

2.9 REFERENCE NO - 21/500766/OUT			
APPLICATION PROPOSAL			
Outline application for the erection of up to 70 dwellings (all matters reserved) and land reserved for a link road connecting the A251 with Salters Lane.			
ADDRESS Land at Preston Fields (South) Salters Lane Faversham Kent ME13 8YD			
RECOMMENDATION: Grant subject to conditions and signing of Section 106 Agreement, with delegated authority to make refinements to condition wording and s106 clauses as may reasonably be required.			
SUMMARY OF REASONS FOR RECOMMENDATION:			
<p>The development would be sited on land covered by housing allocation Policy A16 under the adopted Local Plan and although the land is not specifically identified for housing development it would be located just to the south of land that has been identified for housing (and which has the benefit of a Committee resolution to grant permission for housing under reference 16/508602/OUT). It would also adjoin the built-up area boundary of Faversham.</p> <p>It is considered that the site is of sufficient size to accommodate the proposed development and that the development could be accommodated without unacceptable planning impacts.</p> <p>The development is considered to be sustainable.</p> <p>In absence of a five-year housing land supply and taking into account the benefits of granting planning permission, it is considered that planning permission should be granted subject to conditions and the signing of a s106 agreement.</p>			
REASON FOR REFERRAL TO COMMITTEE:			
Town Council objection.			
WARD Watling	PARISH/TOWN Faversham Town	COUNCIL	APPLICANT Preston Field Land Trustees AGENT Avison Young
DECISION DUE DATE 25/05/21	PUBLICITY EXPIRY DATE 04/06/21	OFFICER SITE VISIT DATE	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
16/508602/OUT	Outline application for erection of up to 250 dwellings with all matters reserved except for access	Pending, though the development benefits from a committee resolution to approve from 5 March 2018.	
Development was in accordance with an allocation in the adopted Local Plan and, subject to conditions and s106 agreement, amounted to sustainable development.			

Given the length of time since the original resolution and noting the changed circumstances since then, the application is being reported back to this Committee and Members will note the report elsewhere on the agenda.

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site – which extends to approximately 4.1 hectares – is located just outside the defined built-up area boundary of Faversham, and immediately to the north of the M2 (which sits on an embankment, raised significantly above the level of the site. Salters Lane runs along the eastern boundary (with open farmland to the east of it; though there are a pair of cottages at the edge of this land, facing the application site across Salters Lane), while on the western side the site backs on to housing addressing Ashford Road, the A251. The northern boundary of the site adjoins the land the subject of 16/508602/OUT, which has a positive Committee resolution in respect of the provision of up to 250 dwellings, with the provision of access points on to the A251 and, at the northern end of the site, the A2.
- 1.02 The land is used for agriculture, and is best and most versatile (BMV) – that is to say, Grades 1, 2 or 3a. There are no buildings on the site.
- 1.03 Salters Lane is designated as a Rural Lane under the adopted Local Plan. It is not designated as a ‘Green Lane’. Policy DM26 is very applicable and is set out in full in the Policy section below.
- 1.04 A track running west from Salters Lane bisects the site and provide access to parking for some of the dwellings on Ashford Road. This track is characterised by hedging and small trees along both its northern and southern sides.
- 1.05 However, most of the site is free of any significant trees or substantial plants, though there is intermittent hedging along the boundary with Salters Lane north of the intersection with the above-mentioned track.
- 1.06 On the southern part of the boundary with Salters Lane immediately outside the site and on the southern boundary (adjacent to the M2), there are belts of mature tree planting.
- 1.07 None of the trees on, or adjoining, the site are subject to Tree Preservation Orders.
- 1.08 The application site is not in or adjacent to a Conservation Area, and the nearest listed buildings are to the south of the M2. There are listed buildings close to the northern end of the wider Preston Fields site, but these would not be affected by the proposed development as they some considerable distance away.
- 1.09 With regard to topography, the Design and Access Statement is informative and includes the following:

“The site sits on a localised area of high ground, stretching from Faversham town centre in the north towards the Area of Outstanding Natural Beauty [AONB] in the south [though this designation sits well away from the application site] at approximately 60 Above Ordnance Datum (AOD). Land to the west and east of the site sits falls away to lower areas at circa 30 AOD.”

The site itself features a gentle undulation and sits slightly lower than that of the adjoining Salters Lane and the neighbouring field to the north. The highest landform of the site is to its north, dropping towards the south of the site along the M2 motorway boundary edge.”

- 1.10 With regard to Flood Risk, the site sits within Flood Zone 3, meaning that the flood risk is considered to be low.
- 1.11 With regard to landscape designations, the site is not subject to any of these. However, land immediately to the south of the M2 is designated as an Area of High Landscape Value (Kent Level); beyond this, land is designated as the Kent Downs AONB.
- 1.12 There are no public rights of way either crossing or immediately adjoining the application, though there are PROWs in the wider area.
- 1.13 I note that the Faversham Household Waste Recycling Centre is located a minimum of approximately 200 metres to the north of the application site, though the distance between the nearest of the proposed dwellings and the site will be materially greater.
- 1.14 The application site extends up to a frontage with Ashford Road, between Numbers 93 and 95, and a track provides access to the site from this road. The corridor between these two dwellings (and their rear gardens) measures a maximum of approximately 19 metres and a minimum of 15 metres.

2.0 PROPOSAL

- 2.01 Planning permission is sought in outline form for up to 70 dwellings, all details (namely access, layout, scale, landscaping and appearance) are reserved for future consideration . Land is also to be reserved for a Link Road (across the northern part of the application site and to connect with Ashford Road and Salters Lane and to allow potential vehicular road links to the land to the east and west.
- 2.02 Details of the Link Road are not provided as part of this application (though a typical carriageway width in the range 7.3m to 6.75m is anticipated by KCC Highways and Transportation), and the application simply seeks to establish that land be reserved for such a road. A separate planning application to deal with the principle of a specific specification of the road and to agree the details of it would be required.
- 2.03 The Planning Statement states that permission is sought for ‘areas of green open space’.
- 2.04 Although the plans are illustrative, an ‘Indicative Proving Layout’, a ‘Framework Plan’, an ‘Opportunities and Constraints’ plan and a ‘Combined Masterplan’ (which also shows an illustrative layout for the housing proposed on the northern part of the wider site under 16/508602/OUT) have been provided and these illustrate how 70 dwellings could be accommodated on the site. Members will note that the Proving Layout shows how a mix of 2-, 3-, 4- and 5-bedroom dwellings (including four 2-bed apartments) could be developed, though permission is not sought for this particular housing mix. The drawing also shows how car parking spaces could be accommodated, though the total number of spaces is not specified. The amount of parking ultimately required will obviously depend to some degree on the final mix of dwelling types and sizes. At paragraph 5.6 below, I have provided a table showing

the number of spaces that the car parking SPD typically requires for dwellings of different sizes.

- 2.05 The Design and Access Statement notes that the houses on Ashford Road are generally two storey and states that the application will ‘...seek to reflect this height in its scale and deliver a range of dwelling types. Buildings within the site will not exceed a height of 9m to ridge.’
- 2.06 The proposed dwellings and the land to be reserved for the possible future Link Road would be accommodated on the main part of the site (extending to approximately 2.9 hectares), north of the existing track running east-west; to the south of the track the self-contained field would be used for a combination of additional landscape planting and open space. This area extends to approximately 1.2 hectares.
- 2.07 If the land south of the track is excluded, the gross density of development would amount to 24 dwellings per hectare; a slightly higher figure would be derived if land to be allocated for the Link Road were to be excluded.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	4.1	4.1	0
No. of Residential Units	0	Up to 70	Up to 70
No. of Affordable Units	0	Up to 25 (equating to 35%)	Up to 25

4.0 PLANNING CONSTRAINTS

- 4.1 Generally, this information is set out in Section 1 above. However, Members will note the following.
- 4.2 The site is considered to be an area of Potential Archaeological Importance.
- 4.3 A High Pressure Gas Pipe runs across the site, close to the northern boundary and along part of the alignment of the access road (and of the Link Road), eastwards from the point where the application site adjoins Ashford Road; towards the eastern site boundary, the line of pipeline is further to the north, outside the application boundary. As set out below, this does not have adverse implications for the delivery of the proposed housing, and with respect to the Link Road as this would need to be subject to a detailed planning application in due course, any potential implications would need to be evaluated as part of that application, rather than the one before Members now.
- 4.4 Source Protection Zones 1 and 2 for groundwater.

5.0 POLICY AND OTHER CONSIDERATIONS

5.1 The National Planning Policy Framework (NPPF)

Members will note the following paragraphs: 7 (three dimensions of sustainable development), 8, 10, 11 (presumption in favour of sustainable development), 12

(the status of the development plan in decision making); 34 (developer contributions); 38 (the approach to decision making in a positive and creative way); 48 (weight to be given to emerging Local Plans); 55-58 (use of planning conditions and Planning Obligations); 60 (supporting the Government's objective of significantly boosting housing); 62 (housing mix); 63/65 (affordable housing); 68 (identifying land for homes); 74 to 77 (maintaining a supply of housing sites); 92 (promoting healthy / safe communities); 98 (providing social / recreational facilities); 104 (sustainable transport); 110 to 113 (consideration of transport issues in development proposals); 112 (accessibility by sustainable travel modes); 114 (need for high quality communications); 119 and 120 (making effective use of land); 124 (achieving appropriate densities); 126 (achieving well designed places); 127 (design policy); 128 (design criteria for developments); 132 (consideration of design quality between applicants, the local planning authority and local community); 133 (access to / use of tools and processes for assessing and improving design); 134 (refusal of poor design), 152 to 158 (planning for climate change); 159 to 169 (planning and flood risk); 169 (sustainable drainage systems); 174 (protecting / enhancing valued landscapes); 175 (natural environment – hierarchy of sites); 179 to 180 (protecting habitats and biodiversity, including Special Protection Areas / Ramsar sites); 183 to 188 (ground conditions and pollution); 185 (protection from noise / light pollution), 186 (air pollution, including AQMAs); heritage assets (194 to 198); and 209 to 212 (making best use of minerals).

5.2 National Planning Practice Guidance (NPPG):

Air Quality; Noise; Minerals; Design; Conserving and enhancing the historic environment; Natural environment; Planning Obligations; Use of planning conditions; Travel plans, transport assessments and statements; Water supply, waste water and water quality; Land affected by contamination; Flood Risk and coastal change; Open Space, sports and recreational facilities, public rights of way and local green space.

5.3 National Design Guide (September 2019)

As part of an effort to improve the quality of the design of new development, including housing, the Government has produced this document, with the aspiration to create '*beautiful, enduring and successful places.*' It is intended to be a tool to assist in achieving the objectives for high-quality design that are enshrined in the NPPF. Among other things, the document sets out ten characteristics for well-designed places (see paragraph 36), and the intention is that the document will, among other things, assist (see paragraph 11) "*local authority planning officers, who... assess the quality of planning applications; and councillors, who make planning decisions...*"

5.4 Swale Borough Local Plan.

Swale Borough Local Plan 2017: Bearing Fruits 2031 - ST1 (sustainable development), ST2 (targets for homes and jobs), ST3 (settlement strategy), ST4 (meeting local plan development targets), ST7 (The Faversham Area and Kent Downs Strategy), CP2 (sustainable transport), CP3 (high quality homes), CP4 (good design), CP5 (health and wellbeing), CP6 (community facilities and services to meet local needs), CP7 (conserving and enhancing the natural environment - providing green infrastructure), CP8 (conserving and enhancing the historic environment), A16 (Land at Preston Fields), DM6 (managing transport demand and impact), 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), DM26 (Rural Lanes), DM28 (biodiversity and geological conservation), DM29 (woodland trees and hedges), DM31 (agricultural land), DM32 (development involving listed buildings), DM33 (development affecting a conservation area), DM34 (Archaeological sites), IMP1 (implementation and delivery plan).

Policy A16 (land at Preston Fields) reads as follows:

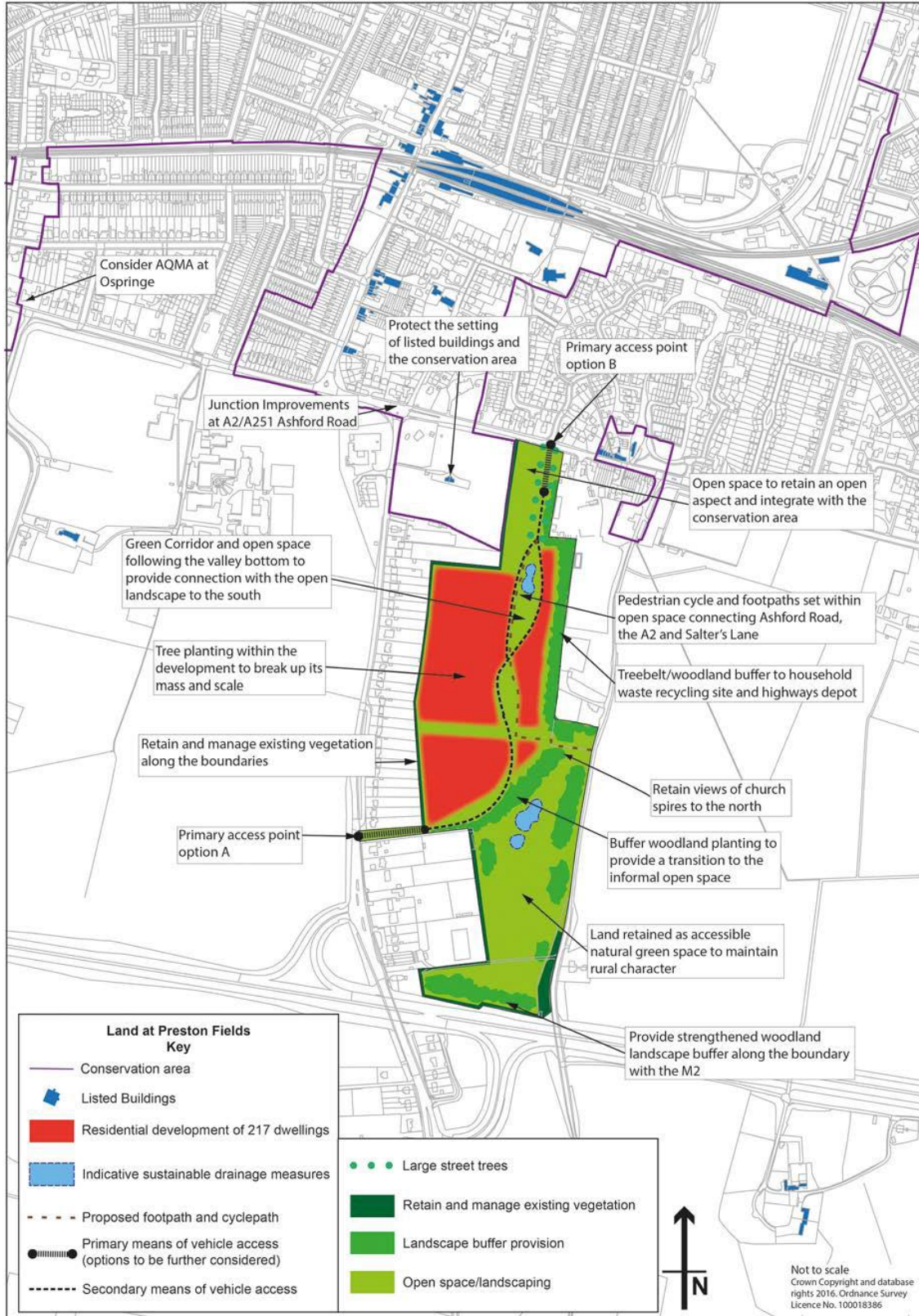
“Land at Preston Fields, Faversham

Planning permission will be granted for a minimum of 217 dwellings, landscape and open space on land at Preston Fields, Faversham, as shown on the Proposals Map. Development proposals will:

- 1. Accord with Policy CP4, in particular, demonstrating an integrated Landscape Strategy and a Landscape and Ecological Management Plan that shall include: a. a large area of accessible natural greenspace in the southern part of the site, including a substantial area of woodland, orchard and meadow planting to help absorb the development into the wider landscape; b. a green corridor running through the centre of the development along the valley bottom; c. retention of a corridor view to Faversham and Preston Parish Church towers; d. a large green space adjoining Canterbury Road and the Conservation Area; and e. woodland/tree belt buffer on the north eastern boundary.*
- 2. Be of a high quality design, of mostly two storeys in height responding appropriately to the local character and distinctiveness of the Preston-next-Faversham Conservation Area;*
- 3. Through both on and off site measures, ensure that any significant adverse impacts on European sites through recreational pressure shall be mitigated in accordance with Policies CP 7 and DM 28, including a financial contribution towards the Strategic Access Management and Monitoring Strategy;*
- 4. Provide pedestrian and cycle links within the development and to the adjacent network;*
- 5. Achieve a mix of housing in accordance with Policy CP 3, including provision for affordable housing in accordance with Policy DM8;*
- 6. Submit a detailed heritage assessment to consider the significance of the impact of development at the local level on the heritage setting of the town and other heritage assets in accordance with policies DM 32-DM 34. An archaeological assessment should consider the importance of the site and, if necessary propose mitigation;*
- 7. Submit a noise assessment and implement any mitigation arising;*
- 8. Address air quality impacts arising in the Ospringe AQMA, including the implementation of innovative mitigation measures;*
- 9. Be supported by a Transport Assessment, to determine the need and timing for any improvements to the transport network, the phasing of development, the options for accessing the site and any transport improvements arising which shall be subject to developer contributions/provision; and*

10. Provide the infrastructure needs arising from the development, including those identified by the Local Plan Implementation and Delivery Schedule, particularly health and education provision.”

Concept Plan:



Policy DM26 (Rural Lanes) reads as follows:

“Planning permission will not be granted for development that would either physically, or as a result of traffic levels, significantly harm the character of rural lanes. For those rural lanes shown on the Proposals Map, development proposals should have particular regard to their landscape, amenity, biodiversity, and historic or archaeological importance.”

5.5 The Council is working on a Local Plan Review and a Regulation 18 consultation has been carried out and the responses have been considered (Local Plan Panel, 24/3/22), and a report was also agreed for ‘next steps’, including the production of the Regulation 19 Plan by Autumn 2022.

5.6 Supplementary Planning Documents:

- Developer Contributions (2009);
- Swale Landscape Character and Biodiversity Appraisal SPD (2011). The application site is identified as lying within the Faversham and Ospringe Fruit belt. The landscape is generally in a good condition with moderate sensitivity to change. The guidelines recommend that this landscape should be conserved and positive characteristics reinforced; and
- ‘Parking Standards’ (May 2020). This gives in-depth guidance on the quantum of parking provision required for different types of development and for development in different types of location; it also gives advice on the layout of streets and other areas where parking is provided and on the importance of integrating with planting (notably street trees) and open SUDS features (such as swales and storm water planters). Advice is also given with respect to electric vehicle charging points (see page 25). I also note Appendix A (see page 35), which deals with residential car parking standards and for a suburban location such as this suggests (and the following is advisory only) that car parking levels should be as follows:

1 and 2 bed flats	1 space per unit
1 and 2 bed houses	1 to 2 spaces per unit
3 bed houses	2 to 3 spaces per unit
4+ bed houses	3+ spaces per unit
Visitor parking	0.2 per unit

5.7 Kent Minerals and Waste Local Plan (KMWLP) (2020): Policies CSM5 (minerals resources); DM7 (safeguarding); and DM9 (prior extraction).

6.0 LOCAL REPRESENTATIONS

6.1 The application has been advertised by site and press notices. In addition, letters were sent to 38 addresses.

6.2 Eight representations have been received (four of which explicitly object) and these are summarised as follows:

- More detail is needed on the proposed Link Road, which is objected to, and which is considered to be wholly impracticable;

- Local residents have not yet been consulted about the proposed Link Road and how it would affect local traffic movements / accessibility;
- Salters Lane is “constantly used as a means of avoiding the A251/A2 junction” – how would the proposed development mitigate the potential impact on traffic flow on Salters Lane, mindful that it is generally single track, with makeshift passing places?
- Salters Lane (which is a designated Rural Lane) would be spoilt by this development;
- The junction of the Link Road with the A251 (Ashford Road) and the proposed right-turn filter lane will exacerbate existing highway safety concerns (including in respect of the junction from the A251 to the private road that services 12 dwellings facing Ashford Road);
- Could the A251 be widened near the junction to improve road safety and highway capacity?
- The A2 and the A251 both need major upgrades before this application can be approved;
- Could Salters Lane to the south of the Recycling Centre be made one-way?
- Salters Lane may need to be widened along its entire length if the Link Road were to be built;
- The road network in the Faversham area, including the M2, is already under strain and this development will exacerbate the situation;
- The supporting documents rely on out-of-date traffic data (as a consequences of new development and recent highway changes in the vicinity and of behavioural change post-Pandemic, including more deliveries to local dwellings);
- It is acknowledged that provision for cycle and pedestrians within the site could create a pleasant environment within the application site, but beyond the site existing roads are not well designed for cycle and pedestrian use;
- If off-site pavements / paths are upgraded, this should not be at the expense of existing hedgerows;
- Demand for housing locally is in excess of local need;
- Loss of best and most versatile farmland is “short sighted” and not justified in this instance;
- Trees and other vegetation have already been removed from the site;
- It is noted that this development would sit on land envisaged under the previous Preston Fields application (reference 16/508602/OUT) as green space – the loss of this is objected to on the grounds that it would be ‘socially and aesthetically’ harmful;
- These houses are proposed to support the delivery of a Link Road between the A251 and Salters Lane and this would connect with land where Duchy of Cornwall propose 2500 dwellings [Members will note that a planning application has not been received for any form of housing development on the land east of Salters Lane] – “This indicates a presumption that the Duchy of Cornwall land will be developed.”;
- This application should not be considered until after the Duchy of Cornwall development on land to the east of Salters Lane has been determined;
- Concern is raised at the implications for bird life, noting that a range of bird species have been seen at, or flying over, the site;
- It is also noted that mammals and other fauna use the site together with reptiles and invertebrates;
- A range of flora is present at the site, particularly in the southern field, which is to be retained as an open space;
- High levels of house building in Kent will place “extreme pressure” on water supplies when a drought next occurs;
- The proposed development needs to ensure that existing vegetation and hedgerows are retained;

- The development could have significant adverse implications for bats, which currently use the site – loss of vegetation and additional external lighting are concerns in this context;
- The track running east-west across the site is lined by trees / hedging, which should be retained as part of the final development;
- Concern is expressed about the noise implications of siting dwellings relatively close to the M2, particularly if existing vegetation in the vicinity is removed;
- Footpaths into the open countryside to the south of the M2 should be improved to compensate for the development of this site;
- Site is unsuitable for residential development given proximity to M2 and the difficulties of providing vehicular access;
- A new school and doctor's surgery are required before 'any residential development of substance' is approved;
- There is an Air Quality Management Area (AQMA) on the A2 at Ospringe and concern is raised about current pollution levels there and potential adverse implication for human health, and it suggested that despite improvements in the efficiency of motor vehicles over time, increasing development in the wider area will mean that air quality will remain of concern into the future, and against this background the proposed development should be resisted as it will generate additional vehicle movements;
- The site provides views of the historic Preston and St Mary's Charity and these should be retained, with consideration given to provision of walking routes through the development so that the public can enjoy them; and
- It is suggested that previous development – notably Perry Court – has significantly impacted on the southern part of the town, and it is suggested that development (though the current application isn't cited) is motivated by profit.

7.0 CONSULTATIONS

- 7.01 **Faversham Town Council** raise objection to the application, and an extract from their amended response reads as follows:

"The Town Council shared the concerns raised by local residents about the suitability of Salters Lane in its present form to cope with the increased traffic that would result from the link road to the A251.

Comment:

- 1. It was noted that in the emerging Local Plan, Salters Lane is classified as a Green Lane, retaining its rural character. It is not clear that this initiative has been addressed in the proposal by the developer, and the Town Council would like to receive more details.*
- 2. The proposed link road is an opportunity to open up a new route for cycling and walking avoiding Watling Street as the town expands. The Town Council would like to see more detailed proposals for cycling and walking.*
- 3. The Town Council considered this an important opportunity to link the proposed Green Lane (Salters Lane) to the Bridleway that runs along the south of the M2 creating an of road link to Boughton for cyclists and walkers, again the Town Council would like more details on provision for Cycling and Walking in the proposal."*

7.02 **The Faversham Society** have commented as follows:

“This application should be SUPPORTED in principle because the development would be in a sustainable location adjacent to an existing approved scheme and on a proposed allocation.

The proposed access to Salters Lane should be landscaped so that it minimises the harm to the Green Lane designation.

Affordable Housing should be included to the current Local Plan Standard of 35% and all other planning gain contributions should be made.

The applicant should prepare a report that satisfies the requirements of the

Environment Agency. The Ecological Officer's recommendations should assist in enhancing the biodiversity of the site. ”

7.03 **Natural England** have been consulted on the Habitat Regulations Assessment and advise that provided the recreational impacts on the relevant Special Protection Areas (namely Thames Estuary and Swale) are managed through the “*specific measures previously identified and analysed by your authority...including [financial] contributions to them...*” they do not object to the granting of planning permission. As set out elsewhere, the mitigation would consist of a standard financial contribution of £250.39 per dwelling to be spent on mitigation of potential recreational impacts on the SPA.

7.04 **Natural England** also gave generic advice in respect of impacts on protected species, and the implications for the development for the Kent Downs AONB. They also drew attention to their standing advice on ancient woodland and veteran trees. The first two matters are dealt with elsewhere in the report, while the latter is not applicable.

7.05 **KCC Ecology** raise no objection to the application and note the following.

“We have reviewed the ecological information submitted in support of this outline planning application and advise that sufficient information has been provided.

We are satisfied with the conclusion of the ecology report which states there will be a limited ecological impact from the proposal. This is because the site primarily consists of intensively farmed arable land with little field margin habitat. If planning permission is granted, we advise that ecological enhancements are implemented to achieve biodiversity net-gain.

Ecological Enhancements

In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged.

Whilst no details of ecological enhancements have been provided at this outline stage, the proposed masterplan shows the provision of ‘semi-natural greenspace’ and ‘woodland planting’. Additionally, a ‘community orchard’ is proposed within the blue-line boundary.

We are supportive of these proposals in principle and would highlight the following:

- All new planting should consist of native, site-appropriate species.*

- *Any ornamental planting should be kept to an absolute minimum (and within curtilage boundaries) and not consist of any invasive species.*
- *Any closeboard fencing associated with the development must feature suitably-sized gaps for hedgehog (and other small terrestrial vertebrate) movement.*
- *Nest/roost space for bird/bats should be integrated into the new builds, with bird bricks/boxes providing nest space for declining species (such as Swifts).*
- *Where possible (such as within the proposed orchard area), native wildflower grassland should be established (and appropriately maintained annually)."*

A condition requiring an Ecological Design Strategy is requested, and Members will note that this is included below.

7.06 The **Affordable Housing Enablement Manager** comments as follows:

*"As per Planning Policy DM8 and because this development is located in **Faversham**, 35% of the total number of homes on this site should be delivered as affordable housing, rounded up to provide **25 affordable homes**, which should be a reasonable and proportionate mix to the open market dwellings.*

- ***90% of the total number of affordable homes should be provided as 23 affordable/social rent tenure homes, and the remaining 10% as 2 intermediate homes.***
- *The affordable homes should be delivered to M4(2) Building Regulations standard, with at least 2 homes provided to the higher M4(3) wheelchair user standard.*
- *The affordable homes should be well integrated within the development and not all clustered in one area together.*
- *I can confirm that Swale's Housing Register demonstrates a need for all types and sizes of affordable housing, including adapted homes, for those in the Faversham area."*

[Given the amended wording in the NPPF, 10% of the dwellings will need to be made available for 'affordable home ownership', known as First Homes.]

7.07 **KCC Highways and Transportation** initially raised concerns in respect of the development proposed. However, following the submission of additional information (in the form of a Technical Note dated June 2021), they provided further comments, which included the following:

1. *Committed Development has been assigned to the traffic modelling, and I am satisfied that the appropriate sites are included in the list. In addition, the modelling has now been extended to cover the full Local Plan period to 2031, as had been requested;*
2. *The traffic distribution has been corrected to allocate a total of 100% of vehicle trips between the two site accesses onto the existing highway, split 69:31 in favour of the A251 access;*
3. *Both site accesses are now modelled, and the full PICADY [Priority Intersection Capacity and Delay, which is a computer program for predicting capacities,*

queue lengths and delays at non-signalised major/minor priority junctions] outputs have been provided to validate the data summarised in Tables 1 and 2. These confirm that both junctions would be expected to operate with RFC [ratio of flow to capacity] values well below the operational maximum limit of 0.85, resulting in minimal queuing and delays on either the A251 or A2. I am satisfied that these results are acceptable, and any queues associated with the A251 access would not impact on the operation of the existing junctions either side of it.

4. Following the supply of as-built drawings of the Perry Court roundabout [on the A251] to the applicant, I am pleased that the current application drawings have been revised to show that junction in the correct position. This confirms that the roundabout is located some 10m further north than had originally been indicated on the submitted drawings for its interaction with the proposed site access.

As had been pointed out previously, KCC recognises that the application is in outline form with all matters reserved for future consideration, and therefore access is not a matter being determined. The information submitted has demonstrated that the highway impact of the proposed additional housing can be accommodated on the network, and a corridor can be provided through the development for a speculative vehicular connection to Salters Lane and possible development beyond, subject to detailed design. It is appreciated that the connection is only a possibility, and would need to come forward through separate planning applications, where the relevant assessment of traffic distribution and the road geometry would be undertaken at that time. For information though, I will reiterate the comments made in my previous response regarding the indicative details suggested:

- As I have mentioned above, this link road does not form part of the application itself, and it is not known how it shall join the wider highway network east of Salters Lane or to the A2. Nor is it known what accommodation works would be included in this theoretical highway scheme to manage traffic locally that may restrict or influence route choices in the future. Traffic modelling to assess the capacity of the highway cannot be done at present, so the impacts associated with the suggested road will need to be considered once a scheme has been devised. However, for the purposes of the current application, it is understood that the LPA would like comfort that the proposed development would not preclude the ability to facilitate a link road, and it would be the responsibility of a separate developer or scheme promoter to progress.
- The three options suggested for the vehicular route geometry are noted, and it is apparent that a carriageway width of 7.3m can be accommodated through the development, but the 10m radii at the junction with the A251 would require third party land. Depending upon the expectation for the link road, it may be possible to utilise a narrower carriageway width, noting that Kent Design Guide for example does quote 6.75m as the typical parameter for a local distributor road, although the junction radius sought would be 10.5m in that case.
- From an examination of the highway boundary, which is also indicated by the blue line on the submitted drawings, it does appear that there is scope to realign the A251 further west in the vicinity of the proposed junction, and this may provide sufficient space to pull the radii and associated footways/cycleway clear of the third party land.

- *Whilst only an illustrative layout plan has been prepared for the earlier application, 16/508602/OUT, it is worth noting that it showed some dwellings accessing directly onto what could eventually become the link road. If the hierarchy of this road is raised, how those dwellings access it may require a different approach, such as shared drives with turning facilities to enable a vehicle to enter and exit in a forward gear.*
- *Where the link road would exit onto/cross Salters Lane, depending upon the accommodation works mentioned earlier to manage traffic routing in the area, some of the 2016 application land to the north of the current red line boundary may be needed to cater for junction radii or sightlines. This may therefore require the red line to be extended or changes to the drafting of the other application's Section 106 agreement to safeguard some of the land contained within that site, which I note is currently shown as open space or structural planting on the Masterplan.*

Consequently, I would have no objection to the proposed development and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority.”

A total of six conditions are requested in respect of the following:

1. A Construction Management Plan;
2. Provision and permanent retention of vehicle parking spaces;
3. Provision and permanent retention of secure, covered cycle parking spaces;
4. Provision and permanent retention of Electric Vehicle charging facilities;
5. Details of various estate road features being submitted and approved by the Local Planning Authority; and
6. Completion of various works between each dwelling and the adopted highway prior to occupation of that dwelling.

7.08 National Highways (formerly **Highways England**) comment as follows:

As noted above, additional highway information in the form of a Technical Note dated June 2021 was provided to address issues raised by National Highways and KCC Highways and Transportation.

“National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. National Highways will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case the M2 Junctions 5 to 7.

“...we note on the FPCR Sketch Master Plan drawing no. 7391-SK-02 rev D that location 7 states ‘Corridor safeguarded for potential link road’ which indicates a strip of land to connect the site access road into the neighbouring site. National Highways are neutral of such a proposal and should this link road be subsequently brought forward as part of another application we will need to have robust transport evidence demonstrating that further intensification of the current site access will not result in severe residual impacts on the safe and efficient operation of the SRN.

“We have been in discussion with the applicant’s consultants over various transport matters and having reviewed the documents on the planning portal we are satisfied that, subject to the imposition of certain necessary planning conditions, the development proposals will not materially impact on the safe and efficient operation of the SRN (the tests set out in DfT C2/13 (especially paras 8 to 11) and MHCLG NPPF2021 (especially paras 110 to 113).”

Members will note that the conditions requested are included below.

- 7.09 The **Health and Safety Executive** have been consulted due to the presence of a High Pressure Gas Pipeline running across the northern part of the site, and they *‘do not advise, on safety grounds, against the grant of planning permission’*.
- 7.10 **Scotia Gas**, the operator of the gas pipeline, have been consulted, but a response has not been received.
- 7.11 **Environmental Protection Team Leader** raise no objection subject to conditions in respect of a Construction Method Statement, construction hours, electric vehicle charging points, low NOX boilers and a Contaminated Land Assessment. A Damage Cost Calculation of £24, 800 in respect of air quality (to mitigate impacts associated with particulates and nitrogen oxides) is also required and this will be secured under the s106 agreement.

In respect of the Noise Assessment, they advise that the *“...comprehensive report submitted is robust and provided all the mitigation measures recommended are implemented by the developer, I am satisfied that future occupants of the development will not be adversely affected by noise.”*

The submitted Air Quality Assessment (incorporating an Emissions Mitigation Assessment) is considered to be sufficient.

- 7.12 The **Environment Agency** state that: *“This site is particularly sensitive with respect to groundwater as it lies upon a principal aquifer within a source protection zone 1 and 2 for groundwater abstracted for human consumption.”*

However, having considered the information submitted, they raise no objection subject to conditions in respect of the following:

1. A strategy to deal with the potential risks associated with any contamination of the site, particularly in respect of groundwater;
2. A verification report demonstrating the completion of works set out in the approved remediation strategy (required by the first requested condition);
3. Dealing with contamination not previously identified;
4. A condition stating that no infiltration of surface water drainage into the ground is to be permitted other than with the written consent of the Local Planning Authority;
5. Foul drainage and arrangements for connection to the existing foul drainage network to avoid contamination of groundwater; and
6. Piling arrangements to ensure that groundwater is not contaminated.

In addition, informatives are requested as follows:

1. In respect of sustainable surface water drainage systems;
2. Piling and its potential implications for groundwater quality; and
3. The classification and disposal of waste.

The EA have provided detailed advice under each heading.

7.13 **Southern Water Services** (SWS) raise no objection to the application. However, they consider that foul and surface water drainage from the development could impact upon their infrastructure, and they advise that such infrastructure will need to be upgraded to deal with these impacts. Conditions are recommended accordingly.

7.14 The suggested conditions are not included below, because foul drainage is dealt with under other legislation – namely the Water Industry Act 1991 - and SWS can use its powers under that legislation to ensure that the appropriate infrastructure is provided. With regard to surface water drainage, Kent County Council are the Lead Local Flood Authority and Members will note their comments below. The conditions requested by them will be used to ensure that suitable arrangements are in place to deal with surface water drainage.

7.15 **Kent County Council Flood Risk Officer** provided an initial request that requested the amendment of the information originally and the provision of additional information. Such information was subsequently provided (including an updated version of the Flood Risk Assessment) and in response to it, the Flood Risk Officer provided comments including the following:

“Having reviewed the information submitted we are generally satisfied that the principles proposed for dealing with surface water, namely infiltration to ground or should this prove unviable the requisition of a new public sewer, which if implemented do not increase the risk of flooding.

2. However as the site is located in an area of high sensitivity with respect to the quality of Controlled Waters (Principal Aquifer and groundwater Source Protection Zones SPZ1&2) the use of infiltration will have to be ultimately permitted by the Environment Agency.

3. We note and welcome the proposal to incorporate the existing surface water flow path through the development via a constructed ditch and swale system. As part of the detailed design submission we shall expect for it to be demonstrated that no properties are in areas at risk of flooding as indicated on the Environment Agency's Risk of Flooding from Surface Water mapping.

4. We would also emphasise that ground investigation will be required to support the use of infiltration. It is recommended that soakage tests be compliant with BRE 365, notably the requirement to fill the test pit several times. Detailed design should utilise a modified infiltrate rate and demonstrate that any soakaway will have an appropriate half drain time.

Should you as the Local Planning Authority be minded to grant planning permission for the development we would recommend that the following conditions are applied:”

The four conditions requested are set out in full below, but are summarised as follows:

- (i) Details to show that rainfall associated with a climate-change-adjusted 100-year storm event can be accommodated within the site;
- (ii) Where infiltration is to be used, details first to have been submitted and approved;
- (iii) Detailed surface water drainage scheme for the site; and

- (iv) Submission of a verification report for the submitted surface water drainage proposals.

7.16 **Kent County Council Minerals and Waste** have provided two sets of comments on this application as follows.

In the first response the relationship between this potential development site and the existing KCC Depot (which adjoins the land subject to 16/508602/OUT and is accessed from London Road, the A2) and the Faversham Household Waste Recycling Centre (which sits to the south of the depot and is accessed from Salters Lane) are considered, together with the Noise Assessment submitted with the planning application.

KCC conclude as follows:

“Thus, the safeguarded waste facility is mitigated if these recommendations are followed. On that basis I do not think that the County Council would wish to raise an objection on noise impact grounds in relation to Policy DM 8 of the Kent Minerals and Waste Local Plan. That leaves dust, light and air emission impacts. I do not think that these would be severe enough to cause a statutory nuisance under the Environmental Protection Act. Though it is for your Environmental Health Officer to confirm this point in the absence of any detailed IA to consider.”

In the second response the implications for mineral deposits are considered, and the following extracts are pertinent:

“With regard to land-won minerals safeguarding matters it is the case that the area of the application site is coincident with a safeguarded mineral deposit in the area. This being Brickearth. The applicant has engaged consultants GWP to undertake a Mineral Assessment (MA). It is a comprehensive document. It concludes that the Brickearth resources to be potentially sterilised by the development proposed are not commercially viable for prior extraction ahead or phases with the proposed development of up to 70 dwellings and road link to the A251...”

My view is that the available landbank of this mineral is an irrelevant consideration to land-won mineral safeguarding. Otherwise, the whole matter of conservation of finite mineral resources would be compromised. I note that they have not quoted the industry for a view over the assertion that the 11,000 tonnes of potential material at this site are unviable. I have asked Weinerberger Ltd to look at this matter and they have stated:

‘We ourselves investigated this site in 2017, conducting Auger sampling and Testing Analysis on the Brickearth. On completion of the work, we decided that there wasn’t a quantity of Brickearth to make the extraction financially viable.’

On that basis the County Council agrees that exemption criterion 2 of Policy DM 7: Safeguarding Mineral Resources can be invoked in this circumstance.

7.17 **Kent County Council Economic Development** raise no objection to the application subject to the following contributions being secured to improve local infrastructure to mitigate the impacts of the proposed development. Detailed justification is provided as part of the response.

- (i) £4540 per applicable house* (or £317,800 in total if 70 houses are built) or £1135 per applicable flat (£79,450 if 70 flats are built) for **secondary school provision** to expand the Queen Elizabeth School;
- (ii) £16.42 per dwelling (or £1149.40 in total if 70 dwellings are built) for **community learning** (for KCC Adult Education Service) at the Faversham Adult Education Centre;
- (iii) £65.50 per dwelling (or £4585 in total if 70 dwellings were built) for **youth services**;
- (iv) £55.45 per dwelling (or £3881.50 in total if 70 dwellings were built) for **library book stock**;
- (v) £146.88 per dwelling (or £10,281.60 in total if 70 dwellings were built) towards **social care** in the form of 'specialist care accommodation in Swale District'; and
- (vi) £183.67 per dwelling (or £12,856.90 in total if 70 dwellings were built) towards '**waste**' in the form of additional capacity at the Household Waste Recycling Centres and Waste Transfer station in Sittingbourne.

*Applicable means dwellings of 56 square metres gross internal floor area or more.

In addition, a condition is requested in respect of broadband infrastructure. This is included below. KCC also request that all dwellings are built to M4(2) standard.

7.18 **Lower Medway Internal Drainage Board** responded as follows:

"The site in question is outside the Lower Medway IDD and as such we will not be making comment on this occasion. We will however follow and support comments and recommendations made by KCC SuDS team on this matter."

7.19 **Kent Police** do not object to the application. However, they draw attention to the policy support (in the NPPF and elsewhere) for designing development to minimise opportunities for crime and anti-social behaviour. They also suggest that it is beneficial for prospective developers to engage with them at an early stage in the process.

They make site-specific comments as follows:

1. *Development layout to maximise natural surveillance.*
2. *Perimeter, boundary and divisional treatments can include densely planted hedging in certain areas of the plan.*
3. *Corner Properties and any ground floor bedroom windows will require additional defensible space or treatments.*
4. *Parking spaces require "active" windows so that the owners can see them from active windows, failure to achieve this often results in ad-hoc parking on verges, vision splays, green areas or visitor spaces creating opportunity for damage, nuisance and conflict.*
5. *Doorsets and ground floor windows to meet PAS 24: 2016 certified standards.*
6. *Lighting. Please note, whilst we are not qualified lighting engineers, a lighting plan designed by a professional lighting engineer (e.g. a Member of the ILP) is required. Lighting of all roads including main, side roads, cul-de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and British Parking Association (BPA) standards. Any lack of lighting for unadopted roads is a concern as it will encourage home and vehicle owners to install ad-hoc lighting, likely to cause conflict damage ecology and create light pollution, a professional lighting engineer can design a plan to address these."*

Other than point 5, these issues can be dealt with at the reserved matters stage. Point 5 is not a planning issue.

Members will also note that a condition is included below to ensure that the development meets the principles of Secure by Design.

7.20 **NHS / CCG** have responded to consultation and, among other things, state:

“...The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution...”

Specifically, and on the basis that 70 dwellings are ultimately built, they request a total of £60,480, equating to £864 per dwelling.

To be spent, they state, on:

“...refurbishment, reconfiguration and/or extension of primary care premises in the Faversham Town PCN area.”

An appendix to the response explains the formula used to derive the amount requested.

7.21 **Rural Planning Limited** have been consulted with respect to the implications for the supply of agricultural land, and comment as follows:

“I note that this site already forms part of an allocation for residential development in the adopted Local Plan. Thus the principle as to the loss of agricultural land will have been taken into account already, and the main issues arising are presumably ones of detail, outside Rural Planning Limited's advisory remit.”

7.22 **Climate Change Officer** makes various comments on the application and the supporting documents, but none of these amount to an objection.

Members will note that conditions are included below in respect of EV charging points, minimising CO2 emissions and minimising water consumption.

7.23 **Kent County Council Archaeology** raises no objection subject to the imposition of a suitable condition, which I have included below. I have also included a clause in the Design Code condition in respect of archaeology.

It is noted that the site has significant archaeological potential and Members will note the following extract from the response:

“ Findings...[on the nearby Perry Court site]... and others that have been made [locally] do suggest that this area of the landscape is attractive for early settlement and other activities. As I explained for the 2016 application, the DBA has focused on the ancient activities around Faversham Creek as the indication of the location of the core settlement and given the lack of immediate discoveries on the site concludes low potential other than Roman. Aerial photography of fields to the south east of the site do suggest that there are buried landscapes extending out south of the motorway. The HER records a number of Roman burials having been found at the former mill in Salters Lane during the 1860s. Fieldwork in the fields to the east of Salters Lane have revealed Iron Age remains including kilns. The HER also records Palaeolithic hand axes having been found close by to the site but south of the motorway. The southern area of the application site has seen some previous quarrying for brickearth and was partially occupied by a brickworks.

Given the archaeological potential of the site and the potential for development works to impact on archaeology I would recommend that in any forthcoming consent provision is made for archaeological evaluation to be followed by further mitigation measures as appropriate and informed by that evaluation. The evaluation should take the form of geophysical survey, trial trenching and Palaeolithic assessment and test pitting. It should be undertaken at an early stage, in advance of a detailed application, so that archaeology can inform the development of the site masterplan and design.

7.24 **Greenspaces Manager** raises no objection and comments as follows:

“Generally recognises the requirement for greenspace in the proposal and this is provided in two core elements to the north and south. A good proportion of the north block seems to have been identified as contributing to open space on the adjacent development 16/508602/OUT and as such not sure it can “count” for both. In present form it provides some softening on approach to the development, but due to its relative linear nature would be more usable if consolidated into a single block.

The Council would not seek to transfer land or maintenance responsibility for the open space provision and an alternative way of management and maintenance should be sought.

Design and Access Statement indicates off site provision for formal outdoor sport, children and young people and allotments. As such we would seek a contribution toward increasing the capacity/size of play facilities on the adjacent development to a value of £446 per dwelling [£31,220 for 70 dwellings] , an off-site formal sports facilities contribution of £593 per dwelling [£41,510 for 70 dwellings] toward proposed new sports facilities at Love Lane, Faversham and an allotment contribution of £40 per dwelling [£2800 for 70 dwellings] toward providing additional capacity/facilities at existing allotments in Faversham, as identified in the Open Spaces and Play Area Strategy 2018-2022.”

8.0 BACKGROUND PAPERS AND PLANS

8.1 Members will note that the application is supported by the following plans:

- Site Location Plan (7391-L-10; January 2021);
- Development Framework Plan (7391-L-08 A; January 2021);
- Opportunities and Constraints (7391-L-09 A; January 2021);
- Arboricultural Implications Plan (RHDHV.AIP; February 2021);
- Proposed Access Arrangement at A251 (F16038/01 revision B)(which is part of Appendix A to the Transport Statement);
- Indicative Proving Layout (7391-A-01 Rev B; May 2021); and
- Combined Masterplans (7391-SK-03, March 2022) – which is for illustrative purposes only.

8.2 As all matters of detail are reserved, the above plans are simply to how the site might be developed and the application does not seek approval for the information shown.

8.3 A full set of supporting documents has also been provided, and these are publicly accessible on the Council’s website.

9.0 APPRAISAL

Principle of Development

- 9.01 The application site sits outside the built-up area boundary for Faversham, albeit immediately to the south of the boundary. Members will also note that the proposed housing would be located within the area allocated under Policy A16 of the adopted Local Plan for the development of a minimum of 217 dwellings. The concept plan accompanying A16 envisages the housing being located on the northern part of the allocation with the southern part of the site (including this application site) set aside for natural greenspace and strategic landscaping.
- 9.02 Members will appreciate that the Council cannot currently demonstrate a five-year housing land supply; the supply is 4.6 years. In these circumstances, the tilted balance under the NPPF is engaged and there is an onus on Local Planning Authorities to approve housing proposals that are in sustainable locations (see paragraph 11), even if they are outside the defined built-up area boundary. None of the exceptions under paragraph 11 (d) apply.
- 9.03 Given that the development would sit just to the south of the part of the allocation where housing is envisaged, and that the dwellings would be within comfortable walking distance of the facilities at Perry Court (just to the west of the site) and of the wide range of amenities in the town centre, the location of the development is considered to be sustainable.
- 9.04 I have also considered the three strands of sustainable development, as set out at paragraph 8 of the NPPF and elsewhere, namely the 'economic objective', the 'social objective' and the 'environmental objective'.
- 9.05 *Economic objective* – the development would have moderate economic benefits associated with the construction of the dwellings and, in the longer term, through the creation of a community, providing potential customers for local businesses. The application also includes land to be set aside to allow the future provision of a Link Road that could ultimately connect the A251 Ashford Road with land to the east of Salters Lane and, further east, to the A2. Facilitating the provision of part of this road link, amounts to an economic benefit as it would assist, to some degree, the potential provision of a major urban extension on land east of Salters Lane. However, it will be appreciated that such development does not yet benefit from a Local Plan allocation or any form of planning approval.
- 9.06 *Social objective* – the development would add to the local housing stock in both a quantitative and qualitative sense, which is arguably a benefit in this regard. It will also deliver 25 affordable dwellings.
- 9.07 *Environmental objective* – although the development of this land for housing, rather than it forming part of the open space and strategic planting area for development on land to the north as envisaged under Policy A16 of the Local Plan, is arguably a disbenefit, against this can be weighed the environmental benefit of making more efficient use of the land allocated under Policy A16; by providing an extra 70 dwellings on the allocation, and potentially reducing the need to develop greenfield land elsewhere in the Borough. The development will also incorporate 'environmental features' to help reduce the carbon footprint of the scheme, to the benefit of the environment.

- 9.08 With regard to the reservation of land for a link road connecting Salters Lane with Ashford Road, Members will note that planning permission is not being sought for the road, and that this application simply seeks to ensure that an appropriate width corridor is reserved for its provision. In due course, a separate planning application would need to be approved specifically for the road before it could be provided. I consider that the inclusion of this element in the application is acceptable, mindful that before it could be delivered its merits would need to be fully tested through a separate planning application.
- 9.09 I therefore conclude that the proposal amounts to sustainable development and that it is acceptable in principle.

Visual Impact

- 9.10 As set out elsewhere, all matters of detail are reserved, but Members will note that the development would be built at a relatively low density of approximately 24 dwellings per hectare. Condition (4) below would limit building heights to a maximum of 2.5 storeys. I note that the development would site in a shallow, dry valley and that it is partially enclosed by existing vegetation (particularly to the south and west sides). The proposed level of development can be accommodated on the site without unacceptable implications for visual amenity; Members will note the conditions below – notably condition (4) – these will be used to ensure that a high-quality development that is harmonious with the setting is achieved.

Landscape Impact

- 9.11 As stated above, the site is not subject to either a local or a national landscape designation.
- 9.12 As noted above, the application is supported by a Landscape and Visual Appraisal (dated February 2021), and I note its conclusions and the final paragraph (7.6 on page 31) reads as follows:

“Overall, it is concluded that only localised effects will arise and that adjoining residents will experience a limited change in views and amenity owing to the parameters and associated green infrastructure measures which are proposed. The indicative masterplan and landscape strategy approach also demonstrates how the development can address local policy and SPD objectives without harming the wider character area or wider visual amenity.”

- 9.13 I agree with this conclusion. I also note that the site is relatively enclosed (particularly to the south (M2 boundary) and west (where it faces towards the backs of dwellings on Ashford Road) and that it has a setting partially characterised by urban features such as the motorway and the existing ribbon of dwellings along the Ashford Road, do not anticipate unacceptable landscape impacts.

Housing Mix

- 9.14 This will be agreed subsequently as Members will note that all matters are reserved; the wording of condition (4)(Design Code) below should also be noted.
- 9.15 In accordance with Policy CP3 (6) of the Local Plan, however, the development will need to meet the needs of specific groups in terms of accessibility, and all of the dwellings will be built to M4(2) and a proportion to M4(3) as a requirement of the s106 agreement.

Residential Amenity

- 9.16 Members will note that the proposed dwellings would be set well away from the nearest existing dwellings, the two houses at Numbers 1 and 2, Salters Lane, which sit to the east of the application site, facing the existing access track, which in turn is located along the southern edge of the area where the new dwellings would be sited; the separation would be in excess of 21 metres and is considered to be acceptable.
- 9.17 The other houses in the general vicinity are those facing Ashford Road, but the dwellings there are typically in excess of 130 metres from the indicative positions of the closest of the proposed dwellings.
- 9.18 In addition to the above, I note that the Environmental Protection Team Leader raises no objection to the application. I conclude that the implications for residential amenity are within acceptable limits.
- 9.19 With regard to the land set aside for the Link Road, as the application does not seek planning permission for the road, the implication of it for residential amenity are not to be assessed here. As explained above, if a planning application is submitted in the future for the Link Road, all of its planning implications would be evaluated at that point.

Highways

- 9.20 Members will have noted above (see paragraphs 7.07 and 7.08) that both KCC Highways and Transportation and National Highways raise no objection, having assessed the implications of the development for the local network and the strategic network (which includes the M2) respectively. The conditions requested by these organisations are included below.
- 9.21 Consideration of the appropriate level of car parking to be provided on a housing development is an important part of the overall assessment of the application. However, as this application is in outline with all matters (including the layout) reserved, it does not fall to be assessed as part of this application, rather it would be dealt with at reserved matters stage. At that stage, the application would need to demonstrate, among other things, that the details were in accordance with the Car Parking SPD, which I refer to at paragraph 5.6 above.
- 9.22 As explained above, with regard to the Link Road, its planning merits are not evaluated here as permission is not sought for it. At such time as an application is made for it, however, KCC Highways and Transportation and National Highways would be consulted and their views would be a key part of the evaluation of it.
- 9.23 I note the comments of Faversham Town Council and the Faversham Society with respect to the potential implications for Salters Lane, which they refer to as a 'Green Lane'. Under Policy DM26 of the Local Plan it is designated as a Rural Lane, which I refer to above. However, as this application does not include any form of vehicular access on to Salters Lane (the vehicular access is from Ashford Road and ultimately the development will connect to a 2nd vehicular access from the A2), there will not be any significant adverse impact on the Lane as a result of increased vehicle movements. Potential visual impacts will be dealt with using the conditions set out below.

Air Quality

- 9.24 As Members will probably be aware, there is one Air Quality Management Area in the general vicinity of this site, and it is the Ospringe AQMA, located on the western edge of the Faversham built-up area, where the A2 runs through the historic village of Ospringe.
- 9.25 The Environmental Protection Team Leader raises no objection (see paragraph 7.11 above) subject to the imposition of suitable conditions (including in respect of low NOX boilers and electric vehicle charging points, both of which will contribute to minimising air pollution associated with the development) and the payment of a damage cost calculation (to be secured under the s106 agreement) and to be spent on mitigation of air quality impacts. The damage cost has been calculated as £24, 800 and would be used to mitigate impacts associated with both NO2 and particulates (PM 2.5).
- 9.26 On the basis of this mitigation package, the development is acceptable in this regard.

Heritage

- 9.27 This part of the wider Preston Fields site is not located close either to listed or non-designated heritage assets or to a Conservation Area(s). As such, no heritage assets will be impacted by the development and it is considered to be acceptable in this regard.

Brick-earth

- 9.28 As set out at paragraph 7.16 above, KCC Minerals and Waste have commented on the application, and conclude that viable deposits of brick-earth are not present at the site. As such, no objection is raised in this regard.

Drainage

- 9.29 Members will note the comments at paragraphs 7.13, 7.14 and 7.15 above and that neither Southern Water Services (SWS) or Kent County Council Flood Risk Officer. The conditions requested by the latter are included below. However, the conditions requested by SWS are not included as they relate to foul drainage, which is dealt with under other legislation, which gives SWS the powers to secure the appropriate infrastructure to serve this development.

Ecology (including SPA implications)

- 9.30 Members will note that both KCC Ecology (paragraph 7.05) and Natural England (paragraphs 7.03 and 7.04) raise no objection to this development.
- 9.31 Conditions (6), (7) and (8) below will ensure that the development is sympathetic to existing ecology and that a biodiversity net gain of at least 10% is achieved.
- 9.32 With regard to the implications for Special Protection Areas (SPAs), Natural England were specifically consulted on the statement produced in this regard by the Local Planning Authority (a copy of which is appended to this report), as competent authority, and they confirmed that they raised no objection subject to the standard mitigation, which is referred to at paragraph 9.39 below.

S106 Contributions

- 9.33 Work on the drafting of the s106 agreement for this development and the development proposed under 16/508602/OUT is on-going.
- 9.34 Members will note the responses from KCC Economic Development (paragraph 7.17), the NHS / CCG (paragraph 7.20) and the Greenspaces Manager (paragraph 7.24), the various amounts requested by these consultees are set out above, and these will need to be secured under the s106 agreement.
- 9.35 With regard to the provision of bins, the following is required per dwelling:
- Per house - 1 x 180ltr green refuse bin @ £45.10 per bin
1 x 240ltr blue recycling bin @ £45.10 per bin
1 x 23ltr black food bin @ £10.50 per bin
1 x 5ltr kitchen caddy @ £5.20 per bin
- Total cost for a full set of bins for one house is £105.90.
- For flats it would be:
- 1 x 1100ltr refuse bin per 5 flats @ £437.60 per bin
1 x 1100ltr recycling bin per 5 flats @ £437.60 per bin
1 x 140ltr food bin per 5 flats @ £78.70 per bin
- Equating to £190.78 for one flat.
- 9.36 In addition, the s106 agreement will also need to include a clause in respect of land to be safeguarded for the provision of a Link Road (to connect the A251 to Salters Lane and land to the east of it); this corridor of land will measure not less than 15 metres in width and extend across the entire width of the application site; the s106 agreement will need to ensure that the land is safeguarded free from development and that it is available to be transferred to Swale Borough Council when requested.
- 9.37 The s106 agreement will need to include clauses to ensure that the management of the open space and strategic landscaping is dealt with appropriately, and that it is clear how, and by whom, this will be done.
- 9.38 As noted above, all of the dwellings will be built to the M4(2) accessibility standard and at least two dwellings to M4(3), in accordance with Policy CP3 of the Local Plan and noting the comments of consultees in this specific regard.
- 9.39 The mitigation for potential impact on the Special Protection Areas (SPA) would consist of a standard financial contribution of £250.39 per dwelling (or £17,527.30 for 70 dwellings) to be spent on mitigation of potential recreational impacts on wintering birds.
- 9.40 With regard to air quality, the damage cost has been calculated as £24,800. This would be secured under the s106 agreement, which would need to be worded such that the requirement could be met by agreed mitigation on site, in the form of a payment to the Council to provide mitigation off-site, or a combination of the two.
- 9.41 With regard to s106 monitoring and administration, an appropriate fee will need to be agreed in due course.

9.42 As set out elsewhere, delegated authority is sought to conclude the s106 agreement and to make refinements to its contents as may reasonably be required. This includes adding extra matters should that prove to be necessary.

Affordable Housing

9.43 As set out at paragraph 7.06 above, the Affordable Housing Enablement Manager raises no objection subject to 35% of the total number of homes (or 25 dwellings) on this site should be delivered as affordable housing. This will be secured under the s106 agreement, including clauses to ensure the appropriate tenure split and other matters as itemised at paragraph 7.06, and that 10% of the total number of dwellings provided are 'First Homes'.

Climate Change

9.44 Members will note that the Climate Change Officer raises no objection and as set out above conditions are recommend in respect of electric vehicle charging points, water consumption and the minimisation of CO2 emissions. Importantly, the site is sustainably located and is connected to other parts of the town by a network of paths and pavements. The recent upgrade of the A2-A251 junction incorporates a signalled controlled junction which includes phases for cyclists and pedestrians. This, together with the new pavements provided on the southern side of the A2 connecting to it, has significantly enhanced provision for safe active travel in the vicinity. This is an obvious when it comes to encouraging use of sustainable alternatives to car travel.

10.0 CONCLUSION

10.01 The various material planning implications of this proposed development have been carefully considered, together with the comments provided by technical consultees.

10.02 The development is considered to be a sustainable one that would deliver 70 additional dwellings (in addition to the 'up to 250' that Members have previously resolved to approve under 16/508602/OUT) within an existing Local Plan allocation. In addition, the grant of outline permission would secure the provision of land for a Link Road across the site (subject to a planning application being approved in due course). This is also a significant benefit.

10.03 Having concluded that all the relevant planning impacts can be fully mitigated by conditions or s106 clause, I consider that planning permission should be granted on this basis.

11.0 RECOMMENDATION – GRANT Subject to the conditions as set out below and the signing of a suitably-worded s106 agreement, with delegated authority to make refinements to condition wording and s106 clauses as may reasonably be required.

CONDITIONS to include

- (1) Details of the layout, scale, appearance, landscaping and access within a phase of the development hereby permitted, shall be submitted to and approved in writing by the local planning authority before any development within that phase takes place and the development shall be carried out as approved.

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

- (2) The application (s) for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

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

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

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

- (4) Prior to the submission of a reserved matters application for any phase, a design code for all of the phases shall be submitted to and approved in writing by the Local Planning Authority.

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

- A design strategy for buildings, to include housing mix, density and massing, architectural treatment, the use of feature buildings in key locations, principles for the use of external materials (which should be locally sourced unless it is demonstrated that this cannot reasonably be achieved), boundary treatments, and provision of car parking;
- A strategy for building heights (which will be limited to no more than 2.5 storeys);
- Principles for road hierarchy, pedestrian and cycle connections including the alignment, width, lighting and surface materials to be used;
- A strategy for street tree planting;
- A strategy for lighting to the network of cycle and footpaths;
- Principles for the layout to accommodate and respond to existing landscape features within the site (including for the retention of existing trees, hedges - including along the track running east-west through the site - and other boundary planting, including to Salters Lane);
- A levels strategy to retain (where possible) the existing topography and minimise the creation of artificial development platforms;
- Design of the public realm, including principles for the design and layout of public open space, areas for play, lighting, street furniture and sustainable urban drainage (which shall incorporate open features such as ponds, ditches, storm water planters and swales);
- A strategy for the Salters Lane frontage to ensure that a consistent and appropriate development offset is achieved and that this boundary is sympathetically treated;
- A car parking strategy to demonstrate how parking provision for the housing will be well integrated both with the built development and hard and soft landscaping (with an onus on the provision of native species street trees);
- A strategy to ensure that dwellings are provided with water butts and garden composting facilities (or appropriate communal provision for any apartment blocks); and

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

- (5) No development beyond the construction of foundations shall take place until details have been submitted to and approved in writing by the Local Planning Authority demonstrating how the development meets the principles of 'secure by design'.

Reason: In the interests of crime reduction and safety.

- (6) No development shall take place until an outline Ecological Design Strategy (EDS) has been submitted to, and approved in writing by, the Local Planning Authority. The EDS shall include (but not be limited to) the following:
- a) Purpose and conservation objectives for the proposed works;
 - b) Review of site potential and constraints;
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives;
 - d) Extent and location/area of proposed works on appropriate scale maps and plans;
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - g) Persons responsible for implementing the works;
 - h) Details of initial aftercare and long term maintenance;

The EDS will be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of increasing biodiversity at the site.

- (7) The details submitted pursuant to condition (1) above shall be informed by the approved Ecological Design Strategy and shall show how a biodiversity net gain of not less than 10% will be delivered on the site.

Reason: In the interests of increasing biodiversity at the site.

- (8) The details submitted pursuant to condition (1) above shall be in accordance with the following:
- All new planting should consist of native, site-appropriate species.
 - Any ornamental planting should be kept to an absolute minimum (and within curtilage boundaries) and not consist of any invasive species.
 - Any closeboard fencing associated with the development must feature suitably-sized gaps for hedgehog (and other small terrestrial vertebrate) movement.
 - Nest/roost space for bird/bats should be integrated into the new builds, with bird bricks/boxes providing nest space for declining species (such as Swifts).
 - Where possible (such as within the proposed orchard area), native wildflower grassland should be established (and appropriately maintained annually).

Reason: In the interests of increasing biodiversity at the site.

- (9) No works shall commence on the development hereby permitted (including site clearance or preparation) until the details of all proposed ground and/or building

works demonstrating that they safeguard and maintain the geotechnical stability of the M2 embankment during construction and occupation of the site have been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways). Thereafter the construction and occupation of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority (who shall consult National Highways).

Reason: To ensure that the M2 Motorway continues to be an effective part of the national system of routes for through traffic in accordance with section 1 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- (10) No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of the hard and soft landscaping within 20 metres of the M2 boundary of the site have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction and occupation of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

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

- (11) No water run off that may arise due to the development hereby permitted will be accepted into the highway drainage systems, and there shall be no connections into those highways drainage systems from the development and its drainage system.

Reason: To ensure that the M2 Motorway continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage.

- (12) No lighting structures may be installed closer to the M2 boundary than 1.5 times the column height nor be directed towards the M2 unless approved in writing by the local planning authority (who shall consult National Highways). Thereafter the construction and occupation of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the local planning authority (who shall consult National Highways).

Reason: To ensure that the M2 Motorway continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage.

- (13) No development shall take place until the details required by Condition (1) above shall demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

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

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

- (15) Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

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

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- (16) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

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

- (17) No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the Local Planning Authority:
- A. A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- B. A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- C. The results of the site investigation and the detailed risk assessment referred to in (B) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (C) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons To prevent pollution of controlled waters and risks to human health.

- (18) Prior to the occupation of any dwelling hereby approved, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons To prevent pollution of controlled waters and risks to human health.

- (19) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons To prevent pollution of controlled waters and risks to human health.

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

Reasons: Piling can result in risks to groundwater quality.

- (21) Development here by approved shall not commence until a foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented (with a connection to foul sewer), has been submitted to and approved by the Local Planning Authority (in consultation with Southern Water and the EA). The development shall be constructed in a phased manner in line with the agreed detailed design and recommendations of the strategy. No occupation of any premises can take place until the installed scheme is confirmed as meeting the agreed specifications.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

- (22) No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

- (23) Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back garden and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority.

The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: In the interests of residential amenity.

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

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

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

Reason: In the interests of minimising water consumption.

- (26) Prior to the construction of any dwelling in any phase details of the materials and measures to be used to increase energy efficiency and thermal performance and reduce carbon emissions and construction waste shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials and measures.

Reason: in the interests of minimising CO2 emissions.

- (27) The details submitted pursuant to condition (1) (the reserved matters) shall include measures to provide electrical vehicle charging points and shall include;
- (a) Electric vehicle charging points for all dwellings with parking facilities within their curtilage,
 - (b) Electrical vehicle charging points to be provided to a minimum of 10% of all other residential parking areas.,
 - (c) Electrical vehicle charging points to be provided to a minimum of 10% of visitor parking spaces.

No dwelling hereby permitted shall be occupied until the electric vehicle charging points for that dwelling have been installed. All Electric Vehicle Charging units shall be provided to Mode 3 standard with a minimum 7kw. The charging points shall be provided prior to first occupation of any dwelling hereby approved.

Reason: In the interest of sustainable development and encouraging sustainable modes of travel.

- (28) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:-

Monday to Friday 0730 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

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

Reason: In the interests of minimizing air quality impacts.

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

The code shall include:

- Hours of working and timing of deliveries
- An indicative programme for carrying out the works
- Measures to minimise the production of dust on the site(s)
- Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)
- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Management of traffic visiting the site(s) including temporary parking or holding areas
- numbers, frequency, routing and type of vehicles visiting the site
- travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries
- Provision of off road parking for all site operatives
- Measures to prevent the transfer of mud and extraneous material onto the public highway
- Routing of construction and delivery vehicles to / from site
- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water
- Provision of wheel washing facilities
- Temporary traffic management / signage
- The location and design of site office(s) and storage compounds
- The location of temporary vehicle access points to the site(s) during the construction works
- Details of how the construction will proceed in accordance with the conditions sets out in the consultee response by Southern Gas Networks email dated 25th January 2017
- The arrangements for public consultation and liaison during the construction works.

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

- (31) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and ii following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

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

- (32) The details submitted pursuant to condition (1) (the reserved matters) shall include an updated landscape strategy. All approved landscape works shall be

carried out in accordance with the approved details. The landscaping works shall be carried out in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interest of the visual amenity and ecology of the area

- (33) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

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

- (34) Prior to the commencement of the development an arboricultural method statement and tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The approved arboricultural method statement and tree protection plan shall be adhered to throughout the construction phase of the development.

Reason: To ensure the surrounding boundary trees are retained and adequately protected.

- (35) Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:
- (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Reason: in the interests of highway safety.

- (36) The details pursuant to condition (1) shall show details of covered cycle parking facilities. The approved cycle facilities shall be provided prior to first occupation of any dwelling hereby approved and retained thereafter.

Reason: In the interests of sustainable development and encouraging sustainable modes of travel.

- (37) No development shall be carried out beyond the construction of foundations until detailed plans showing the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed wholly in accordance with the approved details.

Reason: In the interest of highways safety and convenience.

- (38) The details submitted pursuant to condition (1) above shall show adequate land reserved for the parking or garaging of cars and such land shall be kept available for this purpose at all times and no permanent development, whether permitted

by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order) or not shall be carried out on such land or in a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

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

- (39) The details of the layout submitted under condition (1) above shall ensure that there are no dwellings located within nine metres either side of the high pressure gas pipeline that runs through the site. Any dwellings within the middle and outer zones of the high pressure gas pipeline, as identified on the Health and Safety Executive map (12th January 2017) shall not exceed more than 30 in number and/or more than 40 dwellings per hectare.

Reason: In the interests of health and safety and the protection of important gas infrastructure.

Appendix – Appropriate Assessment Statement

INFORMATIVES

National Highways Informative 1: The scheme shall include such assessment, drawings and mitigation as is necessary to comply with the requirements and standards set out in the Design Manual for Roads and Bridges.

National Highways Informative 2: The CTMP shall include details (text, maps and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include, but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site; travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

KCC Highways and Transportation Informative: Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by: Offering pre-application advice. Where possible, suggesting solutions to secure a successful outcome. As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed. 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.

