

**PLANNING COMMITTEE – 12 MAY 2022****PART 2**

Report of the Head of Planning

**PART 2**Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 21/503749/REM</b>		
<b>APPLICATION PROPOSAL</b> Approval of Reserved Matters for Appearance, Landscaping, Layout and Scale pursuant of 19/503810/OUT (allowed on appeal) for - Outline application for the erection of 17 dwellings with new access road, associated parking and landscaping. (Access being sought, all other matters reserved for future consideration).		
<b>ADDRESS</b> Land On The South East Side Of Bartletts Close Halfway Kent ME12 3EG		
<b>RECOMMENDATION</b> Grant subject to the conditions below.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The reserved matters would be in accordance with the terms of the outline planning permission and the appearance, landscaping, layout and scale of the residential scheme is acceptable and in accordance with the requirements of the Local Plan.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Called in by Cllr Beart		
<b>WARD</b> Queenborough And Halfway	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> Mr R Theobald <b>AGENT</b> Synergy
<b>DECISION DUE DATE</b> 21/10/21	<b>PUBLICITY EXPIRY DATE</b> 08/04/22	

**Planning History**

19/503810/OUT

Outline application for the erection of 17 dwellings with new access road, associated parking and landscaping. (Access being sought, all other matters reserved for future consideration).

Refused Decision Date: 13.03.2020

**Appeal History:**

20/500073/REF (PINS ref: W/4001086)

Outline application for the erection of 17 dwellings with new access road, associated parking and landscaping. (Access being sought, all other matters reserved for future consideration).

Appeal Allowed Decision Date: 09.10.2020

The appeal decision is included as an Appendix.

## **1. DESCRIPTION OF SITE**

- 1.1 The application site is situated to the south of a residential cul-de-sac at Bartletts Close and adjoins the built up area boundary of Halfway/Minster. The site itself therefore falls within the open countryside.
- 1.2 The site is roughly rectangular in shape and comprises grassland. In terms of land levels, the site rises gently to the south east where in the southern corner the site is 15.69mAOD and the northern corner is 12.62mAOD. There is existing mature hedge planting along the south-west and south-east boundaries. The north-east boundary comprises a mix of hedge planting and close boarded fencing (with existing dwellings), and the north-west boundary comprises a mix of close boarded fencing (with dwellings) and planting.
- 1.3 There is an existing vehicular access to the site from Bartletts Close, and currently comprises a pair of 2m high entrance gates with close boarded fencing either side. Bartletts Close is an unmade private road which provides access to 12 detached dwellings.
- 1.4 There are residential dwellings to the north, north-west and east of the site, with open agricultural fields to the east, south and west. Planning permission was granted in December 2020 for 153 dwellings (Land at Belgrave Road, reference 19/501921/FULL) on the land to the east/north-east of the proposal site.
- 1.5 The site falls within a designated Important Local Countryside Gap as outlined in Policy DM25 of the Local Plan with regard to the separation of settlements at Queenborough, Sheerness, Minster and Halfway (The West Sheppey Triangle).

## **2. PROPOSAL**

- 2.1 Outline planning permission was allowed at appeal on 9<sup>th</sup> October 2020 (ref W/4001086) following refusal of application reference 19/503810/OUT. Therefore outline planning permission has been granted for 17 dwellings on the site. The access to the site also benefits from planning permission and therefore this application now seeks approval of the matters reserved – appearance, landscaping, layout and scale - for 17 dwellings.
- 2.2 In respect of the height of the dwellings, two of the dwellings are single storey bungalows, with the remaining fifteen dwellings are two storey in height (with accommodation in the roofspace). The dwellings are provided in the form of semi-detached and one row of terraces made up of three units.
- 2.3 The dwellings are proposed to be provided as per the following mix:
  - 2 bed – 4 (plots 14, 15, 16 and 17)
  - 3 bed – 9 (plots 1, 2, 3, 4, 7, 8, 9 10, 11)
  - 4 bed – 4 (plots 5, 6, 12 and 13)
- 2.4 The design approach for the dwellings follows a relatively traditional style with brick, elevations with stone detailing sitting beneath tiled pitched roofs. The indicative materials include two varieties of a yellow stock brick for the external walls, and concrete roof tiles in rustic brown and slate black. The roofs are primarily to be gabled, with both side and front facing gables, and the bungalow would have a hipped pitched roof. The proposal includes a

few house types and architectural features including stone detailing above the windows, stone quoining, canopies and staggered elevations. Some dwellings include accommodation within the roofspace which are served by small rooflights on the front elevations, and projecting pitched dormer windows on the rear elevation.

- 2.5 In terms of vehicular access, this is provided via Bartletts Close (a private unmade road) and the access details include a t-shaped turning head to the south of the access. Access was considered in detail as part of the outline planning application and as a result of planning permission being granted, benefits from this consent.
- 2.6 In terms of parking spaces, these are to be provided on plot at a provision of 2 spaces per 2 bed; 2 spaces per 3 bed; and 3 spaces per 4 bed. The parking spaces are a mix of side by side arrangements, and tandem parking. 3 visitor spaces are proposed to serve the site.
- 2.7 The proposals as amended include a 5m landscape buffer along the south-western and south-eastern site boundaries. This would increase the depth of the existing hedgerow buffer and bring landscaping inwards into the site. The landscape buffer is to be a mix of mixed native hedgerow and tree planting (field maple; alder tree; silver birch; cherry tree; lime tree).
- 2.8 Within the site, soft landscaping is proposed within front gardens, areas of amenity space and rear gardens. This would be a mix of hedegrows, tree planting (Holly, hawthorn, cherry, pear, sweetgum), and turf.

### 3. SUMMARY INFORMATION

	Proposed
Site Area (ha)	0.55ha
No. of Storeys	1 - 2 storeys
Parking Spaces	42 (including 3 visitor spaces) (2 spaces per 2 bed; 2 spaces per 3 bed; 3 spaces per 4 bed)
No. of Residential Units	17

### 4. PLANNING CONSTRAINTS

- 4.1 Potential Archaeological Importance
- 4.2 Public Footpath (ZS11) approximately 375m to the south/south-east of site.

### 5. POLICY AND CONSIDERATIONS

#### 5.1 Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017:

ST1 (Delivering sustainable development in Swale); ST2 (Development targets for jobs and homes 2014 – 2031); ST3 (The Swale settlement strategy); ST 4 (Meeting the Local Plan development targets); ST6 (The Isle of Sheppey area strategy); CP3 (Delivering a wide choice of high quality homes); CP4 (Requiring good design); CP6 (Community facilities and services to meet local needs); 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 (The separation of settlements – Important Local Countryside Gaps); DM28 (Biodiversity and geological conservation); DM29

(Woodlands, trees and hedges); DM31 (Agricultural land).

- 5.2 The National Planning Policy Framework (NPPF): Paras 7, 8, 11 (sustainable development); 68 (identifying land for homes); 74 (maintaining a supply of housing sites); 110, 111 and 112 (transport); 130 (achieving well designed places); 169 (sustainable drainage systems); 174 (local and natural environment); 179 (biodiversity).
- 5.3 National Planning Practice Guidance (NPPG): Consultation and pre-decision matters; Design: process and tools; Natural environment; Open space, sports and recreation facilities, public rights of way and local green space; Use of planning conditions.
- 5.4 Supplementary Planning Documents (SPD): Parking Standards (2020).
- 5.5 Landscape SPD – Swale Landscape Character and Biodiversity Appraisal 2011. The site falls within character area 13: Central Sheppey Farmlands which comprises of the Clay Farmland Landscape Types. The landscape condition is described as 'poor' with a 'moderate' sensitivity. The guidelines for this area are to restore and create.

## 6. LOCAL REPRESENTATIONS

- 6.1 32 letters and emails of objection have been received. Their content may be summarised as follows:

- Outside the built up area as defined by policy ST3
- Appeal decision is poor
- Proposed dwellings would not be in keeping with the character of the area.
- Bartletts Close is predominantly detached single storey bungalows
- Bartletts Close comprise detached single storey bungalows and chalet style properties. The proposals for semi-detached two storey dwellings and terraced town houses of three storeys are not in keeping with Bartletts Close in terms of scale and appearance
- Bungalows should replace the two and three storey dwellings
- No dwellings in the area (Bartletts Close or Upland Way) include accommodation within the roofspace
- The streetscene would be significantly altered if the proposals are approved
- The site is elevated in comparison to Bartletts Close meaning the development will dominate the area
- Density is too high
- Overdevelopment of the site, especially noting the 5m landscape buffer
- Proposals not in keeping with the building line along Bartletts Close
- What will prevent residents from changing office rooms or roof spaces into additional bedrooms, or adding dormers to properties
- Harm to residential amenity – loss of light, daylight, overshadowing (position of dwellings in relation to neighbours)
- Harm to residential amenity – loss of privacy, overlooking (from two storey dwellings & townhouse designs)
- Harm to residential amenity – harmful outlook
- Harm to residential amenity – noise
- Harmful impact on quality of life, mental health and wellbeing (application at risk of violation of the Human Rights Act 1998; Article 8: Right to a private and family life)
- Harmful impact on air quality
- Increased traffic and congestion
- Proposal will cause damage to existing unmade road of Bartletts Close

- Proposal will increase maintenance costs along the unmade road of Bartletts Close, for existing residents, during construction and once site is developed
- The unmade road is unsuitable for increased residential properties
- The lack of footpaths, the uneven road service, lack of parking on the site and the large increase in traffic that will be using the road, is a danger to highway safety.
- The site will need an area for construction parking, and wheel washing facilities
- The application was refused as the access was not safe and suitable for access to be achieved for all users.
- Increased damage to existing properties – eg. From stones breaking windows due to increased vehicular movements.
- Queries the stated improvements to the roadway and services by developer. Questions the extent of road improvements along Bartletts Close / Uplands Way, and where surface water will drain away.
- No development should occur unless the developer undertakes to make up Bartletts Close and the unmade section of Uplands Way, to a reasonable highway surfaced standard (with new services, street lighting, paths and drainage etc) to be carried out before development starts and at the developers cost.
- Unsuitable access roads for construction vehicles; emergency vehicles; delivery vehicles; and service industry
- Traffic will have to access the site from Queenborough Road through existing housing via The Rise, Uplands Way then Bartletts Close.
- No provision is made for access to the south east, directing traffic to the A249 via future development
- Insufficient parking spaces, leading to an overspill on surrounding streets
- Parking provision not in accordance with SBC Parking Standards.
- The design has not factored in any on-street parking or more permeable integrated parking as per the SBC Parking Standards
- The four bedroom dwellings are only served by 2 spaces which is not sufficient
- Tandem spaces unsuitable
- Lack of visitor parking spaces
- Insufficient turning space for large refuse vehicles
- Safety risk for pedestrians, no safe footpath, only one streetlight. The unmade surface along Bartletts Close is unsuitable for pedestrians, cyclists, motorcycles, wheelchairs, mobility scooters, pushchairs.
- Increased flood risk
- Increased surface water leading to localised flood risk in nearby properties on Bartletts Close and Uplands Way
- There is poor drainage along Bartletts Close leading to localised flooding.
- Is there sufficient drainage on site to prevent nearby flooding. The development in Belgrave Road included an attenuation pond to offset the development impact
- Soakaways inadequate drainage solution
- Sewerage system at capacity. Potential for development to damage existing sewage and water pipework underneath the adopted road.
- Site clearance harmful to wildlife and ecology
- No provision for on site green space or children's play space
- No local parks/playgrounds for children. The nearest to the site (King George Playing field in Queenborough) is 15-30minute walk via crossing a dual carriageway.
- Lack of services and infrastructure locally – bins, healthcare, schools, nursery. Local minor injury clinic is at capacity.
- Neighbour along Bartletts Close will not give access permission, nor consent for the developer/future developers for rights of vehicle access, or connecting any surface or foul drain outside of their land.
- The proposed entrance is situated slightly off centre (left), and would include block paving

out into the existing road between nos. 10 and 13 Bartletts Close. This land is in the ownership of these dwellings, and therefore will need permission for the siting of block paving and planting.

- What boundary treatment is proposed to prevent residents accessing or disposing of rubbish on adjacent agricultural fields?

## **7. CONSULTATIONS**

### **7.1 Natural England have no comments to make on this application**

### **7.2 Southern Water raise no objection on the reserved matters details.** Refers to comments in the response dated 22/08/2019 on 19/503810/OUT where no objection was raised, subject to a condition for details of foul and surface water sewage disposal (condition 9 on appeal decision), and an informative regarding connection to the public foul sewer.

### **7.3 KCC Archaeology raises no objection.** Notes that advice was provided on the outline consent and a condition for a 'programme of archaeological' works was attached as Condition 22 on appeal. That condition remains to be discharged and should be attached to the Reserved Matters consent if forthcoming.

### **7.4 KCC Ecology raise no objection**

The submitted site plans have been updated and they have confirmed that a 5m hedgerow will be created along the southern and western boundary. We are supportive of this but highlight that there is a need to ensure the hedgerow will not be removed by future residents as it will increase the size of the gardens. The submitted landscaping plans have confirmed that native species landscaping will be incorporated into the site .

More can be done to enhance the site for biodiversity but I am satisfied that details of ecological enhancement features in the buildings and site boundaries can be provided via the information to be submitted as part of Condition 11 of the appeal decision.

The ecological information submitted with the original application detailed that there is potential for hedgehogs to be present within the surrounding area and therefore we advise that all close board fencing must include hedgehog highways – we highlight that Condition 11 must also demonstrate that the hedgehog highways will be implemented.

### **7.5 KCC Flood and Water Management raise no objection, and note detailed surface water design are sought via Condition 7 of the appeal scheme.** The comments include recommendations for drainage arrangements moving forward to the detailed design stage (Condition 7).

*The LLFA understands from the Proposed Block Plan and Location Plan (June 2021) drawing that the layout/ design of site appears to remain the same as previously set out within the outline submission (19/503810/OUT). Whilst no drainage documentation has been provided in this submission, the Drainage Impact and Flood Risk Assessment report (27/09/19) provided at the outline stage would appear to us to still be valid, given the same site layout.*

*The drainage measures that were proposed for the outline stage was a combination of permeable paving for the access roads and soakaways to serve runoff from the dwellings.*

*The incorporation of these features are designed to control and attenuate surface water on site until gradually infiltrating into the ground. The design of these features were based upon results from infiltration testing previously undertaken on site, for which the results are contained within that report.*

*The LLFA are aware that a pre-commencement detailed design condition has been applied to this development (condition 7). Moving forward to discharging this condition, it would be essential that further testing is undertaken at the proposed location and depth of these features to finalise the design. Ideally, the testing should be undertaken to BRE:365 standards, notably the requirement to fill the test pit three times. As mentioned previously, permeable paving is proposed for the access roads and driveways of the properties. Full details including respective levels of the sub base have not been decided/ provided. It would be our recommendation that consideration should be given to the use of baffles/check dams within the sub base, should there be a consistent fall across the site. This is to maximise both the infiltration and attenuation capacity within the feature whilst minimising any possible exceedance.*

#### **7.6 KCC Highways raise no objection**

The principle of this scale of development and details of its access have already been decided, with reserved matters now being sought for approval for appearance, landscaping, layout and scale. It is understood that the development is not going to be offered for adoption and will therefore remain in private ownership.

Consequently, KCC Highways do not intend to offer any comments in respect to the proposed development details, as the Highway Authority will have no jurisdiction within it. The Local Planning Authority will therefore be expected to undertake the relevant assessment of these details.

#### **7.7 MKIP Environmental Health raise no objection** on the submitted reserved matters, as they would not give rise to additional environmental factors that would pose a risk to human health

#### **7.8 Lower Medway Internal Drainage Board:**

Notes that the applicant has indicated that they intend to dispose of surface water via infiltration, however cannot see that the viability of the proposed drainage strategy has been evidenced. We would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.

*Officer Note:* The outline application (ref 19/503810/OUT) was supported by a Drainage Impact and Flood Risk Assessment report which both KCC Flood and Water Management, and the Lower Medway Internal Drainage Board raised no objection to, subject to conditions seeking detailed surface water drainage scheme and verification report via condition (conditions 7 and 8 on the appeal decision).

### 7.9 Kent Police raise no objection.

Support boundary heights/types proposed. Recommend a mesh fence as additional layer of security to prevent gaps in hedge to access rear gardens. All parking is covered by natural surveillance which addresses concerns. Recommend trees with a crown of above 2m, and hedges within the site should be no higher than 1m. Recommend requirements for doorsets, windows, and security measures which will be included as an informative.

## 8. APPRAISAL

### Principle of Development

- 8.1 The site benefits from an outline planning permission as set out in the history section above for 17 dwellings, under reference 19/503810/OUT which was allowed at appeal. The appeal decision is appended. As a result of the grant of outline planning permission the principle of residential development is established.
- 8.2 This application is seeking approval of the reserved matters, namely, appearance, landscaping, layout and scale for 17 dwellings. Due to the outline planning permission allowing for 17 dwellings on this site, this proposal is compliant with the terms of the planning permission in respect of unit numbers.
- 8.3 Due to the above position, 'in principle' matters such as the impact of the development upon the highway network, the impact upon services and facilities such as education and healthcare, the payment of developer contributions, the need for a Transport Assessment, suitability of the access, condition of Bartletts Close as an unmade road, and drainage have already been considered acceptable by virtue of the allowed appeal decision. Therefore, although these matters have been raised by neighbours, they are not subject to consideration as part of this reserved matters application.

### Mix of Units

- 8.4 The application proposed the following mix of units:
- 2 bed – 4 (plots 14, 15, 16 and 17) (24%)
- 3 bed – 9 (plots 1, 2, 3, 4, 7, 8, 9 10, 11) (52%)
- 4 bed – 4 (plots 5, 6, 12 and 13) (24%)
- 8.5 Policy CP 3 (Delivering a wide choice of high-quality homes) of the adopted Local Plan sets out the housing needs for the Borough as a whole and subsequently splits the Borough into various Local Market Housing Areas. The supporting text to the policy specifies that in the Borough in general, the greatest need is for 3-bedroom properties, and specifically on the Isle of Sheppey, the demand for family housing is greatest and should be encouraged. In terms of both the wider Borough need for 3-bedroom properties, considered along with the more specific localised need I am of the view that the above mix of 2, 3, and 4 bedroom houses meets the requirement for additional family housing in the area.



Layout

- 8.6 The layout of the development would extend the existing cul-de-sac of Bartletts Close, with dwellings fronting onto the internal highway. The outline planning permission fixed the access into the site from Bartletts Close and the T-shaped turning head. The internal roads would lead off this T-shaped area to the east, and to the west. Plots 1 & 2, and 16 & 17 would have the same orientation as the existing dwellings on Bartletts Close, with the remainder of dwellings fronting north or southwards onto the internal access road.
- 8.7 The layout of the site includes the provision of a 5m landscape buffer along the south-eastern and south-western boundaries, which are adjacent to agricultural fields. This is required by condition 19 of the outline consent.
- 8.8 In terms of the proposal's context with the wider area, the development would effectively extend the existing cul-de-sac at Bartletts Close and therefore this is considered to be an appropriate design response, especially considering the size of the application site.
- 8.9 Neighbouring objections have raised concerns about the density of the development, and siting of dwellings (notably plots 1 and 2) in front of 10 Bartletts Close. With regard to the density of the development, the outline consent permitted 17 dwellings, which would equate to a density of 31 dwellings per hectare. It is acknowledged that this is a denser form of development than on Bartletts Close, however it is considered that the level of density is appropriate and would meet the aims of para 124 of the NPPF which sets out that development makes efficient use of land. Furthermore, the recent development at Belgrave Road has a density of 29 dwellings per hectare, and therefore the proposals would not be out of keeping with the wider area.
- 8.10 In terms of the siting of dwellings, the plots closest to the access would maintain the same orientation as those on Bartletts Close. Plots 16 & 17 would maintain a similar building line to the dwellings on the western side of Bartletts Close. It is acknowledged that plots 1 and 2 would be forward of 10 Bartletts Close and other dwellings on the east side of Bartletts Close, however it is not considered that this would result in significant harm to the streetscene.
- 8.11 It is considered that the layout of the site has been designed to ensure there is sufficient spacing between dwellings, incorporates provision for front gardens and areas of soft landscaping whilst providing adequate areas of parking provision. The proposals therefore would not result in an overdeveloped or unduly cramped form of the development.
- 8.12 The plans show the location of a possible sub station which would be located to the east of plot 5. It is considered that this would be an appropriate location, as it is not in a prominent area of the site, and could be screened by landscaping. No details have been provided in of the elevations of the sub-station, and therefore details would be controlled by condition.
- 8.13 In summary, it is considered that the layout of the proposals represents an appropriate design response to the existing form of the area, whilst ensuring provision for a strong landscaped boundary and suitable spacing between dwellings. On this basis and as per the matters discussed above, I believe that the layout is acceptable.

### Appearance

- 8.14 The design approach for the dwellings follows a relatively traditional style with brick, elevations with stone detailing sitting beneath tiled pitched roofs. The roofs are primarily to be gabled, with both side and front facing gables, and the bungalow would have a hipped pitched roof. The proposal includes a few house types and architectural features including stone detailing above the windows, stone quoining, canopies and staggered elevations. Some dwellings include accommodation within the roofspace which are served by small rooflights on the front elevations, and projecting pitched dormers on the rear elevation.
- 8.15 It is considered that the detailing on the dwellings, such as the stone quoining and stone detailing above the windows will create visual interest, whilst creating a visual identity to the proposed development. The use of front gables in the eaves and above windows will provide variety within the proposed house types. Where accommodation is proposed in the roofspace, the front elevations include modest scaled rooflights which do not detract from the form of the proposals, and any roof dormers are limited to the rear of dwellings and are of a modest scale. It is therefore considered that the proposed elevations are acceptable.
- 8.16 As with any residential scheme, an important aspect in respect of the success of the scheme lies in the careful selection of external finishing materials. In this case, the design and access statements notes that the finishing materials for the dwellings are proposed to be red brick with stone detailing, with tiled roofs. However, indicative materials have been provided which include two varieties of a yellow stock brick for the external walls, and concrete roof tiles in rustic brown and slate black. No stone indicative images were provided. The indicative mix of external materials is considered to be a suitable approach for the site, and full details of the external materials will be sought via condition, and will need to include the proposed stone detailing and a materials plan. The details will need to ensure that there is some variety in terms of the brick finish and roof tiles, and ensure that the proposed materials are high quality.
- 8.17 In addition to the external finishing materials of the dwellings themselves, the appropriate use of boundary treatments is also of importance in ensuring an acceptable appearance. A boundary treatment plan has been provided which shows that brick walls had been used for boundaries which are to be visible from public vantage points and therefore more prominent, with close boarded fencing used where private gardens back onto one another, and lower height post and rail fences to be used to divide the front garden boundaries of the plots. The rear garden fencing and brick wall boundaries include hedgehog highways to allow the movement of hedgehogs throughout the site. The details of boundary treatments are considered to be acceptable. Finally, I do not have details in respect of precise hard landscaping details, including the finish of the carriageways and footpaths. As such I have imposed a condition requiring these details. On the basis of the above, I am of the view that the appearance of the development is acceptable.

### Scale

- 8.18 Condition 18 of the outline planning permission states that the details shall show dwellings extending to no more than two storeys in height. In respect of the height of the dwellings, two of the dwellings are single storey bungalows, with the remaining fifteen dwellings are two storey in height (with accommodation in the roofspace). The height of the two storey

dwellings range between approximately 8.6m and 9.2m, and the height of the single storey dwellings (Plots 16 and 17) is 6.1m. It is therefore considered that the scale of the proposed development, meets the requirements of condition 18 of the outline planning consent.

- 8.19 The dwellings in the surrounding area are a mixture of heights, and includes 1, 1 ½ storey and 2 storey units. Bartletts Close is comprised mainly of single storey bungalows, but does include chalet style bungalows and a two storey dwelling, with the dwellings on Bartletts Close being detached. In terms of neighbouring roads, both Uplands Way and Belgrave Road comprises a mix of bungalows, chalet style bungalows and traditional two storey dwellings, with properties being detached, or semi-detached. The new development at Belgrave Road to the east of the site (ref 19/501921/FULL) contains a mix of detached, semi-detached and terraced two storey dwellings.
- 8.20 A number of objections have set out that the scale of the development would be out of keeping with Bartletts Close, and the dwellings should be amended to be single storey bungalows. Whilst the Bartletts Close is primarily bungalows, the surrounding area has a mixed character with two storey dwellings, including some with accommodation in the roofspace. The proposals are therefore considered to be in keeping with the wider character of this part of Halfway and reflect a similar scale to nearby new development on Belgrave Road. Furthermore, the appeal decision did not require residential development to be limited to single storey.
- 8.21 In respect of the development as a whole, the provision of bungalows and two storey dwellings along with the variation in height between the properties, will in my opinion provide sufficient visual interest. In overall terms, on the basis of the above assessment I am of the view that the scale of the development is acceptable.

#### Landscaping

- 8.22 The site is characterised by a hedgerow which sits along the south-western and south-eastern site boundaries. The outline planning permission requires under condition 19 details to be submitted with this reserved matters application of a landscape buffer which is a minimum of five meters along the south-western and south-eastern boundaries of the site.
- 8.23 The scheme as amended has incorporated the required 5m landscape buffer along these site boundaries. This would increase the depth of the existing hedgerow buffer and bring landscaping inwards into the site. The landscape buffer is to be a mix of mixed native hedgerow and tree planting (field maple; alder tree; silver birch; cherry tree; lime tree). This would provide a strong landscaped edge to the site (once matured), and provide a suitable soft edge to the development which would be appropriate given the open agricultural fields beyond the site to the south-east and south-west.
- 8.24 The landscape buffer would be separated from the residential gardens by a 1400mm high post and top rail timber fence line, with stock fencing wire between. Furthermore, a plan has been requested which demonstrates the extent of the garden areas for the plots adjacent to the landscape buffer area, this is shown on drawing no. 21/318/19 Rev B.
- 8.25 Within the site, soft landscaping is proposed within front gardens, areas of amenity space and rear gardens. This would be a mix of hedegrows, tree and shrub planting (Holly, hawthorn, cherry, pear, sweetgum), and grass lawns.

- 8.26 The scheme would include a mix of native and non-native species, with primarily native species to be used in the landscape buffer area, and a mix of native and non-native species within the site itself. I am of the view that this is acceptable and the mix of planting that is proposed, in the form of trees, shrubs, hedges, bulbs and various grasses that the proposed landscaping will give rise to both visual and biodiversity benefits.
- 8.27 Condition 5 of the outline consent sets out that the landscape scheme shall be carried out prior to the occupation of the development, and condition 6 ensures replacement of planting for five years upon competition of the landscaping scheme in the event any of the planting is removed, dies, is severely damaged or diseased. Therefore these conditions will not be reattached to the reserved matters approval.

#### Residential Amenity

- 8.28 Concern has been raised from neighbouring occupiers regarding the impact of the development upon residential amenities, namely loss of privacy, loss of light, overshadowing, pollution and noise. The application site sits to the south and south-east of existing properties on Bartletts Close and to the south and south-west of properties on Belgrave Road, as a result the impact upon residential amenities will need to be carefully considered.

#### *13 Bartletts Close*

- 8.29 With regard to 13 Bartletts Close, plot numbers 14, 15 and 17 would be adjacent to this dwelling. The closest dwelling would be plot 17 which would be adjacent to the dwelling, plot 17 is a single storey bungalow with no first floor windows facing the dwelling. Plots 14 and 15 are set approximately 17m away from no. 13 Bartletts Close and are two storey dwellings. These dwellings have been angled away from the shared boundary and garden area of this neighbouring property, and no windows are proposed in the roofspace. Due to the orientation of these plots, there would not be direct views from habitable room windows towards the rear private amenity space of this neighbour. Whilst there would be some angled views into the garden area, the windows would face existing outbuildings and fields beyond the site boundary, and it is considered that the orientation will ensure this neighbour retains a sufficient level of privacy. The boundary treatment plan sets out that there will be a 1.8m fence along the shared boundary between plots 14, 15, 17 and no. 13 Bartletts Close which will ensure sufficient privacy between garden areas and at ground floor level.
- 8.30 It is considered that the separation distance, orientation of buildings, and height of the proposed dwellings ensure that the neighbouring dwelling would maintain an acceptable level of light and outlook.
- 8.31 A condition will be attached to the consent which will remove permitted development rights for the roofspace to ensure no openings or roof extensions can be added without the planning permission. This would apply to plots 14, 15 and 17.

#### *10 Bartletts Close*

- 8.32 With regard to 10 Bartletts Close, plot numbers 1, 3 and 4 would be adjacent to this dwelling. The closest dwelling would be plot 1 which would be adjacent to the dwelling and its front garden, plot 17 is a two storey dwelling which does have a first floor window on the side

elevation which is to be obscured glazed and serves a bathroom, however there is no accommodation proposed in the roofspace. Plots 3 and 4 are set approximately 11m away from no. 10 Bartletts Close and are two storey dwellings. These dwellings have been angled away from the shared boundary and immediate garden area of this neighbouring property. There is a single rooflight on the each of the rear elevations of these plots which are to serve en-suites and are noted to be obscure glazed and high level to prevent overlooking. Due to the orientation of these plots, there would not be direct views from habitable room windows towards habitable rooms on this dwelling, or the immediate amenity space of this neighbour. There would be a degree of overlooking to the rearmost part of the garden, however this would be screened by fencing and proposed planting. As such it is considered that a sufficient level of privacy will be retained. The boundary treatment plan sets out that there will be a 1.8m fence along the shared boundary between plots 1, 3, 4 and no. 10 Bartletts Close which will ensure sufficient privacy between garden areas and at ground floor level.

- 8.33 It is considered that the separation distance, orientation of buildings, and height of the proposed dwellings ensure that the neighbouring dwelling would maintain an acceptable level of light and outlook.
- 8.34 A condition will be attached to the consent which will remove permitted development rights for the roofspace to ensure no openings or roof extensions can be added without the planning permission. This would apply to plots 1, 2, 3 and 4. A condition will also be applied to ensure the first floor side window on plot 1, and the rear rooflights on plots 3 and 4 are to be obscure glazed, and non-opening below 1.7m from the internal floor level.

*Belgrave Road – Nos. 28, 30, 32 and 34*

- 8.35 Plots 3 and 4 would be closest to nos. 28 and 30 Belgrave Road with the properties orientated towards the rear parts of these gardens. Within both gardens there are outbuildings at the end of the garden, with the close boarded fencing and planting to be in the foreground of these. Whilst there may be some oblique views of the garden areas of these neighbouring dwellings, there would be a separation distance in excess of 21m between rear-rear. As such taking the above into account, and conditions to be attached in terms of rooflights and roof extensions there would be no significant harm in terms of privacy. Furthermore it is considered that the separation distance, orientation of buildings, and height of the proposed dwellings ensure that these neighbouring dwellings would maintain an acceptable level of light and outlook.
- 8.36 Plots 4 and 5 would be adjacent to the rear boundaries of nos. 32 and 34 Belgrave Road, and would have a separation distance of approximately 30m and 39m. It is considered that the separation distance, orientation of buildings, boundary treatments, and height of the proposed dwellings ensure that there would be no significant harm to the residential amenities of these neighbours in terms of light, outlook or privacy.
- 8.37 I have also assessed the impact of the development upon the future occupants. In respect of this, the dwellings have been laid out to comply with the Council's minimum requirements for separation distances in this respect (21m rear to rear and 11m flank to rear). There are some very limited instances where the proposed dwellings have been orientated in such a way as the closest proposed dwelling would fall below the minimum rear to flank distance, and in this instance an additional trellis fence is proposed on top of the close boarded fencing

for additional screening. Furthermore conditions will be attached to remove permitted development rights to roof openings and extensions, and obscure glazing for some plots (nos. 1, 2, 3, 4, 14, 15, 16 and 17) to ensure that amenity is maintained in future. It is considered that the dwellings would have suitable sized private amenity areas the majority of which meet the Councils requirement for 10m depth gardens, or would be no less than 9m in depth, with some gardens having amenity space to both the side and rear of the dwellings. As such, it is considered the impact upon the amenities of future occupants would be acceptable.

- 8.38 I also note the concern raised regarding noise. In respect of noise, the outline planning permission includes a condition (20) which restricts construction hours, and a condition (21) which limits the hours that any impact piling driving may take place. The appeal established the principle of 17 dwellings on the site, and therefore this has been accepted on the site. On this basis I am of the view that the noise impact of the development will not give rise to significant harm to neighbouring occupiers.

#### Highways and Parking

- 8.39 As set out above, the access from Bartletts Close benefits from detailed consent. However, matters such as the suitability of the internal road network within the development and the parking arrangements are to be considered under this reserved matters application.
- 8.40 The outline planning permission approved the access into the site from Bartletts Close and the T-shaped turning head. The internal roads would lead off this T-shaped area to the east, and to the west. Each dwelling would have access to on-site parking provision, with the visitor spaces located in either side of the site. Larger vehicles would be able to turn around in the central T-shaped turning head, with smaller vehicles able to turn around in the smaller turning heads at the western and eastern edge of the internal road. As such, it is considered there is sufficient circulation and turning space to ensure vehicles can enter and leave the site in a forward gear. It is considered that the layout of the internal road network, and parking spaces would be acceptable.
- 8.41 With regard to parking, the site is adjacent to the built up area boundary of Halfway and would effectively form part of this existing settlement as such the suburban parking standards would apply. Therefore, the Parking SPD recommends 1-2 spaces per 2 bed, 2-3 spaces per 3 beds and 3+ spaces per 4 beds; and 0.2 visitor spaces per unit.
- 8.42 The proposal seeks the following parking provision; 2 spaces per 2 beds; 2 spaces per 3 beds; and 3 spaces per 4 beds. The parking spaces would be a mix of side by side arrangements and tandem parking. It is therefore considered that the proposed parking in terms of number of spaces and layout would comply with the Parking Standards SPD. The proposal includes 3 visitor spaces which would be slightly less than the SPD requirements which equates to 3.4 spaces, however given the parking provision at the higher end of the suburban standards it is not considered this would result in parking pressures in the local area.
- 8.43 Condition 15 of the outline consent requires 1 electric vehicle charging point for each dwelling, which has been demonstrated on the submitted plans and considered acceptable in principle. The full details will need to be discharged separately via an application to discharge this condition.

- 8.44 A number of conditions related to highway matters such as parking spaces to be retained as such; details of electric vehicle charging points; and the access to be completed prior to occupation are included on the outline consent and do not need to be included again. No details have been provided regarding cycle parking, however it is considered that there is sufficient space for this within the plots, a condition is sought seeking the details of cycle parking.
- 8.45 Neighbouring concerns have been submitted in relation to the unmade road on Bartletts Close and part of Upland Way, in relation to its unsuitability as an access to the site; and with regard to disturbance and damage to the unmade road. As set out within the appeal decision, a condition requiring the upgrading of the unmade private road would fail to meet the tests set out in Paragraph 55 of the Framework and as the link through Bartletts Close would not be upgraded to an adoptable standard it would not be possible for the Highways Authority to enter a Section 38 of the Highways Act 1980. The matter of upgrading and maintaining the private unmade road would therefore remain a civil matter.
- 8.46 Information has been submitted as part of the application documents which relate to the road surface and sets out that work to the road surface is to be carried out to ensure that it is passable and maintained during the construction work, then at the end of the construction any repairs that are required will be undertaken. The document states:

*“The applicant has agreed the following as a final and permanent repair or improvement to the road surface upon completion of the project: The road surface is to be graded and skimmed of any high spots and raised areas or sections until a continuous contour is achieved. Any low spots will be cleaned of loose material and compacted with a heavily compactable crushed granite material.*

*Lorry loads of selected roadstone containing the required blend of stone and fines to bind the surface will be delivered and laid evenly across the surface of Bartletts Close up to the edges of any grass verges. The material will be heavily compacted with roadway rollers to ensure the material binds together sufficiently. The end result will be a smooth and flat road surface devoid of any ditches or potholes that would likely pool with water and possibly freeze during colder months as per concerns raised by residents.”*

- 8.47 The extent of road surface would relate to is shown on drawing 16B, and the agent notes that the area hatched in blue shows the extent of Bartletts Road that will be put into good repair as per the road statement provided by the applicants. The drawing also shows the length of Uplands Way hatched in pink which will be kept in and put back into the same state of repair as it is now at the end of the works.

#### Drainage

- 8.48 In respect of drainage and surface water Southern Water, the Lead Local Flood Authority (KCC) and the Lower Medway Internal Drainage Board (LMIDB) have been consulted. The outline consent includes a number of conditions that require discharging; including condition 7 to ensure that 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. Condition 8 is to ensure that flood risks from development to the future users of the land and neighbouring land are minimised. Condition 9 is to ensure that foul and surface water are adequately disposed of.

- 8.49 Information has been submitted as part of the application documents which relate to drainage in response to neighbouring comments which sets out the following, and includes provision for a drainage gulley during construction:

*“The development will enable the installation of porous finishes to road surfaces and parking which are proposed to be permeable block paving finishes built on porous granular bases so there will be no run off from the roads or parking. Also, Surface water from paved patio areas and from the roofs will be going into crate system soakaways so the surface water run off problem will further be reduced.*

- 8.50 *The combined detailed above will considerably reduce the run-off water into Bartletts close, thereby improving the current flooding issues that are seen today on the road.*
- 8.51 *Also, during constructions works, as a solution a small gulley will be created across the end of the road to divert water away from running down Bartlett’s Close, thereby reducing the impact of flooding.”*

#### Ecology

- 8.52 KCC Ecology have reviewed the submitted site plans and note they are supportive of the 5m landscape buffer along the south-western and south-eastern boundaries of the site, and native species landscaping to be used as part of the site. As set out previously, fencing will be situated in between the residential gardens and landscape buffer to separate the planting from the residential garden, and a plan has been provided which identifies the extent of residential gardens.
- 8.53 The boundary treatment plan shows that the rear garden fencing and brick wall boundaries include hedgehog highways to allow the movement of hedgehogs throughout the site which address KCC Ecology’s comments. The full details of ecological enhancements are required by condition 11 of the outline consent.

### **9. CONCLUSION**

- 9.1 Overall, I am of the view that the details submitted demonstrate that the site can accommodate 17 dwellings as approved under the outline planning permission. I believe that the development layout represents an appropriate response to the sites context, and the provision of a 5m deep landscape buffer on the south-western and south-eastern boundaries will be a significant positive. I also take the view that the design / architectural treatment of the individual dwellings has been amended to a point which means they will make a positive impact upon the local area in general. The proposed planting within the confines of the site is acceptable.
- 9.2 I do recognise the concerns of the neighbours that have been raised. However, it is of fundamental importance to note that any comments in respect of the principle of the site coming forward for housing and the impact of this on the highway network including the unmade road, local services and infrastructure in general have already been considered acceptable by virtue of the grant of planning permission.
- 9.3 On the basis of the above, I am of the view that the reserved matters of appearance, landscaping, layout and scale of the development proposed are acceptable.



## 10. RECOMMENDATION

That reserved matters approval should be GRANTED, subject to the conditions as set out below:

### CONDITIONS to include

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

Proposed Site Plan, drawing no. 21 308 16 Rev B  
Proposed Landscape Plan, drawing no. 21/318/15 Rev E  
Proposed Boundary Treatment Plan, drawing no. 21 308 12 Rev D  
Proposed Garden Ownership Plan, drawing no. 21/318/19 Rev B  
Plots 1 and 2 – Proposed Floor Plans and Elevations, drawing no. 21/318/07 Rev C  
Plot 3 – Proposed Floor Plans and Elevations, drawing no. 21/318/08 Rev B  
Plot 4 – Proposed Floor Plans and Elevations, drawing no. 21/318/05 Rev B  
Plot 5 – Proposed Floor Plans and Elevations, drawing no. 21/318/14 Rev C  
Plot 6 – Proposed Floor Plans and Elevations, drawing no. 21/318/03 Rev D  
Plots 7, 8 and 9 – Proposed Floor Plans and Elevations, drawing no. 21/318/04 Rev E  
Plot 10 – Proposed Floor Plans and Elevations, drawing no. 21/318/18  
Plot 11 – Proposed Floor Plans and Elevations, drawing no. 21/318/17  
Plot 12 – Proposed Floor Plans and Elevations, drawing no. 21/318/09 Rev B  
Plot 13 – Proposed Floor Plans and Elevations, drawing no. 21/318/13 Rev A  
Plot 14 – Proposed Floor Plans and Elevations, drawing no. 21/318/01 Rev B  
Plot 15 – Proposed Floor Plans and Elevations, drawing no. 21/318/02 Rev E  
Plots 16 and 17 – Proposed Floor Plans and Elevations, drawing no. 21/318/06 Rev B

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

- 2) Notwithstanding the submitted details, no development beyond the construction of foundations shall take place until details of the external finishing materials of the dwellings has been submitted to and agreed in writing by the Local Planning Authority. The details shall include brick, stone and roof tiles. The details as approved shall thereafter be implemented.

Reason: In the interests of visual amenities.

- 3) No development beyond the construction of foundations shall take place until hard landscaping details (including the finish of the carriageways and driveways) have been submitted to and approved in writing by the Local Planning Authority. The details thereafter shall be implemented as approved.

Reason: In the interests of visual amenities.

- 4) Prior to the erection of the substation, details of size and surface finish shall be submitted to and approved in writing by the Local Planning Authority. The erection of the substation shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenities.

- 5) Before the first occupation of the dwellings hereby permitted on plots 1, 2, 3 and 4 the window(s) at first floor level on the side elevation (as shown on drawing nos. 21/318/05 Rev B; 21/318/07 Rev C; ) 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.

- 6) Before the first occupation of the dwellings hereby permitted on plots 3 and 4 the window(s) in the roof on the rear elevation (as shown on drawing nos. 21/318/05 Rev B; 21/318/08 Rev B; ) 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.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order), no development shall be carried out within Classes B and C and of Part 1 of Schedule 2 of that Order on plots 1, 2, 3, 4, 14, 15, 16 and 17.

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

- 8) No development beyond the construction of foundations shall take place until details of the provision and permanent retention of secure covered cycle parking facilities shall have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved details.

Reason: In the interests of highway safety.

- 9) No development beyond the construction of foundations shall take place until full details of a Landscape Maintenance and Management Plan have been submitted to and approved in writing by the Local Planning Authority. The long term management details shall the landscape buffer along the south-eastern and south-western boundaries and communal amenity landscape areas outside of private resident ownership within the proposed development. The development shall then be carried out in complete accordance with the approved details.

Reason: In the interest of biodiversity and visual amenities.

## INFORMATIVES

### *KCC Flood and Water:*

Please refer to the advice in the consultation response dated 16<sup>th</sup> August 2021 regarding condition 7 of the appeal decision for a detailed surface water drainage scheme.

Any infiltration should occur into clean, uncontaminated, natural ground and an unsaturated zone be provided between the invert levels of each soakaway and any groundwater.

### *Lower Medway Internal Drainage Board:*

If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be

conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (available at <http://www.medwayidb.co.uk/development/>).

The Lower Medway Internal Drainage Board are not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary. However, this should be confirmed by the applicant. If the proposals do involve the alteration of a watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. It is recommended that any required consents are sought prior to determination of the planning application.

*Southern Water:*

A formal application for connection to the public sewerage system is required in order to service this development. Please read Southern Waters New Connections Services Charging Arrangements documents which has now been published and is available to read on the website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

*KCC Ecology:*

All close board fencing must include hedgehog highways – we highlight that Condition 11 must also demonstrate that the hedgehog highways will be implemented

*KCC Economic Development:*

Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that gigabit capable fibre to the premise Broadband connections. Access to gigabit broadband is 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 gigabit connection. We understand that major telecommunication providers are now offering fibre to the premise broadband connections free of charge to the developer. For advice on how to proceed with providing broadband access please contact [broadband@kent.gov.uk](mailto:broadband@kent.gov.uk)

*Kent Police:*

Please refer to Kent Polices comments dated 23/02/2022 in reference to the requirements for doorsets, windows, and security measures

**The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 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.

