoption of Swale Parking Standards is noted and presumably the development will need to comply with them; and
- Previous comments in respect of the traffic implications, the design of the linear park and the management of construction traffic (particularly in terms of implications for adjacent residential areas) are reiterated. [These are summarised below].
- Traffic implications – concerned is expressed about the implications of the development for existing roads in the surrounding area (notably Quinton Road and Sonora Way); off-site highway mitigation may not be adequate and consideration should be given to the needs of all road users, with appropriate pedestrian / cycle crossings incorporated;
- Linear park – this needs to be delivered (including the soft landscaping and the cycle / pedestrian routes) in a timely manner so that residents can benefit from it as soon as possible.
- Construction traffic – this is a significant concern given that construction vehicles may access the site through residential areas such as The Meads and via Sheppey Way, which runs past the Bobbing Primary School. A haul road should be built through the site at the outset so that construction can access all parts of the site from the north (via Grovehurst Road).

6.10 Kemsley (Cllrs Dendor and Carnell):

Cllr Dendor has commented on the design of Phase 1 North and the scheme has been amended to address his comments, particularly in respect of the 2.5 storey dwellings that had previously been proposed in locations adjoining existing dwellings on the northern side of Bramblefield Lane. As noted above (see Paragraph 2.10), the Phase 1 North layout has been amended with respect to 2.5 storey dwellings so that none are proposed backing directly on to existing dwellings.

Cllr Dendor has also provided input in respect of the developer contributions that are sought in for the Kemsley Village Hall. This issue is discussed in the 'appraisal' section below.

6.11 Bobbing, Iwade and Lower Halstow (Cllrs Clark and Woodford):

No written comments on the application have been received.

6.12 Milton Regis (Cllrs Winkless and Davey; Members will note that this ward adjoins the application site on the eastern side of the railway running along the site's eastern boundary):

Generally they have not commented on the planning merits of the proposed development, but have requested that consideration be given to providing a road connection within the new housing development so that the existing sub-station compound adjoining the application site can be accessed from the proposed development, rather than vehicles crossing the railway line at the existing level crossing. Condition (25A) below is proposed to address this.

7. CONSULTATIONS

7.1 The **Environment Agency** raise no objection subject to conditions in respect of foul drainage details being agreed, infiltration of surface water only being with agreement of the Local Planning Authority, piling details to be agreed with LPA if penetrative methods are to be used, and to deal with the scenario contamination not previously identified.

7.2 The **Environmental Protection Team Leader** raises no objection subject to conditions and inclusion of appropriate s106 clauses (see Paragraph 9.16.1 below) having carefully considered the implications of the development for, in particular, air quality, noise and ground contamination.

7.2.1 Members will note, in particular:

“Air Quality Mitigation Damage Cost Calculation (for phase 1)”

The total emission cost for phase 1 is worked out pro-rata as £185,729 i.e. as 28% of the total emission cost for the whole scheme (£649,781)

I am satisfied with the calculation and the amount of money which results from it. However, from my EH perspective not all of this money is relevant and therefore should not be included in the scheme under this heading. I would agree as being relevant all the electric vehicle charging points, low NOx boilers, travel plan and welcome pack. This amounts to a sum of £360,154, still well in excess of the total emission cost for phase 1.

Secure cycle storage is helpful but the figure quoted seems extremely large without a suitable explanation where the figure comes from and landscaping is not relevant here, though the reference to species that have a mitigation effect on air pollution is to be welcomed and could be included in the landscaping section of the proposal.

Noise

I was satisfied with the submission in the relevant chapter of the Environmental Statement and stated so in my memo to you at the time, but have been now been made aware of the specific measure for mitigating the development from traffic noise, and in particular those properties who are closest to the A249, i.e. the proposed combination of earth bund and fence on top.

There is a description in the Planning Statement of what is intended, though it is somewhat vague. It describes the measure as a 3 metre high bund with a 1.8 metre 'fence'. I do not disagree with this measure as being the best available for this scenario; the closest properties will derive most benefit. It is not clear whether the fence is a standard or acoustic fence – the latter being preferable to add extra noise attenuation.

I was concerned that the statement still refers to PPG 24 noise exposure categories, though they were removed in 2012.

I think therefore it would be appropriate to suggest the following condition for (traffic) noise, particularly for the closest properties: I have used this condition previously in similar circumstances.”

With regard to the damage cost calculation for air quality mitigation, I have received clarification from the applicant and this is set out in the appraisal section below.

With regard to the latter point, Members will note I have included conditions below to deal with this, both for the detailed phase and in respect of the outline areas.

With regard to land contamination, standard conditions are requested and I have included these below.

With regard to noise from train horns and further to the Technical Note on Noise (October 2020) prepared specifically to address this, the Environmental Protection Team Leader comments as follows:

“The Technical Note ...has confirmed the need to consider mitigation measures on this development as a result of train horn noise. A higher specification of window glazing of habitable rooms that overlook the railway lines is recommended. This is coupled with a requirement for an alternative form of ventilation and/or cooling so that occupants can retain access to fresh air and retain thermal comfort without compromising their noise climate with windows closed. The assessment has shown that providing the mitigation measures recommended are implemented, the noise levels within the proposed properties should meet the appropriate internal noise level criteria required.”

7.3 **Southern Water Services** have responded to the consultation on the most recent round of amendments, and to previous consultations, and Members will note the following:

“The wastewater discharged from the proposed development will be drained to Southern Water’s Sittingbourne Wastewater Treatment Works. The works currently does not have the capacity to accommodate flows from the proposed development. Where development has been identified and allocated for future development by the Local Planning Authority, Southern Water will attempt to ensure capacity is available to serve these developments. Should planning approval be granted then Southern Water recognises its obligations under the new charging regime to provide capacity in the existing sewerage system to accommodate the needs of the proposed development. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water’s Capital Works programme. [Rather than being matters to be dealt with as part of any planning approval that the Local Planning Authority may grant.]

Southern Water and the Developer will need to work together in order to review if the

delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement. It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required.

In conclusion, they raise no objection subject to the imposition of suitable conditions. I have included conditions and informatives below to deal with the matters raised.

- 7.4 **KCC Flood and Water Management** raise no objection, and an extract from their most recent response includes the following:

“We provided a consultation response to this application on 15 June 2018 and recommended specific conditions to be considered on any approval.

Further drainage information has subsequently been provide in a Drainage Strategy Overview Drawing (GTA Civils, November 2019) which shows discharges locations per catchment with stated discharge rates. This drawing is an update of the Drainage Strategy (GTA Civils, Drawing 5824/1014) included within the Flood Risk Assessment originally submitted for this application. Discharge rates have varied slightly but are generally acceptable.

These discharge rates are tied to specific assumptions in relation to impermeable areas and greenfield runoff rates which are not specified on this current version of the drawing. Given the lack of specificity on the drawing, QBAR rates for the calculation of discharge rates shall be confirmed and agreed at detailed design but should not fundamentally change developed discharge rates. This is to ensure the impermeable areas confirmed with detailed layout approvals then support the appropriate discharge rates.

We would recommend approval of this application with appropriate conditions as specified in our response on 15 June 2018. These conditions have been slightly modified since 2018.”

Members will note that **KCC Flood and Water Management** were consulted on the amended Flood Risk Assessment and that they raise no objection subject to the imposition of the conditions initially requested, which are included below.

- 7.5 The **Lower Medway Internal Drainage Board** raise no objection to the application, and comment as follows: *“The LMIDB will be interested in this application because the surface water from the two proposed sites will all drain into a main ditch that eventually passes under the railway line and into an IDB adopted watercourse. It is therefore essential that the surface water from the site is attenuated to at least 7 litres/sec/hectare for the 1:100yr storm (with an extra 40% storage for climate change). In this instance KCC will be the land drainage authority for consenting to private ditches but the Board will try and ensure its interests are taken into account.”*

- 7.5.1 The LMIDB were consulted on the updated Flood Risk Assessment, but no response was received.

- 7.6 The **Planning Casework Unit** have no comments to make on the content of the Environmental Statement submitted in support of the application.

7.7 **Network Rail** (NR) have submitted, following input from the train operating company, Southeastern Railways, costings for improvements to the Kemsley Halt to be funded under the Section 106 agreement, in the form of a payment of £60,000. In the event that planning permission is granted, they look forward in due course to working with all relevant parties to agree how the works will be delivered.

7.7.1 With regard to the Vicarage and Foxgrove level crossing - which as set out above is the point where PROW ZU6 crosses the railway line and connects to the existing housing to the east of the application site (Middletone Avenue) – Network Rail (NR) are raising no objection to the application on the following basis:

- The developer has agreed to fund NR to undertake a technical assessment of the two mitigation options; diversion on the ground (by the provision of Miniature Stop Lights, which provide a visual and audible warning that a train is approaching) or via a footbridge over the railway;
- Once the technical assessment has been completed and the preferred mitigation has been identified, the developer has agreed to fund the delivery of this option which includes the costs associated with closing the crossing. The mitigation works will then be undertaken by NR;
- The preferred option and the cost for delivery shall be identified by NR prior to the commencement of Phase 1 South; and
- The funds shall be secured via the S106 and shall be paid prior to the 257th occupation on Phase 1 South.

7.7.2 In an additional response, further comments were provided as follows:

- £1,000,000 figure for the bridge suggested could turn out to be an underestimate and recently built footbridges have cost more, up to £1.25 million in one instance;
- Although NR would carry out a Diversity Impact Assessment before forming a view, they are 'likely to be looking at a stepped footbridge' as a ramped alternative would be likely to cost £2,000,000 or more;
- Although NR would look to deliver the bridge as early as possible, 'we do not have a planned delivery date at this stage';
- Maintenance of the bridge (including lighting and surfacing) should be at the developer's expense;
- With regard to improvements to Kemsley Halt, reference is made to costings provided by Southeastern Railways (noting preferred option would be circa £58,000); and
- NR support the principle of a pedestrian and cycle connection to the Kemsley Halt.

7.8 **Southeastern Railways** raise no objection to the application and welcome the payment of a developer contribution to fund improvements to the Kemsley Halt.

They also state, with respect to the pedestrian / cycle link to the station: "*we can confirm that we have discussed this with NR [Network Rail] and also your team and are in support of the new foot path/cycle way to the station that joins onto the existing footpath accessing the platform.*"

7.9 **Kent Community Rail Partnership** (hosted by Sustrans) raise no objection and their comments are summarised as follows:

- National Cycle Network (NCN1): does the proposed development offer any improvements to this route?
- Cycle / pedestrian routes not clear from the Transport Assessment;

- Existing railway line introduces severance between new community and existing ones [on east side of it] and will restrict access to new facilities for existing residents;
- There is an opportunity to improve pedestrian access across railway line, though Network Rail are unlikely to accept increased use of existing crossings;
- A grade separated crossing for pedestrians and cyclists is recommended - NCN1 could be routed via this, taking it away from Grovehurst Road; and
- A connection directly between the development at Kemsley Halt should be a condition of this permission, not a “*possible future connection to Kemsley Halt*” as suggested by the Masterplan.

7.10 The **Kent County Council Public Rights of Way Officer** has participated in detailed discussions with officers and the applicant and now raises no objection subject to the imposition of two planning conditions (included below) and the payment of five developer contributions (itemised in the Paragraph 9.16.1 below, and amounting to a total of £119,615); and their latest consultation response includes the following:

“Following our previous comments, the applicant has engaged with the PROW and Access Team and considered the potential impacts of the development on the PROW network. On balance, we have no objection to the proposal...”

7.10.1 A further response has been provided, which includes the following:

“From a PRow perspective, I would make the following comments on the bridge proposal:

- *We would most likely support the bridge proposal, as this would maintain connectivity for the public and remove the risks associated with the at-grade crossing;*
- *Though ZU6 is currently recorded as a footpath, cyclists are likely to use this route. The bridge should therefore be ‘future proofed’ and designed to accommodate cycle use. This approach would avoid having to retrofit the structure for cyclists in the future;*
- *Public Footpath ZU6 is currently enclosed by housing and curtilage on the south east side of the railway line. Having visited the site, there does not appear to be sufficient space available to accommodate a new bridge along the alignment of Footpath ZU6. The applicant/Network Rail may need to acquire land at this location for the bridge;*
- *The legal alignment of Public Footpath ZU6 may need to be diverted, so that it passes along the new bridge crossing; and*
- *Consideration would need to be given to the future maintenance of the bridge, as KCC are unlikely to adopt the bridge. If KCC were to adopt the bridge, we would seek a commuted sum to cover the future costs of maintaining and replacing the structure.”*

7.11 **KCC Minerals and Waste** are concerned that parts of the proposed development would conflict with Paragraph 203 of the NPPF and Policy DM7 of the Kent Minerals and Waste Local Plan. This does not relate to Phase 1 North, which KCC acknowledge has been sterilised as a potential source of brick-earth due to material dumped from the construction of the adjacent A249 dual-carriageway.

With regard to the remainder of the site, it is stated that the application site does have a safeguarded mineral (brickearth) deposit and that this would be sterilised by the proposed development of the site.

KCC conclude that:

“...it can be said that the Minerals Assessment is essentially flawed in that it draws arguably the wrong conclusions from the available evidence, and then compounds this by having no third party verification of the contentions that the material is uneconomic and cannot be extracted within acceptable timescales.”

In a subsequent response, following clarification from the applicant, it is noted that while *‘...It is for the local authority to determine the application as it sees fit on the evidence available...KCC suggest evidence hasn’t been provided to justify the development proceeding without the prior extraction of the brickearth. They conclude as follows:*

“...though it is a matter of policy at both national and local scales that the principle of land-won mineral safeguarding can only be exempted if the evidence supports this conclusion. To allow non-mineral development to proceed on Mineral Safeguarding Areas without proper recourse to ensuring needles sterilisation does not occur could, it is considered, render the decision challengeable in law.”

7.12 **Greenspaces Manager** raises no objection to the proposed development and confirms that the Council would not take on the management of any of the open space or strategic landscaped areas.

In response to consultation in September 2020 on update management proposals for the open space and updated hard and soft landscaping proposals, he makes further comments as follows:

“Have read through the letter in relation to proposed open space management – While disappointing ultimately KWT [Kent Wildlife Trust] not undertaking management of country park areas, it does appear there is a continued relationship on the proposed committee. This will help to embed the biodiversity and particularly monitoring elements in the proposals and management. While not suggested in previous proposals, retaining a link for SBC and KCC into the management company may help to reduce fear of the company not performing, however if purely acting in an advisory role it is not clear what if any sanction is available, if it were failing. Generally feel the proposal is acceptable.

The amended plans appear to set out both the clear principals in the respective masterplans and full details within the respective planting plans. The planting plans include naturalised bulb planting where appropriate and certainly pick up on the secondary Neighbourhood Landscape Area typology in primarily being visual amenity, but with a secondary ecological function. Evident through the use of meadow seed mix in addition to naturalised bulbs and a wide range of both native and ornamental trees. Tree species appear to be appropriate to location within the scheme.”

With regard to formal sports provision, he comments as follows:

“The Council’s Playing Pitch Strategy identifies the need for proposed basic facilities and some pitch improvements to increase capacity at Kemsley Recreation Ground and pitch improvements at Milton Recreation Ground again to help increase capacity at peak times. In addition identified post Strategy, with potential changes to usage of both the existing ball court and changing pavilion at Milton Recreation Ground for multi sports in addition to football, the Council is looking to reconfigure and refurbish both...”

A contribution of £593 per dwelling (a total of £711,600) has been requested towards playing pitch improvements at Milton Recreation Ground and Kemsley Recreation Ground.

.”

- 7.13 **Sport England** advise that they “*have no comments on the latest set of plans.*”

In addition, following further discussion I now understand that the proposed contribution is to assist specifically with formal sports provision; a figure of £711,600 has been secured, to be used at surrounding sports sites in order to carry out improvements as deemed appropriate by the Local Planning Authority (LPA). I understand that the LPA considers this an adequate contribution.

Sport England has no objections to this approach.”

- 7.14 **NHS Kent and Medway Clinical Commissioning Group (CCG)** consider that the development will have a direct impact on the provision of services locally, but consider that this can be mitigated by the provision of a developer contribution to allow the provision of primary care in the vicinity of the site to be improved. Based on an average occupancy of 2.4 people per dwelling, they calculate that the 1200 dwellings proposed would require a developer contribution of £1,036,800. This could then be directed “*towards refurbishment, reconfiguration and/or extension of Grovehurst Surgery [which adjoins the application site], Iwade Health Centre, Lakeside Medical Centre or The Meads Medical Practice.*” The CCG request that the s106 agreement allows for the possibility that some or all of money be spent on surgeries other than four specifically identified.

The consultation response includes the following:

“During 2019 the CCG undertook discussions with general practices in Sittingbourne to review and refresh premises priorities to respond to population growth; the output of this is reflected in the GP Estates Strategy. There is currently limited capacity within existing general practice premises to accommodate the expected growth in Sittingbourne and therefore additional capacity will be required; this is expected to be achieved mainly through reconfiguration and expansion of existing premises.

The need from this specific development, along with other developments in the immediate area, will create population growth that we expect to impact the practices detailed above due to the current catchment areas of these practices. This will therefore need to be met through the creation of additional capacity at one or more of these practices to ensure there is space to support the increased patient registrations and additional workforce. The CCG will be taking forward more detailed discussions with Grovehurst Surgery, which is in the immediate vicinity of this development, to further explore options and understand what may be feasible on the existing site and timing of any expansion. We are therefore unable to provide details of a specific project but can confirm that the need for capacity in this area is identified as a priority and the intention is to use the contributions as set out above. Any premises plans will take into account the pooling of S106 contributions where appropriate.”

- 7.15 **Bobbing Parish Council** object to the application and comment as follows:

“At its meeting on the 7 July 2020, Bobbing Parish Council agreed that its objections, as lodged on the 4 April 2020 and 6 February 2020, still stand. In particular the Council is concerned to note that no action has been taken to prevent Sonora Way from being used as an access to major routes, i.e. the A249 and M2, which will cause distress to the residents living in this area.”

7.15.1 They also state: *“Relating to our concerns over the use of Sonora Way by traffic from this development using it as a short cut to the A249 and beyond. Due to issues with the T-junction of Sheppey Way/B2006/ traffic queues mainly due to access to and from the Bobbing Apple retail site, we would urge the Borough Council to use the opportunity (with S.106 money) to redesign this area and install a roundabout, which would improve traffic flow and encourage vehicles from the new development to use Quinton Road/Sheppey Way (past Bobbing School) and then exit onto the B2006. This will in turn reduce the amount of traffic using Sonora Way as a short cut.”*

7.15.2 The Parish Council have also stated: *“...that they have very real concerns over air quality in the region. They also pointed out that Highways England have stated that the A249 only has capacity for another 50 cars per day, hence HE blocking development along this corridor.”*

7.15.3 Further comments have been made (which are dated 12/10/2020) as follows:

“Bobbing Parish Council requests that the Secondary School and Primary School are built at the beginning of the development and not at the end; with all the house building going in Swale and in particular this area, there is a shortage of school places (particularly Secondary School places) and the local schools are all full. Hence it is important that these schools are build in advance.

It is also important that other promised infrastructure comes forward at the beginning and not left until the end of the development, as so often happens.”

7. 16 Although none of the application site is located within their area, **Iwade Parish Council** have been consulted and their comments are as follows:

“Infrastructure; this should come first not last as always.

Schools; there is a distinct lack of school places in the area, the promised Secondary and Primary Schools should be built first so that those moving into the new homes can do so knowing that their children have a place in a School.

NHS has expressed concern regarding the lack of Doctors in the area and the difficulty it has in obtaining them.

Concern that the access/exit from the Grovehurst Road end of the development will impact on this main road and cause queues on the approach to the A249 roundabout.

Concern that this will add to the already congested A249 and M2, Junction 5.”

7.17 The **Affordable Housing Manager** has been involved in on-going discussions with the applicant, and having considered the amended proposals for Phase 1 South (see Paragraph 2.26 above) and, in the light of further clarification, raises no objection. The details are discussed in the ‘appraisal’ below and Members will also note that a dedicated affordable housing plan has been provided.

With regard to the other detailed area of the application, namely Phase 1 North, no objection is raised to this part of the site not containing any affordable dwellings.

With regard to the area for which outline approval is sought (852 dwellings in total), no objection is raised on the basis that 10% of the dwellings will be affordable units, the

tenure split will be 90-10 in favour of affordable rent and the mix of units (dwelling sizes and types) will be proportionate to the mix of private dwellings in each phase.

- 7.18 The **Climate Change Officer** has considered both the initial submission and the Planning Statement Addendum and comments as follows:

“This is a complicated case and while I was happy with the application when submitted things have moved on both nationally and locally.

As you know our planning and local plan committees now have very ambitious targets for carbon reductions (particularly so since the election of a new administration in May 2019) – aspiring for 50% [reduction] over current Building Regulations in respect of minimising CO2 emissions, and asking for proof of why this is not attainable. A consultant and Building Control are working on some guidance for developers which we can point the applicant to. [Members will note Paragraph 5.9 above, and that the final version of the document was published in June 2020.]

The Future Homes Standard consultation has closed but the outcomes are as yet unpublished. One possible outcome is that LPAs will lose the power to create their own standards above Building Regulations. The developer has committed to achieving the 31% improvement which is one of the options in the Future Homes Standard. While this is not the 50% improvement being sought, it is far better than the 3% originally proposed and substantially better than on a neighbouring site – which although with a different developer (Redrow Homes have committed to exceeding the Building Regulations standard by 14%) is to all intents and purposes part on the same site and part of the same Local Plan allocation.

I understand this is being offered in respect of all 1200 dwellings proposed. However, for the outline we can use a condition that requires that before the 1st dwelling in the outline part of the development is occupied the applicant commits either to build the remaining dwellings to the 50% standard or to the Building Regulations standard at that time, whichever is higher.

We would expect homes to have water butts and composting bins.

With regard to the schools and the local centre (and any other commercial buildings) our current Local Plan requires a BREEAM standard of very good for buildings over 1000 square meters and good for those below this. Given that this is outline and the build some years away, the review of the Local Plan and the ambitions of the committee can we suggest the developer at least considers an excellent rating.”

In response to consultation on updated sustainability information in September 2020, further comments were submitted, which include the following:

“In their Sustainability and Energy Statement the applicants...state that should the Future Homes Standard be adopted before they start to build (either 20% or 31% reduced emissions over current building regs) then they will build to this standard.

I would like them to commit to at least the 31% and for 50% for latter stages of the development as this will go some way to meeting our 50% aspiration.

I can't find any references to BREEAM ratings for the school - this should be a minimum of "good" or "very good" depending on size.”

Members will note that conditions are included below to deal with these matters.

7.19 **British Transport Police** initially raised concerns in respect of detailed aspects of the proposals as they relate to the railway line and the Kemsley Halt station, both of which adjoin the eastern side of the application site. In particular, the following points were raised:

- (i) Vicarage Level Crossing (to railway line) should be closed or mitigation provided to minimise risk (following discussions with relevant parties);
- (ii) Upgrades to Kemsley Halt Station should be informed by input from Kent Police with the objective designing out opportunities for crime and anti-social behaviour;
- (iii) Pedestrian routes to Kemsley Station should have 'active frontages' to encourage natural surveillance;
- (iv) The boundaries of Kemsley Station should be well defined;
- (v) Non-residential elements of the development should be located on the route to the Kemsley Station; and
- (vi) Childrens' play areas should ideally be positioned away from the railway perimeter.

However, in the light of clarification from the applicant they now are happy with what is proposed. Although with regard to the PROW crossing of the railway line, they noted:

“Obviously still concerned around risk but do note the funding provision of the stop light and alternative footpaths.”

As set out below, Members will note that the applicant has subsequently agreed to pay a developer contribution that Network Rail consider should be sufficient to fund the delivery of an over-bridge for this PROW crossing. The arrangements for pedestrian and cycle access to Kemsley Halt are discussed in the appraisal below, together with the related issue of the appropriate siting within the wider site for the schools' site.

7.20 **Kent Police** have provided a number of consultation responses in respect of this application and the applicant has made various changes to the detailed layout for Phase 1 South and Phase 1 North in order to minimise the opportunities for crime and anti-social behaviour. As set out above, there has also been detailed engagement with British Transport Police in response to a request from Kent Police. With regard to Secure by Design, Kent Police strongly encourage the applicant to apply for the relevant accreditation. Members will also note that the latest update to the Design Access Statement (dated September 2020) addresses these issues on pages 32 and 35, and that Secure by Design is referred to in the supporting text to Local Plan policy CP4. Condition (26B) below will require that Phase 1 North and Phase 1 South are designed to accord with the principles of Secure by Design.

7.21 **KCC Highways and Transportation** have played a central role in the discussion with the applicant and have provided various written comments on the development. They now raise no objection subject to a set of conditions and the payment of various developer contributions, and their latest response includes the following:

“Parking

Cycle parking shed designs have been reviewed and are agreed to be of sufficient length and width to meet with standards. The latest drawings demonstrate cycle parking for those properties previously identified as being missing. As such it is agreed that cycle parking is provided in generally in accordance with policy requirements. It should be noted that properties 343 and 344 are omitting cycle parking, have no 0.5m

service margin and insufficient space is available to reverse into their parking spaces. It is therefore recommended that these dwellings be set back by 1.5m.

[Members will note that the Phase 1 North layout has been amended to address this point.]

Single, twin and triple car port plans and elevations are agreed as suitable. These all include 2.9m entry width and sufficient length. An additional quadruple car port drawing has been submitted and reviewed; this also meets with the required SBC parking standards. A condition will be required to ensure that car ports cannot be adapted and retained for vehicle parking only. The latest drawings include the previously requested extension to the driveway spurs along the spine road to widths of 15m for the shared drive and 8m for the single drive. These amendments are welcomed and overcome our safety concerns that the on-street parking on the spine road would introduce. Parallel visitor parking bays have chamfered entries and are of 6m length in accordance with SBC standards.

The southern parcel has a total of 511 car parking spaces provided and is above the SBC parking standard minimum recommendation for suburban standards (483).

The northern parcel has a total of 201 car parking spaces provided and is slightly below the SBC parking standard minimum recommendation for suburban standards (211). However, as the application comes with a number of interventions designed to encourage sustainable transport and therefore is considered to be policy compliant.

Refuse tracking

Tracking [for Phase 1 North and Phase 1 South] has been further reviewed and now demonstrate that collections can operate effectively.

Access to Schools

The requested change to clearly demonstrate that access for walking and cycling is provided within the Concept Masterplan is now shown. It has also been confirmed that the crossing of the Grovehurst Road will be a condition of the accompanying Great Grovehurst Farm application [reference 18/502372/EIOUT – pending application for 115 dwellings].

Grovehurst Road Site Access

Further details on the expected turning movements and capacity have been submitted and reviewed. The resultant modelling demonstrates that after inclusion of the school related traffic, the roundabout would still operate at 2031 with sufficient reserve capacity.

Quinton Road Site Access

The latest drawing for this junction arrangement numbered 27239_5504_021 REV G rectifies the issues raised within the Stage 1 Road Safety Audit and has been tracked as requested. The drawing is approved.

Lighting

The lighting and street tree plans 2535-SK-16, 17 & 18 have been reviewed and are agreed.

In respect of the S278 drawings listed below we would wish to highlight that these drawings

refer to ASD lighting which in the main will be acceptable for the residential roads.

There are

however sections of the spine road that would require higher levels of lighting and as such the

main accesses an area surrounding the central square will need to be CU Phosco luminaires in accordance with our list of approved apparatus. The applicant should refer to the Institute of Lighting Professionals TR25 document for guidance on the appropriate lighting levels and column placement through traffic calmed areas. With regards to the school area and main junctions, these could be considered as conflict areas which again have their own lighting requirements as specified in the ILP PLG02 document.

Walking and Cycling

Detailed drawings for the route from Quinton Road to the Town centre have been submitted and are as requested. The site has excellent permeability within the site having three dedicated walking/cycling routes heading North/South; to the West, through the centre and to the East. A link is also proposed to connect to Kemsley Halt. There is an East/West link across the site via Bramblefield Lane which connects into the existing cycle network. Additional facilities are to be provided by the Iwade allocation to connect this site with the village of Iwade via Sheppey Way. An alternative route is also to be provided over the improved Grovehurst/A249 interchange.

An off-site cycle link is to be provided by the applicant between Quinton Road and Sittingbourne Town Centre via a route connecting through Beechwood Avenue. The details of the proposed works have been submitted on [illustrative] drawings 27239/5504/066, 27239/5504/067, 27239/5504/068 are agreed and should be implemented prior to the 50th occupation.

The section from Bramblefield Lane to Quinton Road [running through the site and as illustrated on the Concept Masterplan] should be open and available from the opening of the Secondary School or occupation of the 250th dwelling, whichever is the sooner.

Spine Road, Bus and Rail

It has been confirmed that the site will be served by a regular 334 service and the site will need to include two pairs of stops along the internal spine road. The applicant has confirmed acceptance of a contribution being provided by way of vouchers to homeowners to the amount of £350 [per dwelling and amounting to £420,000 in total] to be used for either rail or bus travel.

The applicant has confirmed their agreement to the Spine Road being open and available for public use to a standard agreeable to the Highway Authority between the Grovehurst Road entrance to the proposed school entrance prior to either school opening or the 100th occupation. Construction access for the school land should be made available in accordance with requirements from KCC education colleagues. [A condition to deal with this is included below.]

The applicant has confirmed their agreement to details of the Spine Road between the Phase 1 North and Phase 1 South being submitted to the Highway Authority for approval by way of a Reserved Matters application, prior to the occupation of the 345th dwelling. The Spine Road shall be open and available for public use and to a standard as agreed by the Highway Authority by occupation of the 780th dwelling. The applicant has confirmed their agreement to a temporary pedestrian/cycle link between the Phase 1 South site and the school site entrance being made available prior to the opening of either school.

The Concept Masterplan has been updated to include additional overlooking of the Kemsley Halt pedestrian cycle link as requested. The applicant has confirmed agreement that this link will need to be implemented prior to the opening of the school or 200th [dwelling] occupation, whichever is the sooner.

A minimum contribution of £13,147 has been confirmed by the applicant to be claimed by Swale BC for the purposes of improving the facilities at the Kemsley Halt station as required by policy. Payment will be made on full occupation of the 100th dwelling.

[This issue is discussed in the ‘appraisal’ below; the final amount will be significantly larger to reflect the correspondence with Network Rail and Southeastern Railways, and the payment trigger will be agreed in due course, following Members’ resolution for this application.]

Grovehurst/A249 junction

The applicant has agreed to providing a financial contribution towards the preferred HIF [Housing Infrastructure Fund, which is a Government scheme to support infrastructure need to unlock housing development] scheme at an amount of £3,598,503 to be made to the Highway Authority. This will be payable as follows:

*25% at 250 occupations,
50% at 450 occupations,
75% at 650 occupations and
100% at 900 occupations.*

A Grampian restriction will be required to prevent any occupations beyond 41 dwellings of the phase 1 North element, up to the end of 2022, unless the Highway Authority have awarded a contract for works to deliver the HIF improvement scheme and/or it can be demonstrated with the agreement of the Highway Authority that there is sufficient capacity on the highway to avoid any severe impacts on highway safety or capacity. No further occupations to be permitted beyond the 91[dwelling] Phase 1 North element until such a time as the Highway Authority have awarded a contract for works to deliver the HIF improvement scheme and/or it can be demonstrated with the agreement of the Highway Authority that there is sufficient capacity on the highway to avoid any severe impacts on highway safety or capacity.

Bobbing/A249 junction

As mentioned above there will be required a Grampian condition restricting all development beyond the 91 phase 1 North dwellings until the Grovehurst/A249 junction is improved. The Grampian restriction includes the proposed phase 1 South development of 257 dwellings. The applicant has submitted further analysis on the Bobbing junction suggesting that an interim scheme be provided at 100 occupations prior to implementation of the full mitigation at 450 dwellings. The interim scheme includes additional lanes and flaring to the approach arms however without the full

signalisation. The Bobbing interchange crossings are a known pedestrian route for school children accessing Bobbing Primary School from “The Meads” residential area. The suggestion to increase the number of lanes without provision of any signalisation for pedestrians would in our opinion introduce unacceptable safety concerns and as such the approach is not agreed. Our suggestion is that the A249 Southbound off-slip is widened and signalised; as an interim the Northbound off-slip could be widened without signalisation due to a suitable “signalised” alternative for those wishing to continue to use that route. The trigger of 100 occupations would be acceptable for an interim scheme that includes signalisation of the Southbound off-slip with pedestrian crossing facilities. We will require a drawing to be submitted to that effect with an accompanying RSA stage 1.

The proposed full mitigation for the Bobbing/A249 junction as demonstrated on submitted drawing 27239_5504_029 should be implemented prior to occupation of the 450th dwelling. The KCC mitigation scheme for the Grovehurst Interchange includes signalisation of the Northbound on-slip to facilitate NMU [non-motorised user] movement. Whilst this is a matter for Highways England, our recommendation is that the above drawing is conditioned to include signalisation of the Northbound on-slip, matching the proposed arrangements at Grovehurst. All development beyond that of any of the 257 dwellings within the Phase 1 South element will be required to have vehicular access to the site via the Northern access point onto Grovehurst Road, not Quinton Road. [Members will note that condition (15C) below will ensure that the Spine Road is provided in full and open to traffic before the occupation of the 780th dwelling as required by KCC Highways and Transportation.]

Concluding summary

Subject to a satisfactory resolution to the Bobbing/A249 junction as identified above and inclusion of the following conditions and contributions being secured, the Highway Authority would raise no objection to the application being recommended for approval.”

7.22 **Highways England** most recent consultation response (dated 30 October 2020) includes the following:

“Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN [Strategic Road Network]. In the case of this proposed development, Highways England is interested in the potential impact that the development might have on the M2 Motorway and A249 near Sittingbourne.

Highways England issued a response on 10 July 2020 to 18/502190/EIHYB outlining that conditions be attached to any planning permission that may be granted.

We note the following updates.

KCC Position

We note in Kent County Council’s Highways response from 20th October 2020 that it is their aspiration for a signalised crossing at Bobbing:

“Our suggestion is that the A249 Southbound off-slip is widened and signalised; as an interim the Northbound off-slip could be widened without signalisation due to a suitable “signalised” alternative for those wishing to continue to use that route. The trigger of 100 occupations would be acceptable for an interim scheme that includes signalisation of the Southbound off-slip with pedestrian crossing facilities. We will require a drawing to be submitted to that effect with an accompanying RSA [Road Safety Audit] stage 1.”

In light of these KCC Highways comments, if they are to be pursued we would also need to see a drawing with this signalised arm, the impact assessed in a LinSig model and an accompanying Stage 1 Road Safety Audit to DMRB [Design Manual for Roads and Bridges] standard GG119.

Site Proposals

Reviewing the drainage details submitted it appears that the applicant has opted for a SUDS system throughout the development and that there is no intention to discharge into Highways England's boundary or drainage network. However, although it is not the applicant's current intent to use Highways England's drainage network nevertheless the condition prohibiting its use is still required in case matters change.

With regard to the landscape and ecology management at North West Sittingbourne we note the applicant's intent as set out in their letter of the 18 September. At this stage the proposals are indicative only and therefore we require a further condition which will require those matters to be agreed to by Highways England.

In addition we note in the Concept Masterplan that an Acoustic Bund is due to be constructed along the M2 border of the site. Given the proximity of the bund to the SRN and the consequential potential changes to local hydrology, drainage and topography we need to ensure that the proposals will not affect the safety or operation of the SRN; hence we recommend a further standard set of conditions regarding the submission and approval of documentation in accordance with the Design Manual for Roads and Bridges.

Therefore, subject to the application of the required necessary conditions (all updated to reflect latest DMRB referencing), we are satisfied that the proposals will not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109), in this location and its vicinity.

Accordingly, I attach our UPDATED formal conditional response for your attention."

They raise no objection subject to conditions, which are incorporated in the set of conditions recommended below.

7.23 The **Rural Planning Consultant** has commented on the development and as extract reads as follows:

"...Although it appears that the loss of the land would have a very small proportional effect on the two substantial farm holdings involved, the environmental impact assessment submitted with the proposal identifies a detailed agricultural land classification study that finds all but 2.9 ha of the land concerned to be "best and most versatile" quality (Grades 1, 2 or 3a). This is clearly a significant loss of good quality farmland and is rightly acknowledged as having a "Large Adverse" impact in EIA terms.

However, as referred to in the EIA, policy DM31 of the Swale Borough Local Plan 2017 allows development on "best and most versatile" agricultural land if the site is allocated for development in the Local Plan, which I understand to be the position in this case.

Presumably the adverse impact of the scheme, in terms of loss of agricultural land, has been taken into account already, in judging the Planning balance in favour of the

development in principle; consequently I believe there is nothing further I can add in this regard...

7.24 The **Economy and Community Services Manager** comments as follows:

“A development of the scale proposed should provide opportunities, over some period of time, for positive outcomes in relation to Swale Borough Council’s Economic Improvement Plan priority focused on improving skills. Under this priority there are two longer-term targets, namely to

- pursue all opportunities to progress our long-term ambition to enhance the provision of further and higher education accessible to Swale residents*
- Encourage employers to become more engaged with developing young people, working with local schools and providing progression opportunities through work placements and apprenticeships*

The application has the potential to contribute to both, through creating the opportunity for new learning provision, serving the local area, and by working with the developer and its delivery partners to engage in helping develop skills locally, through the types of activity highlighted above. The scale of the development is such that construction will take place over a number of years, during which time an approach to engaging with the local community and young people to secure learning outcomes could become more embedded than on other sites.

It is out experience that achieving meaningful engagement with this agenda, through section 106 agreements, can be challenging and that it may be that such positive outcomes are best achieved through seeking to develop and work within an extended partnership, including local schools and other learning providers delivering relevant learning provision and apprenticeship frameworks.”

In summary, rather than looking for clauses to included in the s106 agreement, the Economic Development Team will instead be seeking to work with the developer(s) on an informal basis

7.25 **KCC Ecology** have provided a number of consultation responses, which are summarised below under the following sub-headings: general comments, protected species, implications for the SPAs, management of open space and strategic landscaping and biodiversity net gain:

7.25.1 *General comments*

“We have reviewed the ecological information which has been submitted as part of this planning application and we are satisfied that sufficient ecological surveys have been carried out to provide a good understanding of the ecological interest of the site.

When we previously commented we raised concerns that insufficient information had been provided on the species mitigation and how the open spaces would be managed for biodiversity – a Ecological Enhancement and Management report has been submitted and we are satisfied that appropriate mitigation can be implemented within the wider site and provided a good understanding of how the open space area will be managed.”

7.25.1 *Protected species*

Common lizards and slow worms have been found at the site and a receptor site will need

to be provided within the site. It is considered that there is space to do this within Phase 1 North and a condition to cover the issue is included below.

With regard to bats, some of the trees at the site are judged to have low potential for bat roosting and a suitable condition is recommended, and this included below. Given the potential impact of external lighting on foraging and commuting bats, a condition is also recommended to deal with the issue.

With regard to wintering and breeding birds, low numbers of the former were recorded within the site. It is also noted that there are some areas of habitat suitable for the latter. Appropriate mitigation will be incorporated in the development. Members will note the informative below.

A Management Plan is recommended for the various areas where ecological mitigation is proposed, and a condition is included below.

7.25.2 *Implications for the Special Protection Areas*

KCC Ecology note the following:

“The proposed development is within one kilometre of the Swale SPA, Ramsar and SSSI and the Environmental Statement has provided details of a number of measures to demonstrate to detail how the application will avoid a likely significant effect on the designated sites. They include:

- *Contribution to the North Kent Strategic Access Management and Monitoring Strategy (SAMM) [The fee of £250.39 per dwelling will be paid and an Appropriate Assessment has been carried out]*
- *Creation of public open space*
- *Production Construction and Environmental Management Plan*
- *Implementation of a SuDS Scheme. [This will include open features designed to encourage biodiversity]”*

7.25.3 *Management of open space and strategic landscaping*

Together with KCC Ecology, I have worked with the applicant to ensure that high quality management arrangements (with proper on-going over-sight) are in place to ensure that the main areas of open space and strategic landscaping (notably the proposed Country Park) are well managed for the benefit of biodiversity (as well as for the amenity / informal recreation of residents).

The applicant has provided a position statement on this (by letter dated 18 September 2020) and subsequently in the ‘Landscape & Ecology Management Plan – Framework (October 2020), and the latter is appended to the report. See Appendix 1 below.

In response, KCC Ecology advise that they raise no objection to the suggested approach to open space and ecological management.

7.25.4 *Biodiversity net gain*

As noted above, a letter dated 7 December 2020 and accompanying table and plans have been provided in respect of Biodiversity Net Gain (BNG).

The most recent comments from KCC Ecology include the following:

“The BNG metric has been based on the attached plan (NW Sittingbourne BNG letter) and it covers the north and the south of the site. We haven’t received the illustrated masterplan for the southern section of the site as part of these discussions so I’m unclear about how much habitat will be created within the section. It makes it more difficult when trying to assess if the areas of habitat created are accurate.

However my main point is the BNG metric doesn’t take in to account the areas of amenity grassland or the kick around area. The below table provides details of the habitats listed within the habitats created tab of the spreadsheet and suggests that all grassland creation will be neutral grassland with a medium distinctiveness. Typically the quality of amenity grassland and kick around area are less diverse as they are mown much more regularly than grassland habitats – so therefore I’d suggest that there is a need to divide the grassland up in to two sections and put the grassland which will be managed as amenity grassland at a lower value.

I’d like to stress that the amenity grassland can be managed to provide a benefit to biodiversity and therefore will add to the net gain calculation but there is a risk that the net gain percentage will not be as high as originally proposed.”

Members will note the discussion at Paragraphs 9.14.3 and 9.14.4 of the appraisal below.

7.26 **Natural England** comment as follows:

“Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. As your authority has measures in place to manage these potential impacts through the agreed strategic solution, subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential effects of the development on the site(s).”

In addition, I have drafted an Appropriate Assessment and Natural England have confirmed that in the light of it they raise no objection subject to the appropriate mitigation being secured.

This issue is discussed in ‘appraisal’ section below and, among other things, Members will note that the mitigation of £250.39 per dwelling will be secured under the Section 106 Agreement (see Paragraph 9.16.1).

7.27 **KCC Archaeology** have provided detailed comments, and these are set out on pages 14 to 16 of the consultation response from KCC dated 11/7/2018.

A condition requiring field evaluation works is requested and this included below.

In addition, they comment as follows:

“The exceptions to this are the remains of the First World War trenches, where KCC recommends that these are preserved and recognised in the development Masterplan and proposal. The present conceptual Masterplan suggests that there should be scope to accommodate the preservation of the First World War defences. It would be helpful if a detailed overlay of the mapped location of the defences could be added to the Masterplan. [this has now been provided] However, it seems that the western position

is in an area of proposed open space, the central position in an area of school landscaping and the eastern position in an area of school playing fields or landscaping.

KCC is satisfied that arrangements for the preservation of the defensive positions can be addressed as a reserved matters issue, should outline consent be granted. A suitably worded condition should be agreed with SBC to secure the preservation of the defences that includes further assessment, targeted evaluation and measures to safeguard them.

In addition, the WW1 heritage assets provide an opportunity to enhance the development, through being referenced and interpreted within the Masterplan and scheme. KCC would welcome proposals for this to come forward in a future detailed application for the new school and in the design of landscaping in the wider site. The defensive trenches were positioned to provide a field of fire over the land to the south east and the present Masterplan, to some extent, would seem to allow this aspect of their setting to be appreciated. However, this should be considered further when a detailed application for the school comes forward.”

KCC Archaeology subsequently provided draft wording for conditions to deal with this matter and confirmed that the amended Concept Masterplan (Revision Q) appears to demonstrate that the trenches can be preserved in situ. I have included the conditions below.

7.28 **KCC Growth, Environment and Transport (Developer Contributions)** have provided a comprehensive response which among other things provides comments in respect of the required developer contributions for the following matters.

In summary, they raise no objection subject to the following contributions being paid:

- Primary School (construction of) - £4535 per applicable house and £1134 per applicable flat [total amount payable not known as final mix of dwellings is to be determined under subsequent reserved matters applications];
- Secondary School (construction of) - £4687 per applicable house and £1172 per applicable flat;
- Community Learning (towards shell and core construction of the Adult Learning section of the new Sittingbourne Hub) - £60.43 per dwelling (or £72,516 in total);
- Youth Services (Towards new youth bus and trained driver) - £37.58 per dwelling (or £45,09 in total);
- Library Services (Towards shell and core construction of the Library section of the new Sittingbourne Hub) - £227.00 per dwelling (or £272,400 in total); and
- Social Care (Towards changing place facility in the new Sittingbourne Hub) - £53.46 per dwelling (or £64,152 in total).

In addition, an informative in respect of the provision of super-fast broadband has been requested.

7.29 The **Infrastructure Division at KCC** have commented in detail on the proposed location of the site for the two schools. As discussed in the ‘appraisal’ section below, there were lengthy discussion about whether the proposed location as envisaged when the application was submitted was acceptable (notably from an urban design point of view)

and the County Council were of the view that while there may be advantages to locating the schools elsewhere within the wide site (so that housing could be developed where the schools were proposed), the proposed location should not be changed on the basis that it gave the greatest degree of certainty in terms of ensuring that the schools could be delivered in a timely manner.

- 7.30 **UK Power Networks** have raised objection in response to the original consultation on the application (noting that they have not been consulted under the Party Wall etc Act 1996). Concern is expressed that the development could impact on an existing substation. They have not responded to subsequent consultations. This matter can be dealt with under other legislation and does not amount to an issue upon which this application should be determined.
- 7.31 The **Health and Safety Executive** standard consultation process was carried out given the presence of a high-pressure gas pipeline under the site, and this exercise generated a response that they “*did not advise against the grant of planning permission.*”
- 7.32 **Scotia Gas Networks** have been consulted, but no comments have been received from them.
- 7.33 The **Capital Projects Officer** has responded to consultation and has commented on the appropriate level of contribution for community facilities. It has been agreed that rather than require the provision of a new community building as part of the development, developer contributions will be sought to improve the quality and extent of the facilities available at two existing sites in the vicinity of the application site, namely the Meads Community Hall and the Kemsley Community Centre, both of which are within one kilometre of the nearest part of the application site. This issue is discussed at Paragraph 9.16.1 below.

8. APPRAISAL

- 8.1 Principle of Development
- 8.1.1 Members will note that the proposed development would be located on a site that is allocated for the use for which planning permission is sought. The wording of Policy MU1 is set out in full above (see Paragraph 5.4.2 and the accompanying Concept Plan), but for the avoidance of doubt it envisages a minimum of 1500 dwellings on the wider allocation at NW Sittingbourne, together with land for two schools (a primary and a secondary) and a local centre. The proposed development would deliver 1200 of those dwellings and the land required for the schools and the local centre.
- 8.1.2 Members will have noted above that the application site extends up to the boundary with the corridor for the A249 dual carriageway, which runs approximately north-south along the western side of the site. A strip of land running parallel with this site boundary falls within the Important Countryside Gap and the countryside as defined in the adopted Local Plan and within the application site. However, where this applies to Phase 1 North, all the dwellings proposed are outside the designations. Similarly, where it applies on land south of Bramblefield Lane a condition (16A below) will be used to ensure that all the dwellings are located outside the Countryside Gap and within the built-up area for Sittingbourne.
- 8.1.3 The proposed development is therefore acceptable as a matter of principle.
- 8.1.4 Although the acceptability of the principle of this development was never dependent on the application of the “tilted balance” (which under Paragraph 11 of the NPPF sets a

presumption in favour of sustainable development, and states that where policies that are most important for determining an application are out of date, that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole) as the proposed dwellings would – as noted above - all sit within a mixed use allocation that includes housing, Members should nevertheless note that the Council is not currently able to demonstrate a five year housing supply. The supply is currently 4.6 years although it is anticipated to be significantly greater in the next monitoring year. In this context, Members should note that this scheme will deliver the majority of the 1500 (as a minimum) dwellings proposed under Policy MU1, which is the largest allocated site in the adopted Local Plan. As such, the approval of this development will make a significant positive contribution to ensuring that the Council is able to demonstrate its five-year housing land supply, and a failure to approve the site would push the supply back under 5 years and undermine any ability to secure a 5-year supply for the foreseeable future.

8.2 Provision of Land for Schools

8.2.1 Members will note as this application includes a plot of just under ten hectares in area for the provision of a primary school (which will largely serve the new development) and a secondary school and noting that the latter will serve a catchment extending well beyond the development site, if permission is granted it will amount to a significant step towards the delivery of these important amenities, which will potentially benefit Sittingbourne and the surrounding areas significantly by improving the quantity and choice of secondary education provision available locally.

8.3 Landscape Impacts

8.3.1 Members will note that the landscape impacts are assessed on behalf of the applicant in the Environmental Statement that supports the application and, in particular, they are summarised as follows on pages 102 and 103 of Volume 2 of the ES:

“6.153 The land that has been assessed for the purposes of this ES comprises three land parcels, each of which has distinct landscape character, informed by topography, internal landscape features (or lack of) and surrounding development.

6.154 Each land parcel is directly overlooked by residential properties close to the site boundary, but there are no locations where it is possible to see into all three parcels. In most cases visual receptors are only able to see part of one parcel. Users of roads or PROW which past between the parcels, e.g. users of Grovehurst Road have views into the land at Pheasant Farm to the west and Land at Great Grovehurst Farm experience sequential glimpsed or partial views. Views of the elevated part of the land at Pheasant Farm from to the north are restricted by intervening landform, vegetation and other paraphernalia, such as pylons and road junction signage.

6.155 In the short-term, the proposed development would have a temporary effect of Minor significance in an Adverse direction on the wider local landscape character area (Iwade Arable Farmland). At site level the temporary effects would be Moderate and Adverse as the arable landscape is replaced by new residential development. In the longer term, once the embedded mitigation measures and new landscape structure have established the development will become well integrated with the settlement edge, aided by the comprehensive network of green spaces. The largest character area – CA2 Land south of Bramblefield Lane would be permanently affected in an Adverse direction.

However, improved access to new open spaces will increase the value of areas where access was previously restricted (CA1 and CA3) and in these cases, the residual effects would be Beneficial.

6.156 During Construction and Year 1 the proposed development would result in temporary effects of Substantial or Moderate significance on a number of visual receptors, due to their close proximity to the site and open views. The direction of effects would be Adverse. By Year 15 the significance of effects would have reduced for some visual receptors as the landscape proposals begin to screen and soften the development, but those visual receptors closest to the site will continue to experience an effect of Substantial significance. Mitigation measures will have some positive impact on views but the direction of effects will be Adverse. In a small number of cases, i.e. where receptors have limited views of fields or where existing view is of low value, the direction of effects will become Beneficial as the development and the associated greenspaces become an established part of the view and introduce positive elements to it.”

- 8.3.1 I have carried out my own assessment and considered the possibility of harmful landscape impacts, noting that none of the site is subject to either a local landscape designation or to a national one (such as AONB).
- 8.3.2 With regard to the site itself, Members will note that the landscape SPD (see paragraph 5.7.1 above) identifies it as part of the 'Iwade Arable Farmlands' character area, which is considered to be in 'poor condition and of moderate sensitivity'. I consider that the development has the potential to significantly enhance landscape quality, by among other things introducing locally-appropriate native species trees and through the use of local facing materials and appropriate boundary treatments.
- 8.3.3 As far as potential landscape impacts on the wider area are concerned, I note that none of the adjoining land has a landscape designation and that although there are designated areas in the wider vicinity these are unlikely to be impacted upon to any significant extent. In particular, I have come to this view having considered the relationship between the application site / proposed development and the Kent Downs Area of Outstanding Natural Beauty (at its closest point it is 2.7 miles from the southern boundary of the development and approximately 3.5 miles from proposed location for the schools). In conclusion, unacceptable landscape impacts would not result from the development and it is considered to accord with the NPPF and Policy DM24 in this regard.
- 8.4 Loss of Best and Most Versatile Agricultural Land
- 8.4.1 Members will have noted the comments of the Council's Agricultural Consultant's at Paragraph 7.23 above, who notes among other things that this development would result in the loss of a significant area of a Best and Most Versatile (ie Grades 1, 2, and 3a) farmland. He refers to the relevant Local Plan policy, namely DM31, and notes that the general presumption in favour of protecting BMV land from development does not apply where the land in question is allocated for development under the Local Plan. That is the case in this instance, and while the loss of this land as a potentially agricultural resource is regrettable, the allocation for mixed use development under Policy MU1 over-rides this, and as such the development should be accepted as far as implications for the supply of BMV land are concerned.

8.5 Urban Design and Visual Impacts

8.5.1 These issues are considered below in respect of the three geographical parts that will make up the development as a whole, namely Phase 1 North, Phase 1 South and the remainder of the site, where planning permission is sought in outline.

8.5.2 With regard to Phase 1 North, amendments have been made to both the layout and the architectural treatment that is proposed, in response to comments from officers and Members. These amendments, as described above, have been made, in particular, to reduce the impact on the setting of the adjacent Grade II listed Bramblefield Farmhouse, to remove the 2.5 storey dwellings initially proposed backing on to existing dwellings on Bramblefield Lane, and to improve the level of detailing to dwellings and to avoid blank dwelling elevations in key locations. The amended proposals for Phase 1 North are considered to be acceptable (including the proposed hard and soft landscaping), subject to conditions as set out below (namely 2B to 8B inclusive), which are designed to ensure that good quality materials are used throughout the phase, particularly on the dwellings facing the listed building.

8.5.3 With regard to Phase 1 South, as with Phase 1 North, a fully detailed approval is sought. As set out at Paragraph 2.20 above, following input from Members and officers, the initially-proposed traditional architectural approach has been replaced with a contemporary architectural style. This is considered to be appropriate for the site as the Phase is located in a part of the wider site that is not sensitive in terms of the nature and quality of existing buildings on adjacent sites. The contemporary architecture should also give the Phase a distinctive character that sets it apart from subsequent phases to come forward in due course. The layout – which will consist predominantly of perimeter blocks – and the hard and soft landscaping proposals are also considered to be acceptable. Members will note that a key feature of the latter will be the use of street trees to create a tree-lined Spine Road through the centre of the Phase.

8.5.4 With regard to those areas of the site where permission is sought in outline (ie all areas other than Phase 1 North and Phase 1 South), the proposed disposition of the various elements of the development for these areas of the site – including the position of proposed Schools Site – is shown illustratively on the Concept Masterplan (P1076_18Q). The predominant land use would be residential, and it is considered that the quantum of housing proposed can be satisfactorily accommodated on the land available and in broadly the positions shown.

8.5.5 With specific regard to facing materials, the applicant has provided a high level of commitment to ensuring they are of a good quality on all of the proposed dwellings and the issue is discussed above in respect of the areas where detailed approval is sought. For the outline areas, the applicant comments as follows:

“To this end I can confirm that:

- clay bricks will be used for all external facing brickwork. All the bricks used will comply with the British Standard BS EN 771-1:2011 + A1:2015. I am happy to agree to a condition to this effect.*
- Where clay tiles are to be used there will be ‘hand crafted’. I am happy to agree to a condition to this effect.*
- Where slate is to be used these will be best quality Spanish slate. I am happy to agree to a condition to this effect.”*

8.5.6 Members will note the relevant conditions below, including (9A), which will require the approval of a Design Code to guide the development within the outline areas of the site.

- 8.5.7 With regard to the position of the proposed Schools Site, Members will note that detailed consideration was given to the possibility of re-configuring the outline areas of the site so that the land for the schools could be positioned in a different part of the site so that the proposed pedestrian / cycle route to Kemsley Halt could be integrated with the proposed housing so that the entirety of this link would have been directly over-looked by housing, rather than running along a corridor between the Schools Site and the railway line, and as a result not being so well over-looked. This issue was looked at exhaustively by the developer, in conjunction with KCC Education and the Council. Plans showing a range of possible alternative options were produced, and these are included in the Design and Access Statement Addendum (September 2020). KCC Education have advised that as a result of the various constraints associated with the alternative School Site options, their preference was for the schools to be located in the position envisaged on the Concept Masterplan (P1076_18Q). Therefore although this arrangement has the disadvantage that it is not well over-looked by dwellings, on balance, and noting the potential benefits (including the close proximity to the Kemsley halt railway station) it is considered to be acceptable.
- 8.5.8 With regard to 'Building for Life 12' (now superseded by 'Building for a Healthy Life'), the assessment of both the detailed (Phase 1 North and Phase 1 South) and the areas where permission is sought in outline was informed by consideration of the extent to which the proposals would accord with the requirements of Building for Life 12.
- 8.5.9 Overall, the proposals are considered to be acceptable from an urban design and visual amenity point of view.
- 8.6 Important Countryside Gap – as set out above, a strip of land along the western boundary of the application site (typically a minimum of approximately 38 metres in width) falls within the Important Countryside Gap between Sittingbourne and Iwade, and is therefore subject to Policy DM25 of the Local Plan. The policy aims to '*retain the individual character and setting of settlements...*' and states that development that would undermine this purpose should be resisted.
- 8.6.1 Phase 1 North would sit adjacent to the Countryside Gap but none of the proposed dwellings would fall within it. However, some of the proposed Spine Road would sit within the gap.
- 8.6.2 With regard to the part of the application site to the south of Bramblefield Lane, a linear open space is proposed parallel to the boundary with the A249 and a condition is recommended below to ensure that none of the proposed housing (which Members will appreciate will need to be the subject of a subsequent reserved matters submission to agree, among other things, the siting of the dwellings) is sited within the Countryside Gap.
- 8.6.3 I consider that the development will not impinge significantly upon the open character of the Countryside Gap and that it would therefore accord with Policy DM25.
- 8.7 Housing Mix
- 8.7.1 Policy CP3 of the Local Plan requires the delivery of a 'wide choice of high-quality homes' and suggests among other things that public, private and voluntary sectors shall work towards this and "...*extend opportunities for home ownership and create sustainable, inclusive mixed communities...*" The supporting text accompanying the policy envisages a split between dwelling sizes as follows: 1-bed (7%), 2-bed (36%), 3-bed (42%) and 4+ bed (15%). This suggests almost 80% of new dwellings should either be 2- or 3-bedroom units.

- 8.7.2 With regard to Phase 1 North and Phase 1 South, the housing mix proposed is set out in Paragraphs 2.9 and 2.22 above, and this is considered to be acceptable and broadly in line with CP3.
- 8.7.3 With regard to the parts of the site where permission is sought in outline, Members will note that condition (8A) below will ensure that the housing mix for these areas is informed by a Schedule that shall first have been agreed in writing.
- 8.8 Heritage
- 8.8.1 This has not been a significant constraint in this instance as the site is not located within or in close proximity to a Conservation Area and there are no listed buildings within the application site. However, Bramblefield Farm – a Grade II listed building – will face the proposed development on Phase 1 North and back on to the part of the site where the two schools are proposed in outline. As set out above, the dwellings proposed in the immediate vicinity of the listed building have been amended in order to ensure that their design is sympathetic to the sensitive location, in the setting of the listed building. Bespoke conditions are also included below in order to ensure that appropriate facing materials are used.
- 8.8.2 There are other listed buildings in the vicinity of the Policy MU1 allocation, but none of them (or their settings) would be adversely affected by the proposed development.
- 8.8.3 It is considered that the proposed development is acceptable from a heritage perspective.
- 8.9 Residential Amenity
- 8.9.1 With regard to Phase 1 North, the initially-submitted layout has been refined in the light of comments from officers and, as noted above, the 2.5 storey dwellings initially proposed backing on to existing dwellings on the northern side of Bramblefield Lane have been replaced with two storey units. In the light of these amendments the proposed development is considered to be acceptable both in terms of the implications for the residential amenity of existing dwellings in the vicinity and as far as the amenity of future occupants of the dwellings proposed for this Phase is concerned.
- 8.9.2 With regard to Phase 1 South, generally the spacing between dwellings is good and, in many instances, back-to-back distances (and garden depths) are in excess of the normal minimum standards aspired to by this Council. Where standards were not initially met, amendments have been made to the layout. The development in this Phase will provide an acceptable level of amenity for future residents. There are existing dwellings in the vicinity but these, together with those for which planning permission has been given on land to the west (see 18/500257/EIFUL), are sufficiently separated from the proposed dwellings that unacceptable impacts on residential amenity would not result.
- 8.9.3 The layouts for both Phase 1 North and Phase 1 South have been designed to achieve 10-metre garden depths, and generally this is the case. Overall, the garden sizes are considered to be acceptable.
- 8.9.4 With regard to the outline areas, generally ensuring that residential amenity is appropriately dealt with is a matter to be addressed at the reserved matters stage. However, the issue of noise from train horns on the adjacent railway line does need to be addressed now. Members will note that a Technical Note dealing with the potential implications of noise from train horns associated with the adjacent railway has been provided. The document concludes the mitigation will be needed as part of the design of

dwelling along the eastern boundary of the development proposed in Phase 1 South and for the corresponding dwellings in the outline housing area to the north of Phase 1 South. A dedicated condition is recommended to deal with the issue for Phase 1 South. For dwellings in the outline area, a Design Code is required, and, among other things, it will need to deal with the potential need for noise mitigation.

8.9.5 Members will also appreciate that the proposed site for the schools would, as shown on the Concept Masterplan (P1076_18P) back on to existing dwellings on the southern side of Bramblefield Lane – and the side of the curtilage to Bramblefield Farmhouse. Members will note conditions (5A), (6A) and (7A) below, which together with the process of agreeing details at the reserved matters stage will enable the Council to ensure that this part of the development does not have an unacceptable impact on the amenity of existing residents in this area.

8.9.6 In summary, the proposals for Phase 1 North and Phase 1 South are acceptable in this respect, and with regard to the areas where outline approval is sought the issue will be dealt with at the reserved matters stage through the agreement of appropriate layouts and dwelling types for the relevant phases.

8.10 Air Quality

8.10.1 Members will note the comments from the Environmental Protection Leader (at Paragraph 7.2.1 above), and that mitigation in the form of a damage cost calculation of £649,781 has been agreed. The applicant comments as follows:

“The last air quality consultation response received on this application (dated 15/5/19) confirmed that the measure proposed for mitigation are acceptable and meet the damage costs (which is confirmed at £649,781 for the whole scheme). However, I understand that the air quality mitigation items we had previously identified and costed for to meet our damage cost calculation (EV charging points, low nox boilers, landscaping and cycle parking sheds) are no longer considered ‘additional’ items and thereby cannot be counted toward the damage cost.”

8.10.2 Members will note that landscape planting, low NOX boilers and EV charging points will be secured by conditions included below. In addition, and as set out at Paragraph 9.16.1 below, the damage cost calculation of £649,781 for the whole scheme will be secured under the section 106 Agreement.

8.10.3 Policy DM6 of the Local Plan states that development proposals should not worsen air quality to an unacceptable degree. I am satisfied that the development would have a low or imperceptible impact upon air quality, and would include provision for both on site and off-site air quality mitigation, which would be provided on a phase-by-phase basis. On this basis, I am of the opinion that the scheme would accord with this element of policy DM6.

8.11 Highway and Car Parking Implications

8.11.1 The application is supported by a detailed Transport Assessment, which has been evaluated by the Council with significant input from both KCC Highways and Transport (in respect of the implications for the local road network) and Highways England (in respect of the strategic road network, which includes the A249 and the M2). As set out above (see Paragraphs 7.21 and 7.22), both organisations raise no objection subject to conditions and the payment of the relevant developer contributions (see Paragraph 9.16.1 below), including a substantial contribution towards the very major upgrade of the Grovehurst

Road junction with the A249 that is needed in the short to medium term to accommodate traffic growth, including from this development.

- 8.11.2 Members will note the conditions below (from 5C onwards) that will ensure the necessary off-site mitigation is in place before agreed triggers of dwellings occupations.
- 8.11.3 With specific regard to the improvements to the Bobbing junction of the B2006 with the A249, significant improvements to the junction are required – to improve traffic flow and facilitate safe pedestrian / cycle movements through the junction. Members will note conditions (20C) and (21C) below.
- 8.11.4 With regard to the Spine Road, Members will note that this development includes a Spine Road to connect Quinton Road with Grovehurst Road, at the northern end of the development. Where the road passes through Phase 1 North and Phase 1 South it has been designed with segregated pedestrian / cycle paths and street tree planting to form an avenue. This design will create a pleasant environment for pedestrians and cyclists in order to encourage non-car travel modes.
- 8.11.5 With regard to car parking, I note the comments of KCC Highways and Transportation (see Paragraph 7.21 above): the parking provision on Phase 1 South is above the level required under the 'Parking Standards' SPD (May 2020) (which is discussed at Paragraph 5.7.3 above); while for Phase 1 North, the level is slightly below that envisaged for a 'suburban area' – 201 spaces against 211 suggested by the SPD. But Members will note the significant proposed interventions to encourage non-car travel modes, and accordingly this small level of under-provision is considered to be acceptable. Overall, the level of provision for both Phases is considered to be acceptable.
- 8.11.6 With regard to the 'outline areas' of the housing development, the quantum and design of the car parking will be dealt with at the reserved matters stage, rather than as part of this application.
- 8.11.7 With regard to the non-residential elements of the application, Members will note Paragraph 5.7.3.2 above. As with the housing not falling within the detailed phases, the amount and layout of the car parking in these areas will be dealt with at the reserved matters stage.
- 8.11.8 I note the comments of Bobbing Parish Council and Cllr Hunt in respect of the implications of this development for local roads, notably Sonora Way, that provide a potential connection between the southern access point (from Quinton Road) to the proposed development. This issue has been carefully considered by officers and colleagues and KCC Highways and Transportation and Members will note that mitigation is proposed, in the form of a package of significant highway improvements for the Policy MU1 mixed use (predominantly housing) allocation as a whole. In this specific regard, the relevant improvements will be provided as part of the implementation of 18/500257/EIFUL (as set out above, permission has recently been granted for 155 dwellings on land in the south-west corner of the MU1 allocation) and, in particular, a condition of that approval requires that a scheme of mitigation for Sonora Way is implemented before the occupation of the 50th dwelling of that scheme. This will consist of enhancements to the roundabout where Sonora Way joins the B2006 (Staplehurst Road) to increase capacity by adding running lanes. Improvements in the form of the provision of two mini-roundabouts on Quinton

Road will also be implemented before the occupation of the 1st dwelling under that permission.

8.12 Sustainable Transport

8.12.1 As set out elsewhere in the report, the development will incorporate a substantial package of on- and off-site measures to promote use of non-car modes of travel, in line with National good practice and the Council's own aspirations.

8.12.2 The applicant has agreed to the principle of funding the provision of a bridge to take the existing public right of way ZU6 over the railway line immediately to the east of the application site. This would be a significant investment with the potential to significantly improve safety at this crossing point and encourage non-car travel modes. Members will note the comments of KCC PROW Officers (see Paragraph 7.10) and Network Rail (see Paragraph 7.7 above). Paragraph 9.16.1 below deals with the implications in respect of the heads of terms for the section 106 agreement, including the fall-back position should it not prove possible for Network Rail to deliver the bridge.

8.12.3 As set out below (in Paragraph 9.16.1), the applicant has agreed to pay a developer contribution to improve facilities at Kemsley Halt to encourage use of the rail network, rather than journeys being made by car.

8.12.4 The detailed layouts for Phase 1 North and Phase 1 South have been designed to encourage cycling and walking within the development and to provide connections to existing adjacent developments and to the railway network via the existing Kemsley Halt station. Members will note the various contributions requested by the relevant KCC departments (see Paragraph 9.16.1 below) to ensure that a good level of off-site connectivity with existing Public Right of Way Networks is also achieved, and that where appropriate local networks are upgraded using funding provided by the applicant. Conditions are included below to facilitate pedestrian and cycle connectivity with the other developments proposed as part of the North West Sittingbourne Local Plan allocation.

8.12.5 As advised by KCC Highways and Transportation, it is envisaged that a bus route would serve the development, making use of the proposed Spine Road, which will connect Quinton Road to the south with Grovehurst Road to the north.

8.13 Brick-earth

8.13.1 Members will note the comments received from KCC Minerals and Waste at Paragraph 7.11 above and, in particular, that with the exception of the Phase 1 North part of the site, they consider that the Minerals Assessment provided by the applicant is flawed and that if any planning permission does not require the prior extraction of brick-earth deposits from the site it could amount to the needless sterilisation of a mineral deposit.

8.13.2 Policy DM 7 of the Kent Minerals and Waste Local Plan is pertinent, and it reads as follows:

Planning permission will only be granted for non-mineral development that is incompatible with minerals safeguarding, where it is demonstrated that either:

1. the mineral is not of economic value or does not exist; or

2. *that extraction of the mineral would not be viable or practicable; or*
3. *the mineral can be extracted satisfactorily, having regard to Policy DM9, prior to the non-minerals development taking place without adversely affecting the viability or deliverability of the non-minerals development; or*
4. *the incompatible development is of a temporary nature that can be completed and the site returned to a condition that does not prevent mineral extraction within the timescale that the mineral is likely to be needed; or*
5. *material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or*
6. *it constitutes development that is exempt from mineral safeguarding policy, namely householder applications, infill development of a minor nature in existing built up areas, advertisement applications, reserved matters applications, minor extensions and changes of use of buildings, minor works, non-material amendments to current planning permissions; or*
7. *it constitutes development on a site allocated in the adopted development plan.*

8.13.3 Although it is accepted that it would have been desirable for any brick-earth at the site to have been extracted prior to the commencement of the proposed development, in the light of criterion (7) of Policy DM7 it is argued that it would not be reasonable to try and insist that the brick-earth is extracted. It is also fair to say that to do so would be likely to significantly delay the delivery of the proposed dwellings, which would have various detrimental affects including undermining the Council's housing supply and delaying the delivery of much-needed affordable housing.

8.13.4 Members will also note that the applicant considers that criteria (3) and (5) of Policy DM7 are applicable and therefore that there is justification for granting permission for the proposed development without the brick-earth first having been extracted.

8.13.5 On balance, it is considered that it would be reasonable to grant planning permission without the brick-earth first having been extracted.

8.14 Ecology

8.14.1 Members will note that no land within the application site or indeed the whole Local Plan allocation has a statutory ecological designation. Members will also note that both KCC Ecology and Natural England raise no objection to the application as set out Paragraphs 7.25 and 7.26 above respectively.

8.14.2 Paragraph 175 of the NPPF deals with biodiversity and advises that "*When determining planning applications, local planning authorities should apply the following principles:*

- (d) *...while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."*

The Government planning guidance does not specify a target percentage for the biodiversity net gain that should be sought from new development.

8.14.3 I have asked the applicant to address this objective and a detailed assessment has recently been received in respect of Phase 1 North and Phase 1 South. This demonstrates that in respect of these areas, an overall biodiversity net gain over the existing baseline of

20 % can be achieved. KCC Ecology have considered the detailed submission and agree that it is achievable. Members will note condition (13B) below, which will be used to ensure that this is actually delivered.

- 8.14.4 With regard to the remainder of the site, where outline approval is sought, comprehensive information has not been provided, and condition (12A) will be used to ensure that in due course an acceptable level of biodiversity net gain (at least 20%) can be achieved.
- 8.14.5 With regard to Landscape and Open Space Management, Members will note the document attached as Appendix 1 and that KCC Ecology (see paragraph 7.25) are content with what is proposed. Importantly, the Greenspaces Manager is also happy with the proposals. Among other things, Members will note that the proposed arrangements will ensure that the open space / strategic landscaping and ecological mitigation areas are subject to proper on-going management and that the Council will retain the opportunity to positively intervene in management arrangements if it proves necessary.
- 8.14.6 As noted above, the soft landscaping proposals for Phase 1 North and Phase 1 South have been amended to ensure that native species predominate, though a limited number of Turkish hazels are specified (25 in total) as these are favoured by KCC Highways and Transportation as a durable species that is well suited to being grown alongside a potentially well used road such as the Spine Road that forms part of this development. This limited use of a non-native tree species is considered to be justified on arboricultural grounds in this specific situation. The layouts have also been amended to introduce some tree planting into rear gardens, where there is sufficient space. The amount and type of planting proposed in these areas is considered to be acceptable and is expected to contribute significantly to enhancing biodiversity as well as having beneficial impacts in respect of visual and residential amenity.
- 8.14.7 With regard to the areas where detailed approval is not sought, conditions are set out below – including a requirement for a Design Code to guide the development of future phases and with respect to biodiversity net gain – to ensure that appropriate amounts and types of soft landscaping are delivered and to maximise the biodiversity net gain.
- 8.14.8 As noted above (see paragraph 7.26), Natural England have considered the Appropriate Assessment (which is attached as Appendix 2 to the report) and raise no objection subject to the payment of the standard tariff of £250.39 per dwelling to be spent on mitigating recreational impacts on the Special Protection Area.
- 8.14.9 Overall, the application will deliver a good package of mitigation for potential ecological impacts, and I am confident that in due course a significant level of biodiversity net gain across the site will be achieved. Members will note the applicable conditions set out below and the relevant s106 Heads of Terms (see paragraph 9.16.1 and 9.16.2 below).
- 8.15 Climate Change / Sustainable Design and Construction
- 8.15.1 The Council declared a climate and ecological emergency on 26th June 2019. The purpose of the declaration was to draw attention to the urgent need to reverse the decline in biodiversity in Swale and to take effective action to reduce carbon emissions in the Borough. The declaration sets the goals for carbon emissions from the Council's operations to be carbon neutral by 2025 and for the Borough to be carbon neutral by 2030.

I note that the Inspector's decision in respect of the Land West Of Barton Hill Drive application (ref 18/503135/OUT) referred to this declaration and stated that *"I am satisfied that this is a material consideration and is supported by development plan policies and national policies within the Framework."* A Climate and Ecological Emergency Action Plan (22nd April 2020) has also been produced.

- 8.15.2 I have dealt with biodiversity issues above. With regard to the urgent need to minimise the carbon dioxide emissions from development, the applicant has agreed that the housing part of this development should achieve a reduction of 31% compared to the current Building Regulations. This will be delivered through a combination of enhanced energy efficiency measures (notably additional insulation), efficient heating boilers and solar panels on some of the dwellings. Full details are set out in the Sustainability Statement (July 2020). Although not the 50% reduction to which Members aspire, I consider that this would be an acceptable outcome, mindful that a much smaller reduction was agreed by Members in respect of the Redrow application (reference 18/500257/EIFUL) on land in the south-west corner of the NW Sittingbourne allocation, and that the current adopted local plan policy does not specify a minimum 50% reduction. I have therefore included conditions below to deal with this (see condition 20B for Phase 1 North and Phase 1 South). With regard to the parts of the application where approval for housing is sought in outline, Members will note that the proposed condition (14A) does not specify a percentage reduction, which will allow an appropriate reduction to be agreed in due course taking account of the prevailing policy at that time (which could well require a reduction of more than 50% compared to current Building Regulations).
- 8.15.3 With regard to the non-residential areas, Members will note condition (18A) below which will ensure that the proposed Local Centre is built to at least BREEAM very good standard.
- 8.15.4 As far as the schools are concerned, in the light of the justification provided by Kent County Council I have queried whether it is appropriate to require the proposed schools to achieve a formal BREEAM 'very good' standard (conditions (17A) and (18A) below), and are intending to submit a written justification in this regard. I will update Members at the meeting.
- 8.16 Section 106 Agreement
- 8.16.1 A section 106 agreement will be required to secure the following developer contributions:
- £1 million to cover full cost of a pedestrian railway bridge (to be provided by Network Rail, who have agreed with the applicant that this level of contribution is appropriate in this instance) where PROW ZU6 crosses the railway line, at the Vicarage Public Footpath level crossing; further to the correspondence with the relevant consultees above, the s106 will need to include a fall-back provision in case the bridge can't be provided and alternative mitigation needs to be provided;
 - In the event that the footbridge cannot be provided, and a reduced cost mitigation scheme is agreed instead, the money saved shall be made available (under the s106 agreement) for provision of other non-car-based transport improvements in the vicinity;
 - Delegated authority is sought to negotiate a commuted sum to cover the cost of the maintenance of the bridge;

- £1,036,800 (or £864 per dwelling) for qualitative and / or quantitative improvements to primary health care in the vicinity, which could include (but not necessarily be limited to) the adjacent Grovehurst Surgery.
- £60,000 (or £50 per dwelling) for improvements to Kemsley Halt rail station;
- £91,770 for the purposes of improving the surface and environment of Restricted Byway ZU11 (to the south of the application site, and running through the Meads housing development)
- £23,345 for the purposes of improving the surface and environment of Public Footpath ZU6 (to the east of the application site).
- £2,500 towards the cost of making an Order under section 3 of the Cycle Tracks Act 1984 to upgrade the length of Public Footpath ZU8 to a cycle track (to the south of the application site).
- £1,000 towards the cost of a Creation Agreement to establish a PROW between ZU6 and Quinton Road (within the application site)
- £1,000 towards the cost of a Creation Agreement to upgrade Public Footpath ZU54/ZR110/ZU6 to Public Bridleway or Restricted Byway status (across the application site)
- a formal sports contribution of £711,600 (or £593 per dwelling) has been agreed, and this will be spent on improving provision locally in general accordance with the Council's Playing Pitch Strategy, which identifies the need for proposed basic facilities and some pitch improvements to increase capacity at Kemsley Recreation Ground and pitch improvements at Milton Recreation Ground.
- Air Quality; further to paragraph 7.2 above, the s106 agreement will require the payment of a total of £649,781 for the whole scheme, and this will be dealt with on a phase-by-phase basis. The s106 agreement will also require that prior to the commencement of each phase details of the air quality mitigation measures proposed for that phase to meet the damage cost for it are provided. The obligation will need to state that if measure cannot be identified or agreed, then a contribution to the value of the damage costs for that phase (on a pro rata basis related to the number of units in each phase as a proportion of 1200 proposed in total) is paid to the Council to fund strategic air quality improvement measures.
- A community hall is not proposed as part of this development, but (as set out at Paragraph 7.33 above) contributions are sought so that the existing facilities at The Meads Community Hall and Kemsley Community Hall can be upgraded so that they can better accommodate additional demand for their facilities as a result of the proposed development, which will ultimately lead to a significant increase to the size of the local population, though the extent of this increase will depend on the final mix of dwelling sizes. The contributions sought are £22,500 and £354,000 respectively.
- vouchers to homeowners to the amount of £350 per dwelling, and amounting to £420,000 in total, to be used for either rail or bus travel
- £45,000 for bus stop improvements to Grovehurst Road and Quinton Road in the vicinity of the site

- £3,598,503 (or just under £3000 per dwelling) to be made towards the cost of the proposed major upgrade of the Grovehurst/A249 junction;
- With regard to the other off-site highway works that are required in order to mitigate the highway impacts arising from the MU1 Local Plan allocation, these will generally be secured under conditions as set out below (for example, in respect of the mitigation required at the junction of the A249 with the B2006 at Bobbing – see conditions (20C) and (21c) below) and as attached to the planning approvals in respect of the other planning applications (namely 18/500257/EIFUL and 18/502372/EIOUT) relating to parts of the Local Plan allocation. This approach has been agreed with the respective developers and with the highway authorities and has the advantage that the various works will need to be carried out on or before the trigger points in the relevant conditions. This is in contrast to the alternative approach, where payments are secured under s106 agreements and then passed to the highway authority to spend on the relevant works, which introduces a degree of uncertainty in terms of when the highway works will ultimately be delivered. It is also worth saying that it is considered that the proposed approach would accord with the relevant planning legislation.
- With respect to the provision of wheelie bins, the final amount payable will depend on the ultimate mix of houses and flats, but Members will note the following:
 - For houses, the requirements are as follows:

1 x 180ltr green refuse bin at £44.80 per bin
1 x 240ltr blue recycling bin at £44.80 per bin
1 x 23ltr black food bin at £10.40 per bin
1 x 5ltr kitchen caddy at £5.20 per bin

Total per house: £105.20
 - For flats, the requirements are as follows:

1 x 1100ltr refuse bin per 5 flats at £435 per bin
1 x 1100ltr recycling bin per 5 flats at £435 per bin
1 x 140ltr food bin per 5 flats at £78.20 per bin

Total per apartment: £189.64
- Contributions are also requested in respect of primary and secondary education, social care, library service and youth services and community learning. These are itemised at Paragraph 7.28 above.
- Further to the discussion in respect of ecology above, with regard to recreational impacts on the Special Protection Areas in the wider vicinity, the mitigation will need to be paid for in accordance with the agreed protocol. The agreed tariff of £250.39 per dwelling (or £300,468 in total) will be payable.
- A Travel Plan monitoring contribution of “no more than £193,658” is proposed as part of a total fund of £300,000 (or 64.6%) to monitor compliance with Travel Plan

measures across this Local Plan allocation and the allocation for the expansion of Iwade. The money would be transferred to a Travel Plan consultant, rather than being paid to the Council.

- £1,422 to be paid to enable an audit of the Travel Plan.

With regard to s106 monitoring, this will need to be agreed in due course.

8.16.2 In addition, the s106 agreement will need to cover non-financial matters as follows:

With regard to open space and landscape management, Members will have noted the 'Landscape and Ecology Management Plan – Framework (October 2020)' (attached as Appendix 1), the legal agreement will need to include clauses to deal with the following aspects in respect of it:

- The requirement for submission of a site wide OLEMP (Outline Landscape and Ecology Management Plan) and phased DLEMPs (Detailed Landscape and Ecology Management Plans), with reference made to the approved 'LEMP Framework'. The LEMPs will, among other things, include requirements for on-going monitoring of the delivery of ecological enhancements and the overall biodiversity net gain;
- The requirements for the site wide OLEMP and phased DLEMP, including the LEMP committee and the ecology monitoring;
- Delegated authority is sought to insert extra provisions as may be required to ensure that robust, sustainable mechanisms are in place for the long-term management of the open space, strategic landscaping and other ecological mitigation areas. Further to the appended 'Framework' document, it is envisaged that Bobbing Parish Council would also be invited to play a formal role in the over-sight of the management processes;
- Two Local Equipped Areas of Play (LEAPs) and one Neighbourhood Equipped Area of Play (LEAP); and
- The provision of a minimum of 19.2 hectares of open space / other green infrastructure.

With regard to the use of local labour and the provision of apprenticeship places, Members will note the comments of the Council's Economy and Community Services Manager at Paragraph 7.24 above. As such, it is not proposed to include clauses in the Section 106 Agreement to set formal targets in this regard.

With regard to the local centre, as set out above this would extend to a minimum of 0.5 hectares and will provide a minimum of 1200 square metres of space for retail and other appropriate commercial uses. I consider that the Section 106 Agreement should require that commercial space is to be substantially complete on or before the occupation of the 500th dwelling, with an agreed proportion of the space provided on or before the occupation of the 250th dwelling.

With regard to affordable housing, Members will note the comments of the Affordable Housing Manager (at Paragraph 7.17 above), and that across the entire site 10% of the proposed dwellings (equating to 120 dwellings in total) will be affordable, and with the tenure split being 90-10 in favour of affordable rent. While the mix (between houses and flats and with regard to the number of bedrooms of the dwellings) is to be agreed at the

reserved matters stage, the s106 agreement will need to specify that it should be proportionate with the mix for the private sale housing/

For Phase 1 North and Phase 1 South, it has been agreed that all of the affordable units (35 in total) will be in Phase 1 South; the tenure split will be 90-10 in favour of affordable rent, the mix and disposition of affordable units have also been agreed and would be as follows:

31 affordable rent units in a mix of 1- and 2-bed flats (15 in total) and 2-, 3- and 4-bed houses (16 in total) and four shared ownership units (2 3-bed and 2 4-bed houses). Three of the flats would be M4 (3) standard, which is defined at paragraph 2.23 above.

Members will note that the applicant has agreed to provide the site for the two schools (to measure a minimum of 9.89 hectares) at nil cost to either SBC or KCC, and the s106 agreement will need to be drafted in a manner that ensures that this happens on or before an agreed trigger. Members will note that KCC have agreed to the slight reduction in site area from the 10 hectares referred to in the Local Plan.

With regard to the timing of the delivery of this land to KCC, the applicant suggests that this should take place within 18 months of the commencement of development. However, as KCC have indicated that a trigger point for this has not been agreed, delegated authority is sought to agree an appropriate trigger – informed by input from KCC – in due course.

The existing Public Right of Way over the railway line would need to be diverted to accommodate the proposed footbridge. Authority is sought to include suitable wording in the Section 106 Agreement.

I have considered the possibility of including a clause to require the mitigation to the railway line to be implemented in full before a specified trigger, but given that the delivery of the infrastructure would depend on a 3rd party, namely Network Rail, who will not be a party to the Section 106 Agreement, it is not reasonable to do this. The Section 106 Agreement will ensure that Network Rail have the funds to implement the mitigation, but ultimately the delivery of it will be a matter for them.

The Section 106 agreement will also need to include a phasing plan.

8.16.3 Delegated authority is sought to agree appropriate triggers for the various payments set out above and in respect of the non-financial contributions. Authority is also sought to amend the amount, subject with conditions or make other amendments to the Section 106 Agreement wording where required.

8.17 Drainage / Flood Risk

8.17.1 With regard to surface water drainage, Members will have noted above that the majority of the site is within Flood Zone 1. However, as described above, a small portion of the site is located in Flood Zone 3, where the risk of flooding is considered to be high. An updated Flood Risk Assessment was provided and in response KCC Drainage have submit new comments stating that they raise no objection subject to conditions as previously requested.

8.17.2 It will also be noted (at Paragraphs 7.4 and 7.5 above) that both KCC Drainage and the Lower Medway Internal Drainage Board raise no objection to the application subject to the imposition of appropriate conditions.

8.17.3 With regard to foul drainage, Members will note that Southern Water raise no objection and that a condition to deal with this (31C and 37C below) are recommended.

8.17.4 On the basis of the above, unacceptable drainage impacts are not anticipated.

8.18 Archaeology

8.18.1 Members will note the comments of KCC Archaeology at Paragraph 7.27 above. The applicant has amended the application in response to their initial comments and KCC Archaeology now raise no objection subject to three conditions (numbers 46C, 47C and 48C), and I have included these below.

8.19 Environmental Impact Assessment

8.19.1 Further to Paragraphs 2.34 and 2.35 above, this application has been determined in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and I consider that proper consideration has been given to all of the potential environmental impacts associated with the proposed development.

9. CONCLUSION

9.1 This application seeks planning permission (in hybrid form) for a development as described in full at the start of this report, but which includes 1200 dwellings, the erection of a primary school and a secondary school, a local centre, a country park and a range of supporting infrastructure on a site allocated for such development by adopted Local Plan Policy MU1.

9.2 The development has been carefully scrutinised by officers, and significantly amended in response to our comments and those received from technical consultees (as set out in Section 7 above). I now believe the scheme to be well-considered and well designed, and consider that it would be unlikely to give rise to any significant negative impacts upon local residential amenity, highways safety and amenity, ecology, air quality, the special interest of the adjacent listed Bramblefield Farmhouse, or in any other regards. I have considered objections from local residents, and concerns raised by Bobbing Parish Council and Iwade Parish Council, but they do not identify harm that would justify the refusal of this application in my opinion.

9.3 Furthermore, the development would deliver significant benefits: to the supply of housing generally (and affordable housing, in particular); through the grant of permission for two schools (including a secondary school, that would make a substantial contribution towards addressing a long-standing existing need in the Sittingbourne area); through the delivery of a country park and the provision of a local centre. As set out above, a very significant package of developer contributions would also be secured in order to mitigate any adverse impacts that might otherwise have arisen from the development; Members will note the contributions to paid in respect of education (as well as the provision of land for the two schools at nil cost), healthcare, highway infrastructure and air quality mitigation, among other things.

9.4 In conclusion, the development would be in accordance with the NPPF and the adopted Local Plan and the relevant SPDs, and I consider that planning permission should be granted subject to conditions as set out below and the signing of a Section 106 agreement

to secure the developer contributions and other mitigation as described as Paragraphs 9.16.1 to 19.16.3 above.

10. RECOMMENDATION

- 10.1 GRANT Subject to the views of KCC Education in respect of the BREEAM conditions for the proposed schools, the signing of a suitably worded Section 106 agreement (to secure the mitigation set out at paragraphs 9.16.1 to 9.16.3 above) and the following conditions. Authority is also sought to amend the wording of the Section 106 agreement and of the conditions as set out below as may reasonably be required.

CONDITIONS

Outline areas

- (1A) Details relating to the landscaping, layout, scale and appearance of the proposed dwelling(s) the access thereto and the other components of the development hereby approved in relation to each phase of the development shall be submitted to and approved by the Local Planning Authority before any development is commenced on the relevant phase of the development.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2A) The applications for approval of reserved matters referred to in Condition (1) above must be made not later than three years from the date on which the Roads Investment Strategy Scheme at M2 J5 is open to the public.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (3A) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (4A) The details submitted pursuant to condition (1A) above shall show paths that shall include vehicle mitigation measures to prevent unauthorised access by motorised vehicles into the Country Park. The development shall be implemented in accordance with the approved details.

Reason: In the interests of pedestrian safety and designing out opportunities for anti-social behaviour.

- (5A) The details submitted in pursuance of condition (1A) above, shall show a secondary school of no more than six form entry and no more than 14 metres in height.

Reason: In the interests of highway safety and convenience.

- (6A) The details submitted in pursuance of condition (1A) above shall show a primary school of no more than two form entry and no more than 10.5 metres in height.

Reason: In the interests of highway safety and convenience.

- (7A) The details submitted in pursuance of condition (1A) above for the reserved matters relating to the primary and secondary schools shall include a buffer of a minimum of ten metres in depth on the northern boundary with dwellings on the southern side of Bramblefield Lane.

Reason: In the interests of visual amenity and residential amenity.

- (8A) The details submitted in pursuance of condition (1A) above in respect of any residential phase be in accordance with a Housing Mix Schedule that shall first have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of delivering an appropriate housing mix.

- (9A) Prior to the submission of a reserved matters application for any phase, a design code for all of the phases other than Phase 1 North and Phase 1 South of development, shall be submitted to and approved in writing by the local planning authority.

The details submitted pursuant to condition (1A) above shall be in accordance with the approved Design Code that shall include, but not be limited to, the following:

- A design strategy for buildings, to include housing mix, density and massing, architectural treatment, the use of feature buildings in key locations, principles for the use of external materials (which should be locally sourced unless it is demonstrated that this cannot reasonably be achieved), boundary treatments, and provision of car parking;
- Principles for establishing character areas;
- Principles for road hierarchy, pedestrian and cycle connections in each phase (and with the development proposed under reference 18/500257/EIFUL on land adjoining this site), including the alignment, width, lighting and surface materials to be used;
- A strategy for street tree planting (including for the creation of an avenue along the Spine Road);
- A strategy for lighting to the network of cycle and footpaths;
- Principles for the layout to accommodate and respond to existing landscape features within the site (including for the retention of existing trees, hedges and other boundary planting);
- A levels strategy to retain (where possible) the existing topography and minimise the creation of artificial development platforms;
- Design of the public realm, including principles for the design and layout of public open space, areas for play, lighting, street furniture and sustainable urban drainage (which shall incorporate open features such as ponds, ditches and swales);
- A strategy to provide open space (including an appropriate quantum of Neighbourhood Equipped Areas of Play, Local Equipped Areas of Play and Local Areas of Play), footpath and cycle linkages through each phase;
- A car parking strategy to demonstrate how parking provision for both the housing and the non-residential elements of the development will be well integrated both with the built development and hard and soft landscaping (with an onus on the provision of native species street trees);
- A strategy for designing out opportunities for crime and antisocial behavior, in order to accord with Section 17 of the Crime and Disorder Act 1998;
- A strategy to ensure that dwellings are provided with water butts and garden composting facilities (or appropriate communal provision for the apartment blocks); and

- A strategy for electric vehicle charging points to ensure that each dwelling is served by an appropriate EV charging point and that appropriate provision is made in respect of the non-residential components of the development.

Reason: In the interests of providing a high-quality layout and design for the outline areas of the development.

- (10A) A pedestrian and cycle link between the site of the schools hereby approved and Grovehurst Road shall be provided before the first occupation of either school in accordance with details that shall first have been agreed in writing by the Local Planning Authority.

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

- (11A) The details submitted in pursuance of condition (1A) above shall include full details of the siting and specification of the acoustic barrier (which shall consist of an earth bund and acoustic fence along the top) as shown indicatively on the Concept Masterplan (drawing number P_1076_18Q). These details shall include arrangements for access to the planted area between the acoustic fence and the site boundary and reflect the approved version of the Geotechnical Design Report. The approved details shall be implemented before the occupation of the first dwelling other than those proposed in Phase 1 North and Phase 1 South.

Reason: in the interests of residential amenity, visual amenity and highway safety in relation to the adjoining corridor.

- (12A) The details submitted pursuant to condition (1A) above shall in respect of each phase be in accordance with a detailed scheme for all proposed habitat features and enhancements (including a programme for implementation) for the outline areas that shall be designed to deliver a biodiversity net gain of a minimum of 20 % across the entire site (and a minimum of 10% in any one phase) and shall be broadly based upon Ecology Partnership letter dated 7 December 2020. The scheme shall be carried out in accordance with the approved details and prior to occupation of the first dwelling in each phase the agreed mitigation for that phase shall have been implemented, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity

- (13A) The details submitted pursuant to condition (1A) above shall show adequate land, reserved for the parking (including in car ports) (in accordance with the currently adopted Swale Borough Council 'Parking Standards' May 2020) which land shall be kept available for this purpose 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 such land or in a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

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

- (14A) Prior to the construction of any dwelling in any phase (other than Phase 1 North or Phase 1 South) details of the materials and measures to be used to increase energy efficiency and thermal performance and reduce carbon emissions and construction waste shall be

submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials and measures.

Reason: in the interests of sustainable development.

- (15A) The details submitted pursuant to condition (1A) above shall show the proposed dwellings set back by a minimum of 55 metres from application site boundary with the A249 corridor.

Reason: In the interests of safeguarding the separation of settlements and protecting the Important Countryside Gap.

- (16A) The primary school hereby approved shall be constructed to BREEAM 'Very Good' Standard or an equivalent standard and prior to the use of any of the buildings commencing the relevant certification relating to that building shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

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

- (17A) The secondary school hereby approved shall be constructed to BREEAM 'Very Good' Standard or an equivalent standard and prior to the use of any of the buildings commencing the relevant certification relating to that building shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

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

- (18A) The Local Centre hereby approved shall be constructed to BREEAM 'Very Good' Standard or an equivalent standard and prior to the use of any of the buildings commencing the relevant certification relating to that building shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

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

- (19A) The details submitted pursuant to condition (1A) above in respect of the two schools hereby approved shall include full details of the proposed scheme of external lighting (Including details of any floodlighting proposed for the sports pitches as shown indicatively on the Concept Masterplan (drawing number P_1076_18Q).

Reason: In the interests of residential amenity and preserving the setting of Bramblefield Farmhouse.

- (20A) Before the first use of either of the schools hereby approved, details of a scheme to allow community use of the facilities (including the sports pitches) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be operated in accordance with the approved details.

Reason: In the interests of encouraging community use of the schools complex.

- (21A) No dust, or fume extraction or filtration equipment, or air conditioning, heating, ventilation or refrigeration equipment shall be installed on any part of the Local Centre complex hereby approved until full details of its design, siting, discharge points and predicted acoustic performance 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 interests of residential amenity.

- (22A) No deliveries to the Local Centre premises hereby approved shall take place outside the hours of 0700 - 2100 hours Monday to Saturday, and 09:00 - 20:00 hours on a Sunday, bank or public holiday.

Reason: In the interests of residential amenity.

- (23A) The Local Centre units hereby permitted shall not be open to customers or any other persons not employed within the business operating from the site outside the hours of 0700 – 2300.

Reason: In the interests of residential amenity.

- (24A) The details submitted pursuant to condition (1A) above shall show in respect of the commercial units in Local Centre, the space to be sub-divided such that none of the units would have a gross internal floorspace of greater than 300 square metres, and the space to be provided into not less than six units.

Reason: In the interests of the provision of a number of smaller units suitable for the approved Local Centre.

- (25A) The Reserved Matters for Phase 3 South shall include details of a new service road to the gas governor. The road shall be designed in accordance with the utilities providers' standards. The new service road shall be delivered in accordance with a programme submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of minimising the amount of traffic needing to cross the railway line to access the gas governor site.

- (26A) for each phase shall include cross-sectional drawings through the site showing proposed site levels and finished floor levels for that phase, and the development shall then be implemented in accordance with the approved details for the particular phase in question.

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

- (27A) The details submitted pursuant to condition (1A) above shall show the land proposed for the two schools hereby approved (which shall measure not less than 9.89 hectares) in broadly the position shown on the Concept Masterplan (drawing number P_1076_18Q, and this part of the site shall be positioned such that a corridor of land no less than 10 metres in width is provided between the land for the schools and the adjacent railway corridor for the provision of a pedestrian and cycle path (with associated landscaping) to connect with the Kemsley Halt railway station.

Reason: In the interests of good planning and encouraging use of sustainable, non-car travel modes.

- (28A) The commercial space in the Local Centre hereby approved shall be used for uses falling within the following Uses Classes A1 (shops), A2 (financial / professional services), A3 (restaurant/ café), A4 (drinking establishment), A5 (hot food take-away), and D1 (non-residential institution) and no more than one unit shall be occupied by a restaurant/ café use or a hot food takeaway use (as defined by Classes A3 and A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order or regulations revoking and re-enacting that Order)

Reason: To avoid a proliferation of such uses that would offer a very limited benefit to the local area.

- (29A) The details submitted in pursuance of condition (1A) above, shall include two sets of bus stops on the Spine Road (including details of the shelters and a programme for implementation), and the agreed details shall be implemented in full in accordance with agreed implementation programme.

Reason: In the interests of encouraging sustainable travel modes.

- (30A) A strategy for noise mitigation measures in respect of train horn noise (further to the Technical Note – Noise, October 2020, and which shall include an implementation programme) shall be submitted to and approved in writing by the Local Planning Authority before the commencement of construction of any dwellings (other than those in Phase 1 North or Phase 1 South), and the agreed measures shall implemented in accordance with the agreed programme.

Reason: In the interests of residential amenity.

Phase 1 South and Phase 1 North

- (1B) The development to which this permission relates in respect of Phase 1 North 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.

- (2B) The development to which this permission relates in respect of Phase 1 South must be begun not later than the expiration of five 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.

- (3B) Notwithstanding the information submitted and with the exception of Plots 271 to 276 inclusive, no development beyond the construction of foundations shall take place on Phase 1 North or Phase 1 South until details of the external finishing materials, including the weatherboarding (which shall be locally sourced where possible) to be used on the dwellings – and the facing bricks for the boundary walls hereby approved - shown on the 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 interests of visual amenity.

- (4B) Unless otherwise previously agreed in writing with the Local Planning Authority prior to commencement of the relevant works, the roofing tiles to be used on plots 271-276 of the development hereby approved shall be the Keymer handmade clay plain tiles in the Goxhill range (Brindle mix). Furthermore, the clay ridge and hip tiles to be used shall be from the same handmade tile range, and shall be mortared into place using traditional construction detailing with the hip tiles supported using traditional hip irons.

Reason: In the interests of safeguarding the setting of Bramblefield Farmhouse and of visual amenity.

- (5B) Prior to the commencement of construction on the following specified plots, a sample panel of the facing brickwork (including single stock clay bricks for key architectural detailing - windows headers, plinth top-course shaped brick detailing and contrasting brick banding to the front and side elevations) to be used on Plots 271-276 shall be prepared on site and made available for inspection, and agreed in writing by the Local Planning Authority. The panel(s) shall be not less than 1m² in size and shall include the specific mortar colour, profile and coursing depth to be used. Unless otherwise agreed in writing prior to the preparation of the sample panel(s) for inspection, these shall be constructed from yellow bricks from the Wienerberger Smeed Dean range and red bricks from the Lambs Bricks non handmade multi stock range (Chartwell Medium Multi Stock, Chartwell Blended Multi Stock and Chartwell Surrey Multi Stock). The dwellings on Plots 271 to 276 shall then be constructed using the approved materials.

Reason: In the interests of safeguarding the setting of Bramblefield Farmhouse and of visual amenity.

- (6B) Prior to the commencement of construction on plots 271-276, details of the specific timber or composite (timber-fronted) doors (including manufacturer / supplier details) to be used shall be submitted to, and approved in writing by, the Local Planning Authority. The details to be provided shall include a specification sheet for the exact product/model to be used, confirmation of the paint or stain finish to be used, details of the door furniture to be used and confirmation of the specific option to be used where there are design options for a particular door product/model. The dwellings on Plots 271 to 276 shall then be constructed using the approved materials.

Reason: In the interests of safeguarding the setting of Bramblefield Farmhouse and of visual amenity.

- (7B) Prior to construction of the foundations for plots 271-276, the following key construction details shall first have been submitted to and subsequently approved in writing by the Local Planning Authority:
- (for all 6 plots)
- 1:5 vertical section showing eaves detailing (including guttering)
 - 1:10 elevation detail of porch (front and side elevation)
 - 1:5 vertical section of verge detail to porch roof
 - 1:10 part elevation details of chimney head and pots (including lower string course) and chimney shoulder
- (Corfe Feature house type units only – plots 272-274 & 276)
- 1:5 vertical section of junction detailing between flat roofed section and pitched roof planes
 - 1:5 vertical section of angled brick cill detailing to front elevation first floor windows
- (Chedworth Feature house type units only – plots 271 & 275)
- 1:5 elevation detail of scalloped lead flashing details to front elevation first floor windows.

See Informative B, below.

The dwellings on Plots 271 to 276 shall then be constructed using the approved details.

Reason: In the interests of safeguarding the setting of Bramblefield Farmhouse and of visual amenity.

- (8B) Before any development beyond the construction of foundations takes place on plots 271, 272, 273, 274, 275 and 276, a 1:10 elevation detail and a 1:5 plan and vertical section for

each window type to be used, together with key associated design information shall first have been submitted to, and subsequently approved in writing by the Local Planning Authority.

Reasons: In the interests of visual amenity.

- (9B) In respect of Plots 271 to 276 inclusive, upon completion of the dwellings, no further development, whether permitted by Classes A, B, C, D or H 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, and the setting of Bramblefield Farmhouse.

- (10B) In respect of Plots 271 to 276 inclusive, no flues, vents or meter boxes shall be fixed to elevations fronting onto access ways or communal landscaped spaces without the express prior written consent of the Local Planning Authority.

Reason: In the interests of safeguarding the setting of Bramblefield Farmhouse and of visual amenity.

- (11B) The gates as denoted by 'G' symbols on the Phase 1 South layout (drawing P.1076_10 Sheet 2 Revision ZE) shall be fitted with locks before the corresponding dwellings are first occupied.

Reason: in the interests of minimising opportunities for crime and anti-social behaviour.

- (12B) In respect of Phase 1 North, no development beyond the construction of the foundations shall take place until full details of the acoustic barrier (including the siting and specification of acoustic bund and fence along the top, and which shall accord with the approved version of the Geotechnical Design Report, and include arrangements for access to the planted area between the acoustic fence and the site boundary) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full before the occupation of the 1st dwelling.

Reason: in the interests of residential amenity, visual amenity and highway safety in relation to the adjoining A249 corridor.

- (13B) In respect of Phase 1 North, full details of the layout, specification and landscaping for the Country Park and the Neighbourhood Equipped Area of Play (including boundary treatment, other hard landscaping and soft landscaping details and SUDS features) – which are shown indicatively on the 'Illustrative Landscape Masterplan – Phase 1 North' – shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the first dwelling in this phase. The agreed details shall then be implemented in full before the occupation of the 40th dwelling.

Reason: In the interests of visual amenity, encouraging biodiversity, highway safety (in respect of the adjoining A249 corridor) and making proper provision for informal recreation.

- (14B) In respect of Phase 1 North and Phase 1 South, no dwelling shall be occupied until a detailed scheme for all proposed habitat features and enhancements (and including an implementation programme, which shall be designed to deliver the new habitat / enhancements at the earliest opportunity) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to deliver a biodiversity

net gain of a minimum of 20% across the two phases (with a minimum of 5% for either phase) and shall be based upon the Ecology Partnership letter dated 7 December 2020 and the 'Illustrative Landscape Masterplan for Phase 1 North. The scheme shall be carried out in accordance with the approved details and implementation.

Reason: In the interests of biodiversity.

- (15B) The area shown on the plans hereby approved for Phase 1 North and Phase 1 South (namely drawings P.1076_10 Sheet 1 Rev ZJ and P.1076_10 Sheet 2 Rev ZE as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a car port) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

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

- (16B) No more than 50 dwellings in Phase 1 South shall be occupied until a pedestrian / cycle link has been provided – in accordance with a specification that has first been agreed in writing by the Local Planning Authority – up to the boundary with the development site for application reference 18/500257/EIFUL (to connect with the path as shown on 'Planning Layout', drawing A759 01 Rev J) and in the vicinity of Plots 166 and 211 of the development hereby approved.

Reason: in the interests of promoting connectivity within the Local Plan allocation, particularly for non-car modes of travel.

- (17B) No more than 80 dwellings in Phase 1 North shall be occupied until a pedestrian / cycle link has been provided – in accordance with a specification that has first been agreed in writing by the Local Planning Authority – up to the boundary with the development site for application reference 19/501845/OUT and in the vicinity of Plots 346 to 348 of the development hereby approved.

Reason: in the interests of promoting connectivity within the Local Plan allocation and adjacent development sites, particularly for non-car modes of travel.

- (18B) No dwelling in Phase 1 North shall be occupied until full details of the electric vehicle charging points as shown indicatively on drawing P1076_10 Sheet 1 Revision ZJ (which shall include details of the charge point specification, which shall be designed to utilise best available technology) have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented for each house before the dwelling in question is first occupied.

Reason: in the interests of encouraging sustainable modes of transport and minimising the carbon footprint of the development.

- (19B) No dwelling in Phase 1 South shall be occupied until full details of the electric vehicle charging points as shown indicatively on P1076_10 Sheet 2 Rev ZD (which shall include details of the charge point specification, which shall be designed to utilise best available technology) have been submitted to and approved in writing by the Local Planning

Authority. The agreed details shall then be implemented for each dwelling before the dwelling in question is first occupied.

Reason: in the interests of encouraging sustainable modes of transport and minimising the carbon footprint of the development.

- (20B) No development beyond the construction of foundations shall take place in a particular phase until details of tree protection measures for trees planted in that phase (other than those in rear gardens) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be implemented in full alongside the implementation of the tree planting itself.

Reason: In the interest of visual amenity and supporting biodiversity.

- (21B) The dwellings hereby approved in Phase 1 North and Phase 1 South shall be constructed and tested to achieve the following measure:
At least a 31% 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 in Phase 1 South or Phase 1 North 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.

- (22B) Notwithstanding the details shown on drawing 2535-1S-LA-07 Revision P3, full details of the proposed play elements, the bench and a litter bin, shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the 20th dwelling in Phase 1 South. The agreed details shall then be fully implemented before the occupation of the 70th dwelling. The play elements, the litter bin and the bench shall then be retained in perpetuity.

Reason: In the interests of providing for informal play.

- (23B) None of the dwellings in either Phase 1 North or Phase 1 South shall be occupied until a scheme setting out the details of water butts and garden composting bins to be provided for each house has been submitted to and approved in writing by the Local Planning Authority. The approved provision shall be implemented before the occupation of each house.

Reason: In the interest of minimising water consumption and waste generation.

- (24B) The development hereby approved for Phase 1 North and Phase 1 South shall include street lighting as specified on Spine Road Lighting and Tree Locations Phase 1 South (Sheets 1 and 2) and Phase 1 North (drawing numbers 2535-SK-16, 17 & 18) and the lighting shall be delivered in accordance with a programme that shall first have been agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring the delivery of appropriate street lighting.

- (25B) No development in either Phase 1 North or Phase 1 South shall commence until a detailed lighting strategy for that phase in respect of the network of paths hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall then be implemented in accordance with an implementation programme that shall first have been agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring that the path network is appropriately illuminated.

- (26B) The development hereby approved for Phase 1 North and Phase 1 South shall accord with the principles of Secure by Design, and before development is commenced a scheme setting out how this will be achieved for each phase shall have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of minimising the opportunities for crime and anti-social behaviour.

- (27B) Prior to the occupation of the 50th dwelling in Phase 1 South, details (including an implementation programme) of one set of bus stops (ie two bus stops in total) and accompanying infrastructure which shall include appropriate shelters (to be located as close as reasonably possible to the Quinton Road entrance) shall be submitted to and approved in writing by the Local Planning Authority. The bus stops (and accompanying shelters) shall be delivered in accordance with the approved programme and shall be retained in perpetuity.

Reason: In the interest of promoting of sustainable modes of transport.

All development

- (1C) The development hereby approved shall be carried out in accordance with the following approved plans:

P.1076_15 D; P.1076_34 C; P.1076_10-3 V; P.1076_11-2 E; P.1076_10 SHEET NO: 1 REV: ZJ; P1076_10 Sheet 2 REV ZE; P1076_12 Sheet 1 REV V; P1076_12 Sheet 2 REV V; P.1076_12-2 V; P.1076_25-01 K; P.1076_25-2 L; P.1076_53-1; P.1076_53-2; P.1076_54-1; P.1076_54-2; P.1076_55 Rev 1; P.1076_14 A; P.1076_42 A (Sheets 1,2,3 and 4); P1076_60 (Sheet 1); P1076_60 (Sheet 2); and P.1076_59 (Sheets 1 and 2).

House Types North

P.1076_41 Sheet 1; P.1076_41-2; P.1076_41-3; P.1076_41-4; P.1076_41-5; P.1076_41-6; P.1076_41-7; P.1076_41-8 Rev A; P.1076_41-9; P.1076_41-10; P.1076_41-11; P.1076_41-12; P.1076_41-13; P.1076_41-14 Rev A; P.1076_41-15; P.1076_41-19 Rev A; P.1076_41-20; P.1076_41-21; P.1076_41-22; P.1076_41-23; P.1076_41-24; P.1076_41-25; P.1076_41-26; P.1076_41-27; P.1076_41-28; P.1076_41-29; P.1076_41-30; P.1076_41-31; P.1076_41-32; and P.1076_41-33.

Dwelling Types South

P.1076_40 Sheet 1 Rev A; P.1076_40 Sheet 10 Rev A; P.1076_40-11 Rev A; P.1076_40-12 Rev A; P.1076_40-13 Rev A; P.1076_40-14 Rev A; P.1076_40-15 Rev A; P.1076_40-16 Rev B; P.1076_40-17 Rev B; P.1076_40-18 Rev A; P.1076_40-19 Rev A; P.1076_40-2 Rev A; P.1076_40-20 Rev A; P.1076_40-21 Rev A; P.1076_40-22 Rev A; P.1076_40-23 Rev A; P.1076_40-24 Rev A; P.1076_40-26 Rev A; P.1076_40-27 Rev A; P.1076_40-3 Rev A; P.1076_40-30 Rev A; P.1076_40-31 Rev A; P.1076_40-32 Rev A; P.1076_40-33 Rev A; P.1076_40-34 Rev A; P.1076_40-35 Rev A; P.1076_40-36 Rev A; P.1076_40-37 Rev A; P.1076_40-4 Rev A; P.1076_40-5 Rev A; P.1076_40-50 Rev D; P.1076_40-51 Rev D; P.1076_40-52 Rev D; P.1076_40-53 Rev D; P.1076_40-54 Rev D; P.1076_40-55 Rev D; P.1076_40-56 Rev D; P.1076_40-6 Rev A; P.1076_40-60 Rev E; P.1076_40-61 Rev E; P.1076_40-62 Rev E; P.1076_40-63 Rev E; P.1076_40-64 Rev E; P.1076_40-65 Rev D; P.1076_40-7 Rev A; P.1076_40-70 Rev C; P.1076_40-71 Rev C; P.1076_40-72 Rev C; P.1076_40-73 Rev C; P.1076_40-74 Rev B; P.1076_40-75 Rev B; P.1076_40-76

Rev B; P.1076_40-8 Rev A; P.1076_40-80 Rev C; P.1076_40-81 Rev C; P.1076_40-82 Rev C; P.1076_83 Rev B; P.1076_84 Rev B; P.1076_85 Rev B; and P.1076_40-9 Rev A.

10298_1101 P1; 10298_1102; 1131 P10; 1132 P9; 1151 P2; 1152 P2; 1601 P6; 1602 P6; 1603 P6; 1604 P6; 1604 P6; 1605 P6; 1606 P6; 1607 P6; 1801 P7; 1802 P7; 1803 P7; 1804 P7; 1805 P8; 1806 P8; 1807 P7; 1951 P8; 1952 P6; 1953 P1; 1954 P1; 1121; 10298_1122; 2535-SK-16, -17 and -18; ASD-SE-SL-2019-041-01 DWG R1; ASD-SE-SL-2019-041-02 DWG; ASD-SE-SL-2019-041-RES-01-RO DWG; ASD-SE-SL-2019-041-RES-02-RO DWG; ASD-SE-SL-2019-041-RES-03-RO DWG;

2535-LA-02 P6; 2535-LA-03 P5; 2535-1N-PP-01 P5; 2535-1N-PP-02 P5; 2535-1N-PP-03 P5; 2535-1N-PP-04 P5; 2535-1N-PP-05 P5; 2535-1S-PP-01 P4; 2535-1S-PP-02 P4; 2535-1S-PP-03 P4; 2535-1S-PP-04 P4; 2535-1S-PP-05 P4; 2535-1S-PP-06 P4; 2535-1S-PP-07 P4; 2535-1S-PP-08 P4; 2535-1S-LA-01 P3; 2535-1S-LA-02 P3; 2535-1S-LA-03 P3; 2535-1S-LA-04 P3; 2535-1S-LA-05 P3; 2535-1S-LA-06 P3; 2535-1S-LA-07 P3; and 2535-1S-LA-07 P3;

27239_5504_021 Rev G; D118/12 Rev C; 27239_5504_057 A; 27239_5504_060 A.

Reason: In the interests of proper planning

- (2C) With the exception of infrastructure works undertaken under a Temporary Footpath Closure Order, where the existing Public Right of Way will be reinstated, no development shall take place over the alignment of Public Footpath ZU54/ZR110/ZU6 until an Order for its permanent diversion has been confirmed.

Reason: In order to protect and enhance connections to and through the existing public right of way.

- (3C) No development shall take place over the alignment of Public Footpath ZU54/ZR110/ZU6 until details of the proposed surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in accordance with a programme that shall first have been agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity and safety of the public.

- (4C) No works (including site clearance and/or preparation) shall commence on any phase of the development hereby permitted until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority for that phase.

The CMP shall include the following:

- (a) Routing of construction and delivery vehicles;
- (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;
- (f) Any requirements for temporary construction access, loading and unloading of plant and materials;
- (g) Storage of plant and materials used in constructing the development;
- (h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (i) measures to control the emission of dust and dirt during construction
- (j) measures to control noise during construction; and

(k) a scheme for recycling/disposing of waste resulting from demolition and construction works

Site security measures.

The construction of the development shall be carried out in accordance with the approved Construction Management Plan(s) unless otherwise agreed in writing by the Local Planning Authority.

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

- (5C) No occupation of any dwellings that would be accessed via Grovehurst Road shall take place until the highways works as shown on plan D118/12 Rev C ('Grovehurst Road Site Access') have been completed in accordance with a Section 278 agreement that shall first have been entered into with KCC Highways and Transportation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

- (6C) No occupation of any dwellings that would be accessed from Quinton Road (including all dwellings in Phase 1 South) shall take place until the highways works as indicatively shown on plan 27239_5504_021 REV G, with the addition of a Toucan Crossing facility, have been completed in accordance with a Section 278 agreement that shall first have been entered into with KCC Highways and Transportation unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

- (7C) Prior to the occupation of any dwelling or other building hereby approved, secure, covered cycle parking facilities shall be provided for the dwelling or building in accordance with the Council's adopted parking standards ('Parking Standards', May 2020), and the facilities shall be retained thereafter.

Reason: In the interests of highway safety and to facilitate the use of alternative, non-car means of transport in accordance with Policy.

- (8C) Prior to the occupation of any dwelling or other building hereby approved, the following works between the dwelling or building and the adopted highway shall be provided:

- (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); and
- (c) A timescale for completion of the wearing course in the event that any carriageway or footway is not adopted by the local highway authority.

Reason: In the interest of highway safety

- (9C) Prior to the occupation of the 50th dwelling in Phase 1 South, the off-site highways works relating to the Quinton Road to Sittingbourne Town Centre cycle route (as indicatively shown on plans 27239/5504/066, 27239/5504/067, 27239/5504/068 and 27239/5504/072) shall have been completed in accordance with a Section 278 agreement that shall first have been entered into with KCC Highways and Transportation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and promotion of sustainable modes of transport.

- (10C) The footpath / cycle path between Bramblefield Lane and Quinton Road (running through the site and as illustrated on the Concept Masterplan, P1076_18Q) shall be open and available for public use (in accordance with details that shall first have been agreed in writing by the Local Planning Authority) on or before the opening of the Secondary School or the occupation of the 250th dwelling, whichever is the sooner.

Reason: In the interest of promoting of sustainable modes of transport.

- (11C) Prior to the occupation of the 1st dwelling in any phase other than Phase 1 South or Phase 1 North, details (including an implementation programme) of one set of bus stops (ie two bus stops in total) and accompanying infrastructure which shall include appropriate shelters (to be in close proximity to the school and central square) shall be submitted to and approved in writing by the Local Planning Authority. The bus stops (and accompanying shelters) shall be delivered in accordance with the approved programme and shall be retained in perpetuity.

Reason: In the interest of promoting of sustainable modes of transport.

- (12C) The proposed 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, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority. The relevant details for each phase shall have been submitted to and approved in writing by the Local Planning Authority before the commencement of construction in that phase.

Reason: In the interest of Highway Safety.

- (13C) Prior to either the first opening of either school or occupation of the 100th dwelling (whichever is sooner), the length of the Spine Road (as shown on drawing P1076_10-1 Rev ZJ and on indicatively on the Concept Masterplan drawing P1076-18Q), between the school and Grovehurst Road shall be open and available for public use, and shall be to a standard that has been agreed in writing by the Local Planning Authority.

Reason: In the interest of Highway Safety.

- (14C) Prior to the occupation of the 345th dwelling, an application for the approval of reserved matters (pursuant to condition (1A) above) in respect of the section of the Spine Road between the Phase 1 North and Phase 1 South reserved matters areas shall be submitted to the Local Planning Authority for approval.

Reason: In the interest of Highway Safety.

- (15C) Prior to the occupation of the 780th dwelling, the full extent of the Spine Road between the junction with Grovehurst Road and Quinton Road, as indicatively shown on the Concept Masterplan drawing P1076-18Q and elsewhere, shall be open and available for public use and to a standard as agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety

- (16C) Prior to the opening of either of the schools hereby approved, a temporary pedestrian/cycle link shall be provided in accordance with details that shall have been approved in writing by the Local Planning Authority, between the Phase 1 South site and

the school site entrance, and the approved path shall be retained until such time as a permanent replacement has been provided.

Reason: In the interest of promoting sustainable transport choices.

- (17C) Prior to the occupation of the 200th dwelling on the development hereby approved, the Kemsley Halt pedestrian/cycle link as indicatively shown on the Concept Masterplan drawing P1076-18P (and including the link on to the station platform) shall be open and available to the public and shall be in accordance with a specification (including siting, width, surfacing details, landscape planting and boundary treatment) that shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of promoting sustainable transport choices.

- (18C) No more than 41 dwellings hereby approved shall be occupied until the Highway Authority have awarded a contract for works to deliver the HIF (Highway Infrastructure Fund) improvement scheme or otherwise agreed with the Local Planning Authority that there is sufficient capacity on the highway to avoid any severe impacts on highway safety or capacity at that time.

Reason: In the interest of Highway Safety

- (19C) No more than 91 dwellings hereby approved shall be occupied until such a time as the opening to the public of a Roads Investment Strategy scheme at M2 Junction 5 and a Housing Infrastructure Fund scheme at the A249 Grovehurst junction (or schemes to the same effect that may be agreed in writing by the Local Planning Authority).

Reason: To ensure that the A249 Trunk Road and M2 Junction 5 continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- (20C) No more than 100 dwellings within Phase 1 South shall be occupied until an interim highway improvement scheme for the A249/Bobbing interchange is open and available for public use and to a specification that shall first have been agreed in writing by the Local Planning Authority, any such scheme must include pedestrian crossing facilities for the southbound off-slip road as approved by the Local Planning Authority.

Reason: in the interests of highway safety.

- (21C) No more than 450 dwellings shall be occupied until the proposed full mitigation for the Bobbing/A249 junction as indicatively shown on drawing 27239_5504_029 is open and available for public use and the scheme must include pedestrian crossing facilities for the Northbound on-slip and to a standard as agreed in writing by the Local Planning Authority.

Reason: In the interest of Highway Safety

- (22C) No more than the 91 dwellings proposed for Phase 1 North and the 257 dwellings proposed for Phase 1 South shall be occupied until such time as either the Spine Road has been provided to allow vehicular access to the dwellings from the Northern access point onto Grovehurst Road or the full mitigation scheme for the Bobbing/A249 junction has been completed and is open to the public.

Reason: In the interest of Highway Safety.

- (23C) Prior to the commencement of works in connection with either of the schools hereby approved, the construction access to the school site shall be provided in accordance with details and a programme that shall first have been agreed in writing by the Local Planning Authority.

Reason: in the interests of highway safety.

- (24C) No surface water shall be permitted to run off from the development hereby permitted on to the highway or into any drainage system connected to the highway. No drainage connections from any non-Strategic Road Network related development hereby permitted may be made to any Strategic Road Network drainage systems.

Reason: To ensure that the A249 Trunk Road and M2 Junction 5 continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- (25C) Notwithstanding the submitted Framework Travel Plan (April 2018), no part of the development hereby permitted shall be occupied until a Framework Travel Plan(s) covering the whole development has been submitted to and agreed in writing by the Local Planning Authority. Thereafter detailed Travel Plans (TPs) for the various phases (including the two schools and all the housing parcels) of the development shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of any building in the phase in question is commenced. The requirements of the TPs shall then be adhered to throughout the lifetime of the development.

Reason: In the interests of encouraging non-car modes of travel and, among other things, to ensure that the A249 Trunk Road and M2 Junction 5 continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- (26C) No works to prepare the land for and/or construct the acoustic bund shall commence until a Statement of Intent to include a Preliminary Sources Study Report and Ground Investigation Scope Report and undertaken in line with the requirements of the Design Manual for Roads and Bridges standard CD622 'Managing geotechnical risk', has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the acoustic bund is designed and constructed in a way which protects the integrity of the A249 and its drainage, to ensure that the A249 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- (27C) No works to prepare the land for and/or construct the acoustic bund shall commence until a Ground Investigation Report and Geotechnical Design Report which is undertaken in line with the requirements of the Design Manual for Roads and Bridges standard CD622 'Managing geotechnical risk', has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the acoustic bund is designed and constructed in a way which protects the integrity of the A249 and its drainage, to ensure that the A249 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- (28C) In respect of each phase of the development hereby approved, all hard and soft landscape works that has been approved for that phase 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 in that phase or in accordance with the programme agreed in writing with the Local Planning Authority in respect of the phase.

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

- (29C) Upon completion of the approved landscaping scheme for a particular phase of the development (including the Country Park, other open space and strategic landscaped areas, the Schools Site and the Local Centre), any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting within that phase 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 biodiversity.

- (30C) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority, LPA) within that phase shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

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

- (31C) No development approved by this permission shall be commenced, within a particular phase, until a scheme for the provision and implementation of foul drainage works within that phase has been approved by the Local Planning Authority. The works shall then be implemented in accordance with an agreed programme.

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

- (32C) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site overlies an aquifer and is partly within a Source Protection Zone (SPZ). Without this condition, the proposed development on this site poses an unacceptable risk to local water quality.

- (33C) Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or any dwelling fronting on a highway.

Reason: In the interests of visual amenity.

- (34C) No development approved by this permission shall be commenced in a particular phase prior to a contaminated land assessment (and associated remediation strategy if relevant), being submitted to and approved in writing by the Local Planning Authority, comprising:
- a) A desk study and conceptual model, based on the historical uses of the site and proposed end-uses, and professional opinion as to whether further investigative works are required. A site investigation strategy, based on the results of the desk study, shall be approved by the Local Planning Authority prior to any intrusive investigations commencing on site.
 - b) An investigation, including relevant soil, soil gas, surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - c) A site investigation report detailing all investigative works and sampling on site, together with the results of analyses, risk assessment to any receptors and a proposed remediation strategy which shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment, including any controlled waters.

Reason: To ensure any land contamination is adequately dealt with.

- (35C) Before any part or agreed phase of the development is occupied, all remediation works identified in the contaminated land assessment and approved by the Local Planning Authority for that phase shall be carried out in full (or in phases as agreed in writing by the Local Planning Authority) on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If, during the works, contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

Reason: To ensure any land contaminated is adequately dealt with.

- (36C) Upon completion of the works identified in the contaminated land assessment for a particular phase, and before any part or agreed phase of the development is occupied, a closure report shall be submitted which shall include details of the proposed remediation works with quality assurance certificates to show that the works have been carried out in accordance with the approved methodology for that phase. Details of any post-remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure any contaminated land is adequately dealt with.

- (37C) The developer must advise the Local Planning Authority of the measures that will be undertaken to protect the public sewers and water mains, prior to the commencement of the development. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of minimising the risk of damage to water industry infrastructure.

- (38C) Development on each phase of development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority for each respective parcel compliant with the principles as outlined in the Drainage Strategy Overview Drawing (GTA Civils, November 2019). The

detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated without increase to flood risk on or off-site (and, among other things, that surface water from the site is attenuated to a rate of no more than 7 litres per second per hectare). 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.

Provision for phased development

Development shall not begin until a phasing plan for the surface water drainage scheme has been submitted to (and approved in writing by) the Local Planning Authority and which demonstrates the provision of drainage network to serve any designated Phase 1 or subsequent phases prior to occupation. The phasing plan shall also indicate and provide details of any temporary works associated with the construction of the surface water drainage system.

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.

- (39C) 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.

- (40C) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- (41C) No development in Phase 1 South beyond the construction of foundations shall take place until a train horn noise mitigation scheme (including an implementation programme) has been submitted to and approved in writing by the Local Planning Authority. The agreed mitigation shall then be implemented in accordance with the approved programme.

Reason: In the interests of residential amenity and mitigating potential adverse noise impacts associated with the operation of the adjacent railway line.

- (42C) The development hereby approved shall be built out in accordance with a phasing plan for the entire development that shall first have been approved in writing by the Local Planning Authority before the development is commenced.

Reason: In the interests of ensuring that the development is built out in coherent manner in accordance with an agreed sequence of phases and to minimise impact on traffic flow on the existing road network.

- (43C) The details submitted pursuant to condition (1) above, shall show all built development set back from the High-Pressure Gas Pipeline by a minimum of nine metres.

Reason: In the interest of health and safety.

- (44C) Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or any dwelling fronting on a highway or public area.

Reason: In the interests of visual amenity.

- (45C) No gas boilers shall be fitted in the dwellings hereby permitted other than a low emission boiler of a minimum standard of <40mgNO_x/kWh. No dwellings shall be occupied until details of the boilers to be installed have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with such details.

Reason: In the interests of minimising air quality impacts.

- (46C) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- (47C) The details submitted in respect of condition (1A) above, shall in respect of any phase that could affect the World War One defences of the Chatham Land Front as illustrated on the Concept Masterplan (drawing number P_1076_18Q) include full details of any Safeguarding Measures to preserve important archaeological remains or deposits in situ.

These Safeguarding Measures shall be informed by the results of an Archaeological Field Evaluation Report and will first have been agreed in writing by the Local Planning Authority. Such Safeguarding Measures may include the identification of areas of the site where development will be excluded to preserve the remains of the defences and their setting. The agreed safeguarding will include measures for the on-going safeguarding and management of any preserved archaeological remains and shall inform the siting and layout of any development proposals.

Reason: To secure the appropriate safeguarding of important heritage assets, namely the World War One defences of the Chatham Land Front.

- (48C) The details submitted in respect of condition (1A) above, shall in respect of any phase that would affect the World War One defences of the Chatham Land Front as illustrated on the Concept Masterplan (drawing number P_1076_18Q) include a scheme of historical interpretation of the World War One defences of the Chatham Land Front. Examples of how to relay and interpret the archaeology and history of the site can include, but are not limited to, the use of materials, landscaping, public art and the provision of historical interpretation boards. The details submitted pursuant to this condition shall include location, design, dimensions and materials of any fixed interpretation and a timetable for their implementation. The interpretation scheme shall be carried out in full accordance with the approved details and timetable and maintained in accordance with the approved details.

Reason: To ensure the development makes a positive contribution to local character and distinctiveness, through historical interpretation, in accordance with the objectives of the National Planning Policy Framework

- (49C) No dwelling hereby approved shall be occupied until a survey has been carried out to establish the current condition of the boundary treatment where the site adjoins the railway corridor along the eastern boundary. The survey results shall then inform a scheme for the upgrade (and where appropriate replacement) of the existing boundary treatment in order to ensure a secure boundary is achieved. The scheme, which shall first have been agreed in writing by the Local Planning Authority, shall be implemented before any of the dwellings hereby approved (other than those in Phase 1 North) are first occupied.

Reason: In the interests of ensuring a secure boundary with the adjacent railway line.

- (50C) No construction activities shall take place other than between 0730 to 1900 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

Reason: In the interests of surrounding residential amenity.

- (51C) 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.

- (52C) Prior to the development commencing (including vegetation clearance) in any phase a detailed reptile mitigation strategy must be submitted to the Local Planning Authority for written approval in respect of that phase. The strategy must include the following:
- Updated reptile survey
 - Map showing the location of the receptor site
 - Details of how the receptor site will be protected during works
 - Details of how the receptor site will be established
 - Details of what condition the receptor site will have to be in prior to the translocation commencing
 - Translocation methodology
 - Timing of the proposed works.
 - Details of who will be carrying out the works.
 - Simple management plan for the receptor site prior to the implementation of a site wide management plan.

The strategy must be implemented as detailed within the approved plan for the phase in question.

Reason: In the interests of safeguarding reptile populations within the site.

- (53C) Prior to any works being carried out on any trees within a phase of the development hereby approved a bat scoping and climbing survey (and where required emergence surveys) must be carried out for that phase. The results of the surveys must inform the detailed methodology to remove the trees within the phase in question. The results of the bat surveys and mitigation strategies must be submitted to the Local Planning Authority and approved in writing by them before the works commence in the relevant phase. The works must then be carried out in accordance with the approved details for the relevant phase.

Reason: In the interests of safeguarding bat populations within the site.

- (54C) Within three months of construction commencing on a residential phase of the development hereby approved a detailed lighting strategy (informed by the bat activity surveys) must be submitted to the Local Planning Authority for written approval in respect of that phase. The lighting scheme shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
 - b) Show how, where and what external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

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

Reason: In the interests of safeguarding bat populations within the site.

- (55C) The residential elements of the development hereby permitted shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and no residential unit(s) shall be occupied until details of the measures used to achieve the rate for that unit(s) have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of minimising domestic water consumption.

- (56C) Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.

APPENDIX

Landscape and Ecology Management Plan - Framework (October 2020)

INFORMATIVES**Informative A:** (dwelling details)

The sections to be provided shall include part of the surrounding masonry or joinery bordering the window or door opening and shall be set out clearly (annotated as necessary) to show the following details, as applicable:

- Depth of reveal
- Window head and cill/sub-cill detailing
- Glazing section (thickness of glass and in case of double glazing, dimension of spacing between the panes of glass)
- Glazing bar profile(s) in relation to the glazing section (showing whether through glazing bars, or stick on bars with spacers between the glazing)
- Window frame

The elevation detail to be provided shall clearly show the parts of the window which are openable, and the direction(s) in which they open and close.

For a scheme with multiple buildings, the relevant drawing for a particular window design shall also be provided with an associated schedule showing which buildings/plots it is to be used on.

The other key information which must be supplied is as follows:

- Confirmation of the material(s) the window, window frame and any cill (internal and external) are to be manufactured from
- Confirmation of the RAL colour(s) to be used for the timber, metal and/or uPVC surfaces
- Where the windows to be used are not custom made for the approved scheme, details of the relevant window manufacturer (company name, telephone number and web site address) together with the name of the specific product range and model(s) to be used.
- Where the windows to be used are not custom made, details of any specific optional choices to be made for each window type (e.g. visible or hidden trickle vents, visible joint detailing for uPVC windows and cill dimensions). The relevant options specified should be shown on the large scale elevation and sectional drawings to be provided for each window type

Whilst the applicant may choose to submit manufacturer brochures and/or specification sheets in relation to this planning condition, the local planning authority will not be able to fully discharge this condition until all of the specific information required by this condition has been supplied by the applicant, and the local planning authority is satisfied that it shows an appropriate standard of design and associated detailing.

Informative B: (dwelling details)

In relation to the porch roofs, the Local Planning Authority expects to see a bedded verge design, and in relation to the eaves detailing for the main roofs, it expects to see an open verge design.

Informative C: (Southern Water)

Development should not be permitted to be occupied until such time as adequate capacity is available to serve the development. Southern Water advises that the development shall not be occupied until adequate sewerage capacity is available, through the completion of the programmed works. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Informative D: (Southern Water)

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Attention is drawn to the Southern Water (SWS) consultation response dated 12 June 2018 and the applicant is advised to liaise with SWS in order to ensure that their requirements in respect of this application are satisfied.

Informative E: (Broadband request from KCC)

It is recommended that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high-speed broadband. KCC understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast.

Informative F:(Breeding Birds)

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 is 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.

