

<b>2.4 REFERENCE NO - 19/506047/REM</b>		
<b>APPLICATION PROPOSAL</b> Approval of Reserved Matters following outline application 15/507059/OUT for the erection of 95no. dwellings, comprising a mixture of two-storey semi-detached, terraced, and detached houses with a mix of 2no., 3no. and 4no. bedrooms. (Appearance, Landscaping, Layout and Scale being sought).		
<b>ADDRESS</b> Land to The North of Plover Minster-on-sea Kent ME12 3BT		
<b>RECOMMENDATION</b> – That delegated powers are given for the reserved matters to be APPROVED subject to confirmation of the adoptable highway boundaries as requested by KCC Highways and Transportation and to no objections being raised to the detailed landscaping scheme by the Council's Tree Consultant.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> The layout, appearance, scale, and landscaping of the site is acceptable and in accordance with the terms of the outline planning permission and the Local Plan.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The recommendation is contrary to comments from Minster Parish Council		
<b>WARD</b> Sheppey Central	<b>PARISH/TOWN COUNCIL</b> Minster-On-Sea	<b>APPLICANT</b> Sunningdale House Developments Ltd <b>AGENT</b> Hume Planning Consultancy Ltd
<b>DECISION DUE DATE</b> 04/03/20	<b>PUBLICITY EXPIRY DATE</b> 11/03/21	

**Planning History**

15/507059/OUT

Outline application (with all matters reserved other than access into the site) for a residential development with associated landscaping, parking, and public open space.

Approved Decision Date: 12.04.2018

**Adjacent site**

15/505670/FULL

Erection of a 1366 sq.m (GIA) foodstore (A1) and four small retail units within Class A1, A2, A3, A5, and D1 (186 sq.m GIA in total) together with associated access, car parking, service yard and plant, click and collect facility, trolley bays and landscaping.

Approved Decision Date: 08.07.2016

18/503855/OUT

Outline application (with all matters reserved) for the residential development on the land off Plover Road, including associated access, parking, and landscaping.

Approved Decision Date: 18.09.2019

**1. DESCRIPTION OF SITE**

1.01 The site is located within the defined built-up area of Minster and comprises a roughly rectangular shaped plot of three hectares in size. The site is undeveloped and currently consists of rough scrub and grassland. The land slopes down in a northerly direction towards Parish Close, with a difference in levels of approximately nine metres across the site. Access to the site is via an existing spur from Yarrow Drive, leading off Plover Road. Yarrow Drive also provides access to Clover Close, a small residential development to the south west of the site which includes a children's play area immediately next to the site boundary.

- 1.02 The site is bounded to the north-west by Parish Road, an unmade road serving a line of dwellings on the opposite side to the application site, and the site boundary is defined by overgrown hedging / landscaping fronting the road. Land to the north east is bordered by a new housing development at Parish Close. Land to the south-east boundary is bordered again by new housing development as part of the Thistle Hill estate. A vacant parcel of land (0.7 Ha) borders part of the southern boundary of the site. This previously benefitted from permission for a small foodstore / local retail parade approved under 15/505670/FULL, although this permission has since lapsed and has been replaced by an outline permission for residential development under 18/503855/OUT (number of dwellings not specified).
- 1.03 The surrounding area is predominantly residential in character although the Sheppey Community Hospital is located on the south side of Plover Road. Surrounding development is predominantly two storey, with some three storey dwellings to the south east of the site.
- 1.04 This site is allocated under Policy A11 of the Local Plan for development of a minimum of 97 dwellings. The policy wording is set out in full below.

## **2. PROPOSAL**

- 2.01 Outline planning permission was granted under reference 15/507059/OUT for residential development of the site, with associated landscaping, parking, and public open space. This permission restricted the number of dwellings to no more than 97. The principle of the development has therefore been accepted by the Council. The decision notice is appended.
- 2.02 This application seeks permission for the outstanding reserved matters, noting that access was approved as part of the outline permission. Therefore, the current submission relates to the appearance, landscaping, layout, and scale of the scheme.
- 2.03 As part of the terms of the outline planning permission, the following details were also required to be submitted as part of the Reserved Matters –
- An area of not less than 0.29 hectares to be reserved as public open space (condition 5)
  - Details of measures to meet “Secure by Design” principles (condition 6)
  - Cross sections of existing and proposed site levels (condition 7)
  - A landscaped buffer of at least 10 metres and a 3 metre acoustic barrier where the site meets the boundary of the proposed retail site (Condition 8).
  - Details of parking (condition 20)
- 2.04 The proposal seeks permission for 95 dwellings with the main access shown from Yarrow Drive as per the approved access arrangements under the outline application. The unit mix is as follows:
- 2 x 2 bed FOG's (Flats over garages)  
23 x 2 bed dwellings  
61 x 3 bed dwellings  
9 x 4 bed dwellings
- 2.05 The dwellings are all two storey and comprise a mix of detached, semi-detached, and terraced units.

- 2.06 Members will note the Parking Strategy Plan and that a total of 243 spaces are proposed, though 21 of these are garages (which are not included in the car parking provision). This plan also specifies that EV charging facilities would be provided to each of the dwellings and to 20% of the visitor spaces (8 in number).

### 3. PLANNING CONSTRAINTS

- 3.01 The site is allocated under policy A11 of the Local Plan for residential development. Is located within the built confines of Minster; and is within an area of archaeological potential.

### 4. POLICY AND CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) – paragraphs 11 (presumption in favour of sustainable development), 47 (determining planning applications in accordance with the development plan), 54-55 (use of planning conditions), 91 (creating safe and accessible communities), 96 (providing open space), 124-130 (achieving well designed places).

- 4.02 National Planning Practice Guidance (NPPG) – Design – Process and Tools

- 4.03 Bearing Fruits 2031: The Swale Borough Local Plan 2017 – Policies ST1 (Delivering sustainable development in Swale), ST2 (Development targets for jobs and homes 2014-2031), ST3 (The Swale settlement strategy), ST4 (Meeting the Local Plan development targets), ST6 (The Isle of Sheppey area strategy), CP2 (Promoting sustainable transport), CP3 (Delivering a wide choice of quality homes), CP4 (Requiring good design), CP7 (Conserving and protecting the natural environment), A11 (Land at Plover Road, Minster), DM6 (Transport demand and impact), DM8 (affordable housing), DM14 (General development criteria), DM19 (Sustainable design and conservation), DM21 (flooding and drainage), DM28 (Biodiversity and geological conservation), DM29 (Woodlands trees and hedges).

- 4.03.01 Policy A11 reads as follows:

*“Planning permission will be granted for a minimum of 97 dwellings at Plover Road, Minster, as shown on the [Proposals Map](#). Development proposals will:*

- 1. Create an attractive landscaped frontage to Parish Road;*
- 2. Achieve a mix of housing in accordance with Policy CP 3, including provision for affordable housing in accordance with Policy DM 8;*
- 3. Assess and undertake any mitigation needed for impacts upon archaeology;*
- 4. Prepare a Transport Assessment and implement any highway and other transportation improvements arising from the proposed developments implemented;*
- 5. Provide infrastructure needs arising from the development, including those identified by the Local Plan Implementation and Delivery Schedule, notably for education and health provision; and*
- 6. 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.”*

- 4.04 Supplementary Planning Guidance (SPD): The Swale Car Parking Standards 2020.

### 5. LOCAL REPRESENTATIONS

5.01 Six letters of objection received, and these are summarised as follows:

- This will add to existing congestion on Plover Road and surrounding roads.
- Lack of infrastructure - Schools, hospitals, doctors, dentist surgeries are at capacity.
- Impacts on wildlife.
- Lack of provision for car parking
- Too many housing developments on Sheppey
- Overlooking of houses on Yarrow Drive
- Flooding and sewerage problems
- Extra noise / disturbance on surrounding dwellings
- The proposed dwellings will be built right up to Coral Road, which does not conform with the outline planning permission and will affect light / privacy.
- Impact of road access on properties on Yarrow Drive, including noise pollution.

## 6. CONSULTATIONS

6.01 Minster Parish Council – Strongly object to the application based on over-intensive development that is too high in density, the over-congested appearance of the street scene, traffic and congestion impacts, the extent of parallel parking by the green space and concern this will be used as overflow parking by the community hospital, and concern that drainage arrangements would cause flooding to the north of the site. The parish council also agree with the outstanding matters raised by KCC Highways and Transportation.

6.02 KCC Highways and Transportation – following various amendments to the scheme, they raise no objection in relation to the general layout, level and type of car parking provided for the development. However further details remain outstanding in respect of the deliverability of the pedestrian/cycle link adjacent to plot 4, and confirmation of the adoptable highway extents in order that the forward visibility splays for the proposed carriageways can be secured. Members will also note the discussion at paragraph 7.12 in the appraisal below and that not all of the road layout will be adopted due to their adoption policy in respect of sections of road that are affected by the provision of surface water drainage area.

6.03 KCC Drainage – Following the submission of additional information, they advise that the drainage strategy to attenuate surface water in a wide silt at the north end of the site is acceptable and raise no objection to the reserved matters.

*Officer note – Members should note that condition 9 of the outline planning permission requires a detailed drainage strategy to be submitted and approved prior to commencement of the development and this will need to be subject to a separate application. The strategy is not part of this application for reserved matters, but nonetheless the above comments are helpful to inform the layout of the development and position of a swale at the northern end of the site.*

6.04 The Lower Medway Internal Drainage Board advises that further information is required on the connection to an existing drainage ditch, and that this may require land drainage consent.

*Officer note – please see my comments above that the detailed drainage strategy is subject to a condition of the outline planning permission.*

- 6.05 Southern Water advise that the drawings show tree planting near the public sewer, and that no new tree planting should be located within 3 metres on either side of the external edge of the public sewer.

*Officer note – the Southern Water map shows existing apparatus relatively close to the site boundaries in parts. However, this would not conflict in principle with the landscaping proposals as a sufficient 3 metre distance can be maintained to the sewer.*

- 6.06 SBC Environmental Health raise concern that no EV charge points are included with the application. Advise that low NOx gas boilers should be installed to the properties.

*Officer note - The terms of the outline planning permission do not require electric vehicle charge points or low NOx boilers to be provided for the development. Notwithstanding this, the applicant has specified that 1 charge point per dwelling will be provided, as well as to 8 visitor spaces. This is specified on the parking strategy plan. The outline planning permission does include a more general condition requiring details of sustainable construction measures to be submitted and approved – it is possible that low NOx boilers could be submitted as part of the measures under this condition when such an application is made, and an informative has been added to encourage this.*

- 6.07 KCC Archaeology raise no objection subject to a condition to implement a programme of archaeological work.

*Officer note – this has already been secured under condition 12 of the outline permission.*

- 6.08 Natural England have no comments to make on the proposal.

- 6.09 The Swale Footpath Group state that where an application refers to "Open Space" and/or "Public Open Space" it is important to establish at the outset what is to be its precise legal status and who is to be responsible for its upkeep.

*Officer note – details relating to the management and maintenance of the open space are required under the S106 Agreement secured with the Outline planning permission.*

- 6.10 Kent Police advise that the Designing out Crime report dated October 2020 is acceptable and that conditions should be applied to secure the measures specified, as well as for lighting details, security of cycle storage and lockable gates.

- 6.11 SBC Greenspaces Manager – advises that the development is generally appropriate in relation to amount of open space and its respective landscape treatment and planting. It is beneficial that the bulk of the open space remains tied in with the exiting play area to the south which makes a more coherent and usable facility. He also advises that a linkage/connection to the open space to the North East of the site could be beneficial in enabling wider open space access.

## **7. APPRAISAL**

### Principle of Development

- 7.01 The site lies within the built confines of Minster and is designated under Policy A11 of the local plan as an allocated site for a minimum of 97 dwellings. Outline permission for development of the site has been granted under reference 15/507059/OUT for a residential development of up to 97 dwellings. As such, the principle of development is clearly established. Although the number of dwellings proposed (95) falls marginally

below the minimum figure stated in the local plan, it complies with the terms of the outline planning permission which sets 97 units as a maximum.

- 7.02 The outline planning permission fixed the means of vehicular access via Yarrow Drive. This reserved matters application is, as set out above, for the remaining details relating to the scale, appearance, layout, and landscaping of the development.

#### Policy background

- 7.03 Paragraph 124 of the NPPF states that ‘the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.’
- 7.04 The NPPF states that proposals should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 7.05 Policy CP3 of the Local Plan requires that development proposals should deliver a wide choice of quality homes, of an appropriate mix and of a density in accordance with the defining characteristics of an area. The supporting text sets out that the greatest borough wide need is for 2 and 3 bed homes, and that in Minster the demand is greatest for family homes.
- 7.06 Policy CP4 of the Local plan requires development proposals to be of a high-quality design that are appropriate to its surroundings. Development proposals should create safe, accessible, comfortable, varied and attractive places, enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening sense of place, and make safe connections physically and visually both to and within developments, particularly through using landscape design and open space to retain and create green corridors for pedestrians, cyclists and biodiversity.
- 7.07 Criteria 1 and 2 of Policy A11 of the Local Plan requires the development to provide an attractive landscaped frontage to Parish Road, and to achieve a mix of housing in accordance with policies CP3 of the Local Plan. These are considered further below.
- 7.08 Policy A11 sets other criteria – but these have already been considered and agreed (where required) under the terms of the outline planning permission as follows –
- *Affordable Housing* – this was not required under the outline permission as policy DM8 states nil provision for developments on the Isle of Sheppey.
  - *Archaeological assessment and mitigation* – this was secured under condition 12 of the outline permission.
  - *Highways / transport impacts and improvements* – the wider highways impacts were determined to be acceptable in granting outline planning permission, and a financial contribution towards improvements to the Barton Hill Drive / Lower Road junction was secured under a S106 Agreement to mitigate impacts. Highways impacts in relation to the reserved matters are those relating to layout and design matters, including the provision and location of car parking.
  - *Infrastructure needs* – Off-site contributions were secured as part of the outline permission towards primary school provision, libraries, youth services, adult social care, wheelie bin provision, and off-site formal sports provision.
  - *Impacts upon SPA and Ramsar sites* – A payment to manage potential disturbance was secured under the outline permission, in accordance with the established SAMMS strategy.

- 7.09 Policy DM14 of the Local Plan requires proposals to reflect the positive characteristics of a site and locality, be well sited and of a scale, design, appearance, and detail that is sympathetic and appropriate to a location and cause no significant harm to amenity.

### The Reserved Matters

#### *Layout*

- 7.10 The development of 95 dwellings would equate to a density of 32 dwellings per hectare and the housing mix provides an emphasis on 2 and 3 bed units, which are the house types identified as being of the highest need within the Borough under Policy CP3 of the Local Plan. The mix makes provision for a large number of 3 bed dwellings, which would assist in meeting the specific needs for Minster for family housing as also identified under Policy CP3. The proposal includes a mix of detached, semi-detached, and terraced units, and 2 apartments (Flats over Garages). The layout and density proposed would be consistent with surrounding development.
- 7.11 The layout has been designed around a main internal loop road, with dwellings predominantly facing onto this road. This means that dwellings would back onto Parish Road. Although this is not generally in accordance with good design principles, it does allow for the retention of the existing landscaping along the site boundary with Parish Road, which would be reinforced by additional planting within proposed rear gardens. This would accord with criteria 1 of policy A11 which requires a landscaped frontage to be provided to Parish Road.
- 7.12 The main loop road would be tarmacked but broken up with a series of block-paved raised table sections. Shared surface roads and private drives would be block paved. In addition to the main vehicular access, an emergency access would be located off Parish Road, and pedestrian / cycle access points would be created onto Parish Road, Clover Close and Mistletoe Drive. I am satisfied that the layout demonstrates a road hierarchy and good pedestrian and cycle opportunities, with local connection points available into the wider area to provide permeability. The outstanding comment from KCC Highways regarding pedestrian / cycle connection points can be dealt with via a condition, and Members will note condition (6) below. Discussions regarding the extent of the highway to be adopted are ongoing between the applicant and KCC. I understand that KCC would not seek to adopt sections of road over surface water storage areas, and in this respect the road layout may only be partially adopted. I also note that the detailed specification for the road layout, footpaths, street lighting and other related matters (whether adopted or not) is subject to condition 23 of the outline permission – and as such is controlled.
- 7.13 The layout incorporates three areas of open space, which would amount to 0.29 hectares in total, in accordance with the requirements of condition 5 of the outline permission. The largest area would be on the west side of the site entrance and would be adjacent to an existing play area – and would effectively create an extension to this space. A smaller area is located centrally within the plot and would create a small focal point in the heart of the development. The third area is located on the north east boundary and would form a landscaped swale as part of the sustainable drainage strategy for the site. These details are acceptable to the Council's Greenspaces Manager and are well overlooked by the proposed dwellings for natural surveillance.
- 7.14 The layout includes parking provision as required under condition 20 of the outline permission. Parking is predominantly on-plot and incorporates 1 allocated parking space for 2 bed units, with further unallocated spaces provided for shared use. 3 bed units are

provided with 2 allocated parking spaces, and 4 bed units with 3 allocated spaces. Some of these are contained within open car ports. Garages are also proposed to several units, although these have not been counted as parking spaces. Tandem parking is proposed to several plots, and as a result more visitor (36 spaces) and unallocated (11) parking spaces are proposed within the site to account for this.

- 7.15 Overall, I am content that the development would provide sufficient parking in accordance with the Council's adopted car parking SPD, and I note that KCC Highways raise no objection to the scheme on these grounds.
- 7.16 Details of refuse storage collection points, and tracking for refuse vehicles have been shown on submitted plans and are acceptable.
- 7.17 Condition 8 of the outline planning consent requires a 'buffer strip of no less than 10m in width retained (for strategic planting) and a 3m high acoustic barrier where the site adjoins the boundary of the loading area for the retail unit proposed under planning application reference 15/505670'. The planning permission for the retail unit has now lapsed, and an alternative outline proposal has been approved under application reference 18/503855/OUT for a residential scheme. As such, the buffer strip is no longer necessary, and I am satisfied that it is not necessary for the reserved matters to conform with this condition.

#### Scale and appearance

- 7.18 The scheme has been designed as a two-storey development, and the dwellings range between 8.5 and 9.3 metres in height. This is appropriate in the context of surrounding development which is predominantly 2 storeys in scale. The overarching design approach is based on a traditional vernacular, with conventional brick, and weatherboarded elevations under hipped and gable roofs. The dwellings incorporate a range of features including chimneys, bay windows, gauged arches, stone cills and canopy porches. The different house designs and use of materials, and the mix of detached, semi-detached, and terraced units, together with the sloping character of the site, create good interest, variety, and an attractive design.
- 7.19 The application includes proposed site levels details and cross sections in accordance with condition 7 of the outline permission to demonstrate this. Some dwellings towards the central and southern parts of the site would be built at a level similar to or lower than existing site levels, and a number of dwellings would be built at levels higher than existing, which is not unusual on site where cut and fill operations are required to deal with sloping land. However, land levels are raised consistently above existing levels and by up to 1.5 metres in height across the north and north east parts of the site. This is due to the drainage requirements for the site and particularly the storage capacity requirements for the swale in the far north of the site, and the need for levels to be raised to achieve this. The dwellings still step down in level from south to north, but not to the extent of the natural topography of the land.
- 7.20 The effect of this is that parts of the development would be raised above the level of Parish Road, and likewise Parish Close and some existing dwellings on the south east boundary of the site. The landscaping along Parish Road and proposed swale in the north part of the application site help to soften these differences in levels with existing roads and dwellings, and I do not consider this to be unacceptable in visual terms.
- 7.21 The appearance and layout of the scheme has been amended to respond to comments from Kent Police relating to crime prevention, and the application includes a Designing

out Crime report to demonstrate how crime prevention has been incorporated into the design, as per the requirements of condition 6 of the outline permission.

#### Landscaping

- 7.22 The application includes a detailed scheme of soft landscaping. This incorporates planting and landscaping proposals for the areas of open space (although this is ultimately controlled by requirements within the S106 Agreement), planting on street frontages, on plot planting and boundary planting, including proposals to strengthen and retain planting and hedging on Parish Road. I am awaiting comments from the Council's Tree Consultant on the latest scheme, and hope to update Members prior to the meeting.
- 7.23 The landscape proposals show appropriate and maintainable planting throughout the site and will create a robust green environment for the residents of the new houses and wider community. There is also the potential for local biodiversity to be significantly enhanced as a result of the landscape planting.

#### Impact on surrounding neighbouring amenities

- 7.24 The site is surrounded by neighbouring residential properties, and taking each site boundary in turn –

##### *The south west boundary*

- 7.25 This is sited adjacent to dwellings at Clover Close and Yarrow Drive. Proposed plots 1-4 would back onto no 12 Clover Close, which is at 90° to these properties. A minimum distance of 14.5m would be maintained from the rear of the proposed dwellings to the side wall of No 12 - which does not contain any windows. In addition, the proposed dwellings are shown to be sited at a level of some 1.5-2 metres below the level of No 12. I consider this relationship to be acceptable.
- 7.26 The proposal includes a large area of open space adjacent to other existing dwellings on this boundary – which would add to the existing playground. Subject to further landscaping measures where the boundary meets these existing dwellings (and which can be controlled under the open space specification in the S106 Agreement), I consider this relationship to be acceptable.
- 7.27 The vehicular access into the site would pass in front of dwellings on Yarrow Drive. This means of access was considered acceptable and was set as part of the outline permission.
- 7.28 The remainder of the land on the southern side of the SW boundary benefits from outline permission for residential development. The reserved matters layout shows that plots 89-95 would be sited next to this boundary, with gardens bordering this boundary of typical size / layout for new developments. I consider this to be acceptable.

##### *The north west boundary*

- 7.29 This boundary runs parallel with Parish Road. The proposal has been designed to face away from Parish Road. As a result, the proposed dwellings would be set further into the site, with rear gardens backing onto the road boundary, screened by the existing hedgerow and landscaping shown to be retained adjacent to the boundary and road.

- 7.30 The proposed dwellings would generally be sited between 25m and 32m from the existing residential properties on the north-west side of Parish Road. Although some of the plots in the north part of the site would be raised up to 1.5m above the level of Parish Road, I am satisfied that the intervening distance between these and the existing dwellings on Parish Road would be sufficient to prevent any undue loss of light, outlook, or privacy to these dwellings.

*The north east boundary*

- 7.31 The proposal incorporates an area of open space including a swale along this boundary with Parish Close. Proposed plots 29-32 would be sited to the south of the swale and would face towards Parish Close but would be separated by an access road and the swale, and a minimum distance of 22m would be maintained between the existing and proposed properties. The application proposes a range of soft landscaping measures adjacent to the swale to provide screening and mitigate the levels differences set out above.
- 7.32 The exception to this is plot 28, which would face towards the flank wall of the existing dwelling at No 13 Parish Close at a distance of approx. 14 metres. In this instance, the first floor windows are shown to be obscure glazed, with windows on other elevations providing outlook to the first floor bedrooms. The effects of the higher land levels are also mitigated by landscaping to the sides of the swale.
- 7.33 Plot 71 would be sited to the south of No 9 Parish Road. A gap of over 14m would be maintained between the flank walls of the proposed and existing properties. Although a bathroom window is shown at first floor level, this can be required to be obscure glazed to avoid any overlooking. Plot 71 would again be approx. 1.5m higher than No 9 Parish Close, however the orientation of the dwellings is such that no undue loss of amenity would be likely to No 9.

*The south east boundary*

- 7.34 The proposal includes a number of dwellings with rear gardens that border the rear gardens to existing dwellings at Coral Road, Fennel Close and Lupin Court. The topography of the site (taking into account the levels changes proposed) is such that it is partially lower than the level of some adjacent residential units, but higher than others. Overall, the units proposed on this boundary would be separated by a distance of between 21 and 29 metres from the rear elevations of existing dwellings, and I consider this relationship to be acceptable.
- 7.35 The exceptions to this are plots 88 and 89, which face side-on to properties at Coral Road and Fennel Close. Following amendments to the scheme, these properties have been moved further from the boundary and designed with hipped roofs and would be between 15 and 17 metres from the rear elevations of the existing dwellings. As a side-to-rear relationship, I consider this to be acceptable.
- 7.36 Taking the above into account, I consider that the proposal would not cause unacceptable impacts on surrounding neighbouring properties and would accord with Policy DM14 of the Local Plan.

## **8. CONCLUSION**

- 8.1 I consider that the reserved matters submission contains the necessary detail relating to the development of the site as required by the conditions of the outline planning permission, and demonstrates that an acceptable layout, appearance scale and

landscaping of the site is achieved. The provision of 95 units would be in accordance with the terms of the outline planning permission (and the density of development would be appropriate for the site and surrounding area), and I consider that the reserved matters accord with the criteria under Policy A11 and other supporting policies.

- 8.2 On this basis, I consider that the development conforms with the terms of the outline planning permission and the development plan and should be approved, subject to confirmation of the adoptable highway boundaries as requested by KCC Highways and Transportation and to no objections being raised to the detailed landscaping scheme by the Council Tree Officer.

## 9. RECOMMENDATION

That delegated powers are given to APPROVE the Reserved Matters subject to confirmation of the adoptable highway boundaries as requested by KCC Highways and Transportation and to no objections being raised to the detailed landscaping scheme by the Council Tree Consultant and to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with the following plans: 3072 – 01B, 02N, 03N, 04J, 05L, 06L, 10D, 11A, 12C, 13C, 14D, 15B, 16D, 17C, 19C, 20C, 21B, 22C, 23E, 24A, 25F, 26E, 27E, 28G, 29A, 30E, 31D, 32D, 33D, 35D, 36, 37, 38, 39, 40M, 41L, 42L, 43M, 44L, 45L, 46B, 60B, 61B, 62A, 63A, 64A, 65B. 7753-101-P6, 102-P4, 103-P5, 104-P1, 105-P1, 7753-1801-P6, 7753-1802-P6, 0239-21-B-1A, 2A, 3A
- 2) No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- 3) Prior to first occupation, the proposed first floor windows in the north east elevation of plots 28 and 71 shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and these windows shall be incapable of being opened except for a high-level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

- 4) No development beyond the construction of foundations shall take place until full details of the materials for the surfacing of roads, footways and paths, and other hard surfacing materials, 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 interests of the visual amenities of the area.

- 5) No development shall be commenced until a scheme for the protection of trees and hedges to be retained (including the landscaping on the boundary with Parish Road and any adjacent to the site) has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include

- i) Drawings and measures to protect trees and hedges by suitable fencing of a height

not less than 1.2m at a distance as specified in Table 1 or Figure 2 of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction'.

- ii) Detailed drawings to demonstrate the measures to safeguard retained trees and hedges on the boundary with Parish Road from proposed land levels changes.

The approved details shall be fully installed before any equipment, machinery or materials are brought on to the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the area fenced in accordance with this condition and the ground levels within those area shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard the existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- 6) No development beyond the construction of foundations shall take place until detailed drawings and sections of the proposed emergency access to Parish Road, and the footpath / cycle path access points to Parish Road, Clover Close and Mistletoe Drive, and measures to control /prevent vehicle access through these areas, have been submitted to and approved in writing by the Local Planning Authority. The connections shall be completed prior to first occupation of any dwelling in accordance with the approved details.

Reason: To ensure that suitable pedestrian, cycle and emergency connections are provided.

- 7) No development beyond the construction of foundations shall take place until detailed measures to address crime prevention, as set out in the Designing out Crime Report submitted with the application, 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 interests of crime prevention.

- 8) Prior to the occupation of any dwelling, details of the type, location and management (where not within a private dwelling plot) of EV charging facilities, as specified on the Parking Strategy Plan, shall be submitted to and approved in writing by the Local Planning Authority. The specification shall be designed to utilise best available technology. The development shall be carried out in accordance with the approved details.

Reason: to help mitigate the impacts of climate change and air quality

## **INFORMATIVES**

- 1) The developer is advised that the use of low NOx boilers should be considered as part of the measures for the approval of condition 11 of the outline planning permission, when such information is submitted.

### 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.

