

2.2 REFERENCE NO - 23/504909/REM		
PROPOSAL - Approval of Reserved Matters of access, appearance, landscaping, layout and scale for the erection of a 67-bed care home, pursuant to hybrid application 23/500857/HYBRID for - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.		
SITE LOCATION Land At Lady Dane Farm, Love Lane, Faversham, Kent, ME13 8YN		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions and the completion of a deed of variation to the Section 106 agreement as set out in the report, with further delegation to the Head of Planning / Head of Legal Services (as appropriate) to negotiate the precise wording of conditions, including adding or amending such conditions and precise Heads of Terms as may be consequently necessary and appropriate.		
APPLICATION TYPE - Reserved Matters		
REASON FOR REFERRAL TO COMMITTEE The recommendation conflicts with a written representation received from the Faversham Town Council which is based upon relevant planning considerations.		
Case Officer - Ben Oates		
WARD Watling	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr Ryan Nicholls AGENT DHA Planning
DATE REGISTERED 07/11/2023	TARGET DATE 06/02/2024	
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - <ul style="list-style-type: none"> - All drawings submitted. - All representations received. - Design and Access Statement dated November 2023 (uploaded on 07/11/2023). - Landscape Proposals - Rev D (uploaded on 19/06/2024). - Cover Letter dated 29/01/2024 (uploaded on 29/01/2024). - Transport Technical Note dated 18/10/2023 (uploaded on 27/10/2023). - Drainage Strategy dated 18/10/2023 (uploaded on 01/11/2023). - Sustainability Statement and Energy Statement dated 19/10/2023 (uploaded on 27/10/2023). 		

- Travel Plan dated September 2023 (uploaded on 27/10/2023.)
- Biodiversity Statement (uploaded on 18/06/2024)

The full suite of documents submitted pursuant to the above application are available via the link below: -

INCLUDE WEB LINK

<https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S37009TYL4500>

1. SITE LOCATION AND DESCRIPTION

- 1.1. The application site is located to the eastern side of Faversham Town. It forms part of a wider development site, measuring approximately 14.5 hectares, whereby planning permission was granted for a Hybrid proposal in May 2023 (23/500857/HYBRID) for a mixed-use redevelopment of the site.
- 1.2. The care home site for which this reserved matters (RM) application relates is approximately 0.52 hectares in size and is located on the western boundary of the wider site, fronting Love Lane. The land was previously in use as farmland.
- 1.3. The site is within the built-up area boundary and forms part of the site allocation MU6 (Land at Lady Dane Farm). It is therefore not located within a countryside gap and is not within an area of designated landscape. The application site is not within or adjoining a conservation area and does not contain or adjoin a listed building.
- 1.4. The site is designated as a safeguarded area for Brickearth and within an area of potential archaeological interest. The site is also within a Site of Special Scientific Interest Impact Risk Zone, and within 2km of the Swale Ramsar and Special Protection Area.
- 1.5. The application site is surrounded by land previously used as farmland to the north, east and south, which also forms part of the wider site subject to the Hybrid planning permission. The western boundary is formed by Love Lane with post-war housing at Buttermere/Windermere. To the south is a railway line which forms a main train route from the coastal towns of Kent to London.

2. PLANNING HISTORY

23/500857/HYBRID: Granted subject to conditions - Decision Date: 26/05/2023

Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters

reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

23/504707/HYBRID: Granted subject to conditions – Decision Date: 28/05/2024

Section 73 Application for minor material amendment to approved plans condition 6 (To improve quality of amenity space, security and safety. To increase in the amount of independently accessible parking spaces. To revise the arrangement and distribution of house sizes and types, and to amend the design of Blocks A and B) pursuant to 23/500857/HYBRID for - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

23/504754/REM: Live application

Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale being sought) for Phase Landscape 1 pursuant to application 23/500857/HYBRID for - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

21/502927/FULL: Granted subject to conditions– 30/06/2023

Erection of 88no. dwellings with associated access, parking, and landscaping.

18/501048/REM: Granted subject to conditions – 22/06/2018

Application for approval of Reserved Matters relating to appearance, landscaping, layout and scale of the proposed 196 dwellings pursuant to outline planning permission SW/14/0045 (access approved in detail).

SW/14/0045: Granted subject to conditions – 17/02/2016

Outline application including access for a mixed use development comprising business park (up to 5,385sqm of commercial units, and a 2,000sqm office (innovation centre), a hotel (approx. 70 bed), pub/restaurant (up to 400sqm), health centre (up to 300sqm), 196 residential dwellings, open space including sports pitches, amenity open space and parkland, roads, allotments and a traveller site.

3. PROPOSED DEVELOPMENT

- 3.1. Planning permission is sought for the Approval of Reserved Matters (access, appearance, landscaping, layout and scale) for the erection of a 67-bed care home, pursuant to Hybrid planning permission 23/500857/HYBRID.
- 3.2. The proposed care home is 2-storeys in height and contains a gross internal floor area of approx. 3,643.6 sqm. There will be 32 bedrooms at ground floor level and 35 bedrooms at first floor level, with approx. 380.6 sqm of internal amenity space. A reception area is provided at the ground floor whilst staff and back of house (BOH) facilities are provided at second floor roof level. Two nurses stations are provided on each floor. The ground floor bedrooms and all-day communal space areas have level access to the outdoor amenity space areas. The ground floor amenities include a café, dining areas, communal lounge areas and hair salon.
- 3.3. The ground floor provides the primary entrance for guests, residents, and staff alongside a service entrance on one of the arms of the building. There are independent entrance and exit points surrounding the building that allow for direct access to the communal gardens.
- 3.4. The layout of the proposed building is arranged in an 'H' shape whilst the roof is dual pitched with gable ended sections. The proposed materials include red multi brick together with accents of white timber style horizontal cladding to highlight the key spaces including day-spaces, their corresponding terraces and the entrance.
- 3.5. The site's access is located on the eastern boundary and gained from the new access road that will serve the wider development that was granted under the Hybrid permission. The proposal includes 27 parking spaces, including 3 accessible spaces and an emergency parking bay.
- 3.6. The proposal includes a variety of outdoor amenity space areas, including a central courtyard accessed directly from the main internal amenity area, an area of greenspace with a walking path on the eastern side of the site and a linear open space area along the western side of the site.
- 3.7. The proposal was amended during the course of the application to include the provision of additional Electric Vehicle (EV) charging points and covered cycle parking in response to the Town Council's comments. The proposed open space area to the east of the building has also been amended to accommodate additional bench seating to take advantage of its sunlight access for residents, whilst additional trees will be planted along the southern boundary of the site.
- 3.8. A revised Landscape Plan and Biodiversity Report were also provided in response to matters raised by KCC Ecology and Faversham Town Council and to clarify the position of the on-site Biodiversity Net Gain (BNG). Due to the minor nature of the revisions in the proposed landscaping and the nature of the

Biodiversity Report for clarification purposes it was considered that the information did not require a full round of consultation. However, Faversham Town Council were reconsulted.

4. CONSULTATION

4.1. Two rounds of consultation have been undertaken, during which letters were sent to neighbouring occupiers; a notice was displayed at the application site and the application was advertised in the local newspaper. Full details of representations are available online.

First Round Responses

4.2. Two letters of representation were received in relation to the consultation. Concerns/ comments were raised in relation to the following matters: -

Comment	Report reference
<u>Transport:</u> Concerns regarding the location of the access to the site.	This is addressed in paragraph 7.7.5
<u>Transport:</u> Concern that the proposal will generate more traffic.	This is addressed in paragraph 7.7.4
<u>Ecology:</u> Care should be taken to avoid impacts to birds nesting in the trees along Love Lane.	This is addressed in paragraph 7.9.6
<u>Flooding:</u> Concerns regarding flooding emanating from foul water sewers.	The wider development achieves an acceptable rate of surface water discharge by incorporating sustainable drainage systems, which were secured in the Hybrid permission. The proposed care home will therefore not exacerbate impacts on combined sewers that experience problems. Flooding and drainage matters are addressed in paragraph 7.10.3
<u>Utilities:</u> Concern that the existing sewer infrastructure needs to be upgraded to handle the significant increase in sewage flows generated by unprecedented housing developments, while preventing internal sewer flooding downstream.	Impacts on sewer infrastructure were considered during the Hybrid application, whereby Southern Water confirmed that foul sewerage disposal can be facilitated.

4.3. Faversham Town Council objected to the application on the following grounds: -

Comment	Report reference/ clarification
<u>Design:</u> <ul style="list-style-type: none"> • The proposed design of the scheme is generic and a crude heritage parody. • The roof is a very dominant feature which requires very high quality materials to work. • There is a lack of coherence to the design due to the array of features and add-ons in an attempt to hide the scale and massing. 	Design matters are discussed in sections 7.4 and 7.5
<u>Transport:</u> <ul style="list-style-type: none"> • Concern that there is insufficient EV charging points proposed. • Concern that the cycle storage for visitors is not secure or covered. • Concern that the proposal does not include any provision for parking of mobility scooters, large wheelchairs or adaptive cycles. 	Transport matters are discussed in section 7.7.
<u>Ecology:</u> <ul style="list-style-type: none"> • Request Biodiversity Net Gain to be secured on site. 	Biodiversity Net Gain is discussed at paragraphs 7.9.7 – 7.9.10

Second Round Responses

4.4. Two letters of representation were received in relation to the second consultation. The following additional concerns/ comments were raised in relation to the following matters:

Comment	Report reference
<u>Transport:</u> Concerns that the location of the access to the site will be too close to the railway bridge.	The access to the site is via the new junction from Love Lane, which was granted at the Hybrid application stage and remains unchanged. The location of this junction is further north, closer to Windermere, which is well away from the bridge.
<u>Ecology / Landscaping</u> Concern that the hedgerow fronting Love Lane has been partly removed.	The hedgerow fronting Love Lane is outside of the application site boundary and therefore is not a consideration in

<p>Clarification sought if the boundary fronting Love Lane is now proposed as open-plan wildflower meadow and spring bulbs.</p>	<p>this application for approval of reserved matters. However, the matter has been passed to the planning enforcement team to investigate.</p> <p>Officers can clarify that the area within the site boundary fronting Love Lane will include wildflower meadow and spring bulbs planting.</p>
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4.5. Faversham Town Council objected to the application on the following additional grounds:

Comment	Report reference / response
<p><u>Transport:</u></p> <ul style="list-style-type: none"> The proposed site plan still does not include any provision for parking of mobility aids (scooters, large wheelchairs etc..) or adaptive cycles. Therefore, the proposed layout should be amended to provide sufficient provision to support residents and visitors who may have limited mobility. Given the proposed use, it is anticipated that this would be secure and covered in a convenient location close to the entrance or within the complex. 	<p>Due to the nature of care intended (high dependency), the applicant advises that it is unlikely that residents would be leaving the facility unaccompanied and therefore extensive mobility scooter / wheelchair storage would not be required. However, each care group has been provided with a hoist store for wheelchairs, as indicated on the submitted floor plans.</p>
<p><u>Ecology:</u></p> <ul style="list-style-type: none"> Concerns of how the proposed development will deliver Biodiversity Net Gain at the levels shown in the Hybrid permission. 	<p>Biodiversity Net Gain is discussed at paragraph 7.9.7 – 7.9.10</p>
<p><u>Landscaping & Open Space:</u></p> <ul style="list-style-type: none"> Concern that the proposed 1.8m close boarded fence on the southern boundary will prevent natural surveillance. Concern that the location of the proposed courtyard space on the northern side of the building will be unpleasant for future occupants. 	<p>These matters are discussed at paragraphs 7.5.8 and 7.4.6 – 7 respectively.</p>

- 4.6. Following the receipt of a revised landscape plan and Biodiversity Statement, Faversham Town Council were reconsulted. The Town Council confirmed that they still object to the application for the reasons previously stated.

5. REPRESENTATIONS

SBC Urban Design: - No objection. While, initial concerns were raised regarding inconsistencies between drawings, sunlight access to the courtyard space, useability of other open space areas, and landscaping along the southern boundary.

Following receipt of revised details, the Urban Design officer advised that the applicant has set out the reasoning for the open spaces provided and set out alterations to the landscape proposals. To the east of the building trees have been rearranged to allow to accommodate additional bench seating so that this area of open space is usable for residents. Also, additional tree planting is proposed along the southern boundary of the site and between parking spaces on the southern edge. The suggested alterations would provide more functionality around the spaces and soften the southern edge of the site particularly in views from the south.

Mid Kent Environmental Health: - No objection. The plant compound is located on the southern boundary of the site. No details have been submitted regarding plant to be associated with the care home and no condition relating to noise has been imposed in the original Hybrid planning permission. However, the layout plan for the wider site shows business units to be located adjacent to the boundary and therefore noise is unlikely to be an issue.

KCC Ecology: - No objection, KCC are satisfied that no ecological surveys are required. Noted that the detailed plans demonstrate that there will be less open space within the site than suggested in the illustrative masterplan. The BNG assessment demonstrated that it was anticipated that the development will achieve a 10.06% net gain across the site. However, it is noted that there is no condition in the parent Hybrid permission that secures the BNG level from the outline stage, and due to the timing of these applications there is no statutory requirement to achieve 10% on site BNG as the statutory requirement for this only came into effect for applications submitted after 12 February 2024.

Due to the reduction in open space the revised BNG assessment has detailed that the proposal will now result in a BNG calculation of 9.94% for habitats. The anticipated BNG is just below the level indicated in the parent Hybrid application for habitat but we highlight that if managed as intended the proposal will benefit biodiversity and maintain connectivity through the site.

No information has been submitted confirming what ecological enhancements will be incorporated into the development site. KCC request that this detail is submitted prior to commencement in line with Condition 45 of the Hybrid permission.

Lower Medway Drainage Board: - No objections, the original surface water strategy was to collect water from land parcels and discharge into a series of swales, basins, attenuation tanks and deep bore soakaways. It is now proposed to utilise raingardens, permeable pavement, attenuation tank and catchpits.

It is noted that the use of raingardens as above ground features are easier to maintain and effectiveness improves over time. LPA to consult with any detailed matters raised in conditions relating to drainage.

KCC SUDs: - No objection to the determination of Reserved Matters however, would expect for further details to be provided as part of the detailed design of the wider residential development confirming that the 2 l/s from this site can be suitably accommodated within the wider site strategic network.

KCC Highways: - No objection, KCC are satisfied that the proposal will not present an increase in vehicle movements to that previously agreed. Vehicular access is shown to be acceptable. Parking is in line with the Council's standards and the layout is also acceptable. EV parking provision is in line with the standards also. Recommend the following are secured by condition or planning obligation:

- Construction management plan
- Parking
- EV changing facilities
- Visibility splays
- Cycle parking

KCC PROW: - No objection, public Footpath ZF28 passes through the centre of the overall proposed development of the wider site, to the north of this application site and west towards the centre of Faversham including the railway station. The proposed development will result in an increase in use of the footpath as an active travel route to other areas of Faversham and the wider countryside, as well as existing residents of the town accessing the facilities of care home, etc. proposed as part of this application.

Public Footpath ZF28 to the north is being addressed through application 23/500857/HYBRID to create a high quality, open, attractive, and safe to use route. As part of that application KCC PROW & Access requested developer contributions for wider network improvements which were secured by s106 when planning permission was granted.

KCC PROW & Access have suggested that developer contributions should be secured from this application.

Kent Police: - Noted that the applicant is applying secure by design guidance to the proposal.

Climate Change: - No objection, this application meets the needs of DM19 and DM21 of the SBC Local Plan and Parking SPD. The care home will be all electric with no use of gas. Solar PV and ASHPs will be used giving an extra 5% Emissions reduction over Building Regs and achieving BREEAM "very good". Water consumption will be in the range 75 - 95 lpppd, lower than the 110 in DM21. 4 live EV charge points will be installed for 27 parking places. The spaces without live points will be future proofed.

6. DEVELOPMENT PLAN POLICIES

6.1. **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 (the Local Plan):**

ST1 Delivering sustainable development in Swale

ST7 The Faversham Area and Kent Downs strategy

CP2 Promoting sustainable transport

CP3 Delivering a wide choice of high-quality homes

CP4 Requiring good design

CP5 Health and wellbeing

CP7 Conserving and enhancing the natural environment – providing for green infrastructure

DM6 Managing transport demand and impact

DM7 Vehicle parking

DM14 General development criteria

DM19 Sustainable design and construction

DM21 Water, flooding, and drainage

DM24 Landscape

DM28 Biodiversity and geological conservation

DM29 Woodlands and Trees

MU6 Land at Lady Dane Farm, east of Love Lane

Kent Minerals and Waste Local Plan 2013-30

Supplementary Planning Guidance/Documents:

- Parking Standards (2020)

Neighbourhood Plans:

Draft Faversham Neighbourhood Plan

- 6.2. The draft Faversham Neighbourhood Plan was submitted for Examination in November 2023 and the Council received the Examiner's report on 25th April 2024. The Examiner's report recommended that the Faversham Neighbourhood Plan 2023 - 2038 has been duly prepared in compliance with the procedural requirements and that the Plan, subject to a number of modifications, meets the Basic Conditions and should proceed to referendum.

- 6.3. Swale Borough Council has considered the contents of the Examiner's Report and have released a 'Decision Statement' under Regulation 18 setting out the actions to be taken in response to the recommendations of the Examiner. The Decision Statement confirms that the Faversham Neighbourhood Plan Review, with modifications, can proceed to referendum.
- 6.4. Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 6.5. Given the Examiner's most recent report and largely positive response, and the Decision Statement released by the Council, officers consider that considerable weight can be afforded to the draft Faversham Neighbourhood Plan subject to the list of Examiner's Recommended Modifications and Swale Borough Council Responses.
- 6.6. Relevant Policies
- FAV4:** Mobility and Sustainable Transport
FAV5: Critical Road Junctions
FAV6: Footpaths, Bridleways and Cycleways
FAV7: Natural Environment and Landscape
FAV8: Flooding and Surface Water
FAV9: Air Quality
FAV10: Sustainable Design and Character

7. ASSESSMENT

- 7.1. This application is reported to the Committee because the Faversham Town Council has objected to the proposal. Considering these comments, the committee is recommended to carefully consider the following points:
- Design
 - Landscaping
 - Car Parking
 - Ecology
- 7.2. The main considerations involved in the assessment of the application are the Reserved Matters of access, appearance, landscaping, layout and scale which are considered under the following sections:
- Landscape and Visual

- Character and Appearance
- Living Conditions
- Transport and highways

This report also reviews the following matters which were substantively addressed at Hybrid stage:

- The Principle of Development (including Loss of Agricultural Land)
- Open Space, Sports and Recreation Provision
- Ecology / Biodiversity
- Flood Risk, Drainage and Surface Water
- Minerals
- Affordable Housing
- Sustainability / Energy
- Contamination
- Air Quality
- Archaeology
- Community Infrastructure

7.3. Principle

7.3.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3.2. The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.3.3. The principle of the development including the loss of agricultural land and the provision of a care home on the application site has been established by the grant of Hybrid planning permission under application reference 23/500857/HYBRID. The care home was included within the part of the development granted Hybrid planning permission. The Planning Committee considered that the Hybrid stage proposal was acceptable subject to conditions and the submission of satisfactory details of Reserved Matters.

7.4. Landscape and Visual

7.4.1. The NPPF requires decisions to ensure that development is '*sympathetic to... landscape setting*'. The application site is part of the wider site allocation MU6, (Land at Lady Dane Farm) and as such the landscape and visual impacts have been considered at both the local plan and outline stage.

- 7.4.2. The land within the boundary and surrounding it was previously used as farmland but is currently vacant awaiting redevelopment. The western boundary of the application site adjoins an existing residential area of Faversham. The site does not contain any significant trees, however there is a line of trees in front of the site running along Love Lane. The land gently slopes downward towards the north-east of the site. To the south is a railway line, which is sunken into the ground and screened by trees.
- 7.4.3. The Hybrid application was supported by a Landscape Visual Impact Assessment, which set out the following principles relevant to this specific part of the site:
- Ensure development is located away from root protection areas, with the taller and larger massing adjacent to Love Lane and the railway corridor rather than at the eastern edge of the site
 - Reinforce existing boundary vegetation with new planting to aid in softening views of the proposed development from close range locations; and
 - Implement new planting across the site to increase the vegetation cover and opportunities for biodiversity, along with reinforcing the existing vegetation patterns across the site where practicable.
- 7.4.4. The proposal aligns with the established principles set out in the Hybrid application and sets the building back from the retained trees alongside Love Lane. The Committee Report for the Hybrid application did not raise any issues in regard to impacts on trees subject to a landscaping details condition, which remains a requirement for approval prior to construction above damp course of any relevant phase.
- 7.4.5. The proposed landscaping approach focusses upon the provision of a central courtyard space that involves a series of raised planted beds and sensory planting, bench seating and other features that increase visual interest. Areas of soft landscape including shrub planting and hedging are arranged around the building to soften the building facades and to also allow for smaller areas of private amenity for the ground floor bedrooms. The wider site includes a wildflower meadow to the northern side of the access into the site and along the western boundary between the building and Love Lane. The boundary treatment around the rest of the site comprises hedgerow and non-thorny native planting.
- 7.4.6. The proposed landscape design was revised during the application to address comments made by the Council's Urban Design officer. This included rearranging the trees to the east of the building to accommodate additional bench seating so that this area of open space is more usable for residents. Also, additional tree planting is proposed along the southern boundary of the site and between parking spaces on the southern edge. These alterations

provide more functionality around the spaces and soften the southern edge of the site particularly in views from the south.

- 7.4.7. The applicant also provided further justification for the layout and location of the central courtyard, citing that the care home operator prefers this layout to avoid risks to residents of skin burn and overheating within this space, which is based on their experience with other care homes around the country. The revised layout also provides more usability of the other open space areas on site for residents to gain sunlight access. The Urban Design officer advises that this is an acceptable approach and is satisfied that the initial concerns raised have been addressed in this regard.
- 7.4.8. It is considered that the proposals would protect the landscape character of the area, and the proposed soft landscaping will serve to soften the impact and improve the setting of the development. Officers consider the proposal accords with the requirements of policies ST7, CP4, CP7, DM24 and DM29 of the Local Plan, policy FAV7 of the draft Faversham Neighbourhood Plan and relevant provisions of the NPPF, in so far as they have regard to matters of landscape visual impact.

7.5. Character and appearance

- 7.5.1. The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.5.2. The site gains access on its eastern boundary via a new road off Love Lane, which was approved as part of the detailed element of the Hybrid application. The proposed layout of the building also largely reflects that illustrated in the Hybrid permission, being a 'H' shape building. However, the car park has been relocated from the eastern boundary by the main access point to the southern boundary to better facilitate access to the main building entrance, which is centrally located along the southern façade.
- 7.5.3. The Committee report for the Hybrid permission notes that a character study was undertaken in the design of the proposal. This identified several key characteristics of the area, including the use of facing buff and red brickwork, brick banding and arches and weatherboarding. It also identified an emphasis on well-proportioned wide fronted dwellings, a variety of roof forms with low eaves, secondary gables, hipped roofs, and dormer windows. Typical building scales range from 1 to 3 storeys.
- 7.5.4. The Design and Access Statement (DAS) submitted with this application explores the local architecture further to get a sense of the style and understand how the care home design could appear within the local vernacular. This explored the characteristics of red brick buildings with complements of white timber, along with statement chimneys and interesting brick details as a nod to the historic brewery buildings within Faversham.

- 7.5.5. The proposed design incorporates features identified in the character studies, including the use of large, hipped roof forms with gable ends and expressive gable features along elevations that highlight building entrances and day spaces. The proposal establishes a mass which correlates to the floor plans and sits comfortably within the site and surrounding context.
- 7.5.6. The predominant material used is red multi brick with a secondary material of white timber style horizontal cladding, which is used on the main entrance gable and the two gables of the day spaces with terraces. This helps to break up the elevation visually and improve legibility. The detailing of the red multi brick reflects the architecture of old breweries within Faversham, with the horizontal bands of soldier coursing along the elevations to accentuate horizontality and define floor levels. Arched brick details above the windows add subtle elements of visual interest.
- 7.5.7. Condition 15 of the Hybrid permission secures details of external finishing materials, as such no additional conditions are required.
- 7.5.8. Faversham Town Council raised a concern of the close boarded fence along the southern boundary of the site restricting surveillance. However, the car park on site will be overlooked by the windows of the proposed building and the neighbouring site has outline permission for business enterprise as part of the Hybrid permission.
- 7.5.9. The proposed development is considered to be well designed and contains materials and features that reflect the character of the area. The proposal will make a positive contribution to the appearance of the wider development site and is an appropriate response to the site's context, which would ensure that the development integrates well with its surroundings. Accordingly, it is considered that the proposal will enrich the character of the area in accordance with Policies ST7, CP4, and DM14 of the Local Plan, Policy FAV10 of the draft Faversham Neighbourhood Plan and the NPPF, in so far as they have regard to matters of layout, design and character.

7.6. Living Conditions

Existing residents

- 7.6.1. The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.
- 7.6.2. The layout of the proposed scheme is broadly comparable to the indicative layout approved at Hybrid stage which was considered to provide sufficient separation to existing neighbouring properties to ensure no unduly harmful impacts upon the amenities of the occupants of these dwellings. Accordingly, it is considered that the proposed development will not give rise to unduly

harmful impacts in terms of overlooking / loss of privacy and the visual impact of the development when viewed from neighbouring dwellings.

- 7.6.3. The Environmental Health officer notes that there is a plant compound proposed adjoining the southern boundary. However, the layout plan for the wider site shows there to be business units located adjacent to the boundary and therefore noise is unlikely to be an issue. Furthermore, noise and disturbance was not identified as a concern at Hybrid stage and the in view of the nature of the proposal it should not give rise to undue noise and disturbance.

Future residents

- 7.6.4. New development is expected to offer future occupiers a sufficient standard of accommodation.
- 7.6.5. The floor plans indicate that the proposed care home would provide functional layouts with adequate space for furnishings within each unit. The proposal also includes a generous provision of internal communal amenity space on each floor, which are also well laid out. All habitable spaces are also provided with pleasant outlook into the gardens and outdoor communal areas. In this regard the proposal is considered to provide a good standard of accommodation for future occupiers.
- 7.6.6. The layout of the development is also considered to provide sufficient external amenity space to serve future occupants. The proposed open space was revised during the application in response to comments from the Urban Design officer regarding the location of the central courtyard on the northern side of the building. The applicant provided justification for this as set out above. The revised layout also provides more usability of the other open space areas on site for residents to gain sunlight access. The Urban Design officer advises that this is an acceptable approach and raises no further objection in this regard.
- 7.6.7. Refuse storage would be accommodated out of sight within a dedicated bin store adjoining the proposed servicing bay, which will facilitate direct access for collection by servicing vehicles.
- 7.6.8. The proposal would deliver a development which is acceptable in terms of the living conditions of both future occupiers and the occupiers of existing nearby residential properties. The proposal is therefore considered to be in accordance with Policy DM14 of the Local Plan, Policy FAV10 of the draft Faversham Neighbourhood Plan and the NPPF.

7.7. Transport and Highways

- 7.7.1. The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

- 7.7.2. The NPPF also states that:
“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 7.7.3. Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm.
- 7.7.4. A detailed Transport Assessment was submitted with the Hybrid application to which the trip generation and development impact of the care home were assessed and demonstrated to be appropriate. The care home has been reduced from 80 bedrooms outlined in the Hybrid application to 67 bedrooms. Given the network assessments were based on a care home larger than that presented in this Reserved Matters application, the proposals will not present an increase in vehicle movements to that previously agreed.
- 7.7.5. Access will be achieved via the southern access point from Love Lane, which has been approved in detail as part of the Hybrid planning permission and will be provided in accordance with that permission. Vehicular access to the care home will be achieved via a standard priority junction with the development spine road and it has been demonstrated how visibility splays of 2.4 metres by 43 metres can be provided within land owned by the applicant.
- 7.7.6. A 3.0m wide shared footway / cycleway will be implemented on the southern side of the spine road from the southern access and will link into a 1.2m wide footway to continue to the care home entrance.
- 7.7.7. The applicant has provided swept path drawings demonstrating how the care home will be serviced based on an 11.4m waste freighter and fire tender. The drawings provided show sufficient turning space within the car park to enable service vehicles to turn to egress in a forward gear and a dedicated refuse store is shown to be located on the southern edge of the site, which meets the requirements for refuse drag distancing.
- 7.7.8. A total of 27 parking spaces are to be provided which is in accordance with the Swale Borough Council parking standards. 15 spaces are to be provided for staff at a ratio of 1 per 2 staff, with the remainder of the spaces available for residents and visitors. It is appreciated that the facility will employ a total of 60 full time staff however only 30 members of staff will be on the premises at any one time taking into account shifts. The layout of the car park is in accordance with the parking standards and there are three mobility impaired

parking bays located near to the entrance alongside an emergency vehicle bay.

- 7.7.9. The proposal provides 4 active EV charging points with all remaining bays provided with passive charging infrastructure to enable future provision as demand increases. This accords with SBC's parking standards.
- 7.7.10. In response to comments from the Town Council, the capacity of the covered cycle store was increased from 8no. cycles in the original proposal to 12no. to allow for an increased capacity of bike storage for use by staff and visitors. The cycle stands for guests that were originally located adjacent to the entrance of the building have subsequently been removed so that all cycle parking is safe and secure.
- 7.7.11. The KCC Highways officer advises that no objections are raised in regard to the proposal subject to securing conditions for details to be submitted of a Construction Management Plan (CMP), vehicle parking, electric vehicle charging points, visibility splays and cycle parking provision. However, Conditions 18 (CMP), 22 (Parking), 24 (Highways works including visibility splays) and 23 (Cycle Parking) of the parent Hybrid consent already secure these matters. As such, the recommended conditions have not been included except for the electric vehicle charging points conditions, which has been included accordingly (Condition 2).
- 7.7.12. The proposed Reserved Matters are considered acceptable in highways terms and are therefore in accordance with the provisions of policies DM 6 and DM 7 of the Local Plan, policies FAV4, FAV5 and FAV6 of the draft Faversham Neighbourhood Plan and the NPPF.

7.8. Open Space

- 7.8.1. Policy DM17 of the Local Plan sets out that new housing development shall make provision for appropriate outdoor recreation and play space, including urban parks, children's play areas, open space for sport, allotments or community gardens proportionate to the likely number of people who will live there. This space should be fully accessible all year round and therefore is generally not appropriate for Sustainable Urban Drainage Systems such as stormwater ditches.
- 7.8.2. The development that was granted Hybrid planning permission (ref: 23/500857/HYBRID) met the threshold for triggering the provision of open space, primarily due to the number of residential dwellings proposed. In the committee report relating to the Hybrid application, officers acknowledged that the development formed part of the MU6 allocation set out in the Local Plan and that cumulatively the development of the MU6 site would provide a total of 438 dwellings. Officers identified that on this basis, the public open space

provision across the MU6 site totalled 6ha and that this broadly complied with the Local Plan requirements.

- 7.8.3. The level of open space provided for this site is appropriate for the particular use for a care home. Accordingly, the proposal is considered acceptable in relation to open space and therefore in compliance with Policy DM17 of the Local Plan and the NPPF.

7.9. Ecology

- 7.9.1. The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by Policies CP7 and DM28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.
- 7.9.2. An Appropriate Assessment was carried out at Hybrid stage and adopted by the Council as the Competent Authority, which concluded that the proposed development will not adversely affect the integrity of the Swale Special Protection Area and Ramsar site subject to securing appropriate mitigation through a SAMMS payment. Accordingly, a payment of £48,363.37 (index linked) was secured through the Section 106 agreement attached to the Hybrid planning permission.
- 7.9.3. Under the Natural Environment and Rural Communities Act (2006), the authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions for the purpose of conserving biodiversity. Furthermore, the National Planning Policy Framework states that 'the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible'. The National Planning Policy Framework states that 'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for then planning permission should be refused.'
- 7.9.4. National planning policy aims to conserve and enhance biodiversity, and encourages opportunities to incorporate biodiversity in and around developments. Under the Natural Environment and Rural Communities Act (2006), "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of these function, to the purpose of conserving biodiversity".

- 7.9.5. In terms of the Local Plan Policy DM28 sets out that development proposals will conserve, enhance, and extend biodiversity, provide for net gains where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.9.6. The Hybrid application was accompanied by an Ecological Assessment, which was reviewed by the KCC Ecology team who raised no objections to the proposal subject to conditions to secure ecological mitigation and enhancement measures, mitigation of impacts from lighting, and a habitat creation, management and monitoring plan. These conditions were secured accordingly (Conditions 45, 46 and 47). Condition 45 in particular requires details of ecological mitigation and enhancement, which will identify measures to prevent nesting birds from potential harm.
- 7.9.7. KCC Ecology have reviewed this application and initially raised concern that there could be less open space within the site than indicated in the illustrative masterplan approved in the Hybrid application and that consequentially the Biodiversity Net Gain (BNG) level could be lower. The BNG assessment approved in the Hybrid application demonstrated that the development could achieve an anticipated 10.06% net gain across the wider site. However, this was based on the outline level of detail for the care home part of the site. Officers note that the main difference of the approved layout to the proposed layout is that the location of the car park is located on the southern side of the site as opposed to the eastern side.
- 7.9.8. In response to the concerns raised by KCC Ecology and Faversham Town Council, the applicant provided a revised Landscape Plan and Biodiversity Report. The more detailed design for the care home resulted in a lower BNG, which the applicant advised was initially calculated at approximately 9.7%. However, following officer's encouragement to improve on that, the applicant then revised the landscaping to bring the BNG up to 9.94%, which is only marginally lower than that for the outline stage.
- 7.9.9. It is important to note that due to the timings of these applications there is no statutory requirement to achieve 10% on site BNG as the statutory requirement for this only came into effect for applications submitted after 12 February 2024. Furthermore, there is no condition in the Hybrid permission that secures the BNG level from the outline stage. KCC Ecology have reviewed the revised documents and note that the anticipated BNG is just under 10%, however they highlight that if managed as intended the proposal

will benefit biodiversity and maintain connectivity through the site. As such, officers consider that the proposal provides an acceptable amount of on-site BNG that will positively contribute to wider development site in accordance with the relevant policies.

- 7.9.10. KCC Ecology also advise the BNG assessment has detailed that the grassland within the care home will be managed as Tussocky Grassland but the landscaping plan details that the grassland will be managed as a wildflower meadow with mown paths through it. The contradiction has been considered in terms of whether it will impact the BNG assessment and it is concluded that it would not significantly affect the conclusion of the BNG assessment.
- 7.9.11. KCC Ecology have suggested that there is a risk that residents may not utilise the mown paths due to the nature of the care home use and the paths may be changed to hard standing in the future. However, the landscaping design (including the mown grass paths) will be secured by this application and is further secured in greater detail by Conditions 31, 45 and 46 of the Hybrid permission. As such, any future changes to the Landscaping design would require permission from the Local Planning Authority.
- 7.9.12. KCC Ecology further advise that, where possible, they would encourage the location of the mown path to be slightly moved each year to enable the majority of grasses within the meadow areas to grow and set seed at least once each 2-3 years as this will benefit the diversity of the grassland. Although, they understand that there are limits as to how much the path can be moved due to the intention to include seats in the grassland area. KCC Ecology advise that that this matter can be addressed within the habitat creation, management and monitoring plan required as part of condition 46 of 23/500857/HYBRID. Officers agree with this approach.
- 7.9.13. KCC Ecology also note that no information has been submitted regarding the ecological enhancements to be incorporated into the development site, however, acknowledge that this detail is required to be submitted prior to commencement in line with Condition 45 of the Hybrid permission.
- 7.9.14. Having regard to the Hybrid permission it is considered that the proposed development is acceptable in terms of ecology and biodiversity in accordance with Local Plan Policies CP7 and DM28 of the Local Plan, Policy FAV7 of the draft Faversham Neighbourhood Plan and the NPPF.

7.10. Flood Risk, Drainage and Surface Water

- 7.10.1. The NPPF states that local planning authorities should ensure that flood risk is not increased elsewhere and that any residual risk can be safely managed. This is reflected in Policy DM21 of the Local Plan.
- 7.10.2. The Hybrid stage proposal was considered acceptable in terms of flood risk, drainage and surface water subject to conditions 34, 35, 36 and 37, which secured details of a surface water drainage scheme and its implementation. A Drainage Strategy has also been provided in support of this application for Reserved Matters regarding the proposed care home.
- 7.10.3. KCC Flood and Water Management as Lead Local Flood Authority (LLFA) have raised no objections to the Reserved Matters application, noting that surface water will be discharged at up to 2 l/s into the wider site strategic network, where it will subsequently infiltrate downstream within this network. Permeable paving, rain gardens and a geocellular tank will provide attenuation and source control pollution mitigation within this site. The LLFA also set out their expectation for the same standard from the wider residential development, which will be secured through the relevant phases as they come forward.
- 7.10.4. The Lower Medway Internal Drainage Board advise that the development does not impact on the Board's interests, and as such has no comment to make in respect of access, appearance, landscaping, layout and scale. They note that there is a change in how surface water is to be drained off site, resulting in a downwards shift in the drainage hierarchy. However, the LLFA have not raised concerns with regard to this matter.
- 7.10.5. In view of the above the proposals are considered acceptable in terms of flood risk, drainage and surface water. It is therefore considered that the proposals are in accordance with Policy DM21 of the Local Plan, Policy FAV8 of the draft Faversham Neighbourhood Plan and the NPPF.

7.11. Minerals

- 7.11.1. The site contains safeguarded deposits of brickearth as identified in the Kent Minerals and Waste Local Plan. A Minerals Safeguarding Assessment was provided as part of the Hybrid application, which concludes that prior extraction of the resource would not be viable or practical when factoring in the required buffer zones.
- 7.11.2. The committee report for the Hybrid application notes that KCC Minerals and Waste were consulted on the application and found no objection to the proposal. KCC Minerals and Waste also advised that they have no objections to this application for approval of Reserved Matters. The proposal would

therefore not compromise safeguarded minerals in accordance with Policy DM8 of the Kent Minerals and Waste Local Plan 2013-30.

7.12. Affordable Housing

- 7.12.1. The NPPF sets out the requirement for setting appropriate affordable housing levels for new development based on up-to-date evidence.
- 7.12.2. The Section 106 agreement relating to the Hybrid permission secured 35% affordable housing, which would equate to 54 units. This application for approval of Reserved Matters only regards the proposed care home and therefore does not affect the provision of affordable housing secured in the Hybrid permission. As such, the delivery of affordable housing remains in accordance with Local Plan Policy DM8 and the NPPF.

7.13. Sustainability / Energy

- 7.13.1. Policy DM19 of the Local Plan requires development proposals to include measures to address climate change.
- 7.13.2. Details of energy efficiency measures were only provided for the detailed part of the application during the Hybrid application. For the approval of Reserved Matters for the proposed care home a Sustainability Statement and Energy Statement have been provided.
- 7.13.3. The details indicate that the proposed care home will be all electric with no use of gas. Solar PV and air source heat pumps (ASHPs) will be used giving an extra 5% emissions reduction over Building Regulations and achieving BREEAM "very good". Water consumption will be in the range 75 - 95 lpppd, lower than the 110 set out in Policy DM21 of the Local Plan. The proposal also provides four electric vehicle (EV) charge points with the remaining spaces provided with passive provision to allow for future EV charging points to be installed. The Council's Climate Change officer has reviewed the proposal and advises that it is acceptable.
- 7.13.4. Condition 9 of the Hybrid permission requires the submission of details of sustainable construction techniques including water conservation and recycling, renewable energy production and energy efficiency for each phase of the development. The Council will therefore be able to secure a scheme which meets Local Plan requirements in terms of delivering sustainable development and addressing climate change. The proposal is therefore considered to be in accordance with Policies DM19 and DM21 of the Local Plan, the Parking SPD and the NPPF.

7.14. Contamination

- 7.14.1. The NPPF states that local planning authorities should ensure that the site is suitable for its new use taking account of various matters, including pollution arising from previous uses.
- 7.14.2. The Hybrid stage proposal was considered acceptable in relation to contamination as there was no obvious contamination issue related to the site other than in connection with the agricultural use. Pre-commencement conditions were considered sufficient to ensure that development would provide safe habitable residential accommodation. These conditions were included accordingly in the Hybrid permission (Conditions 38, 39, 40, 41 and 42).
- 7.14.3. Accordingly, the proposals are considered acceptable in relation to contamination and are therefore in accordance with the NPPF.

7.15. Air Quality

- 7.15.1. The importance of improving air quality in areas of the borough has become increasingly apparent over recent years. Legislation has been introduced at a European level and a national level in the past decade with the aim of protecting human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollution.
- 7.15.2. The NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing new/existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, inter alia, unacceptable levels of air pollution. It also requires the effects of air pollution and the potential sensitivity of the area to its effects to be taken into account in planning decisions.
- 7.15.3. The Planning Practice Guidance on Air Quality states *“whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation...”*
- 7.15.4. The Local Plan at Policy DM6 sets out that development proposals will integrate air quality management and environmental quality into the location and design of, and access to development and in so doing, demonstrate that proposals do not worsen air quality to an unacceptable degree.
- 7.15.5. The committee report for the Hybrid application identified mitigation measures that would be provided through the travel plan by reducing private vehicle trips

and encouraging use of electric vehicles. The application also secured £262,746 of contributions in the s106 legal agreement to be spent on public transport subsidies. A condition was also included in the decision notice to control adverse air quality emissions during the construction phase.

- 7.15.6. This application is supported by a Travel Plan, which sets out more specific mitigation measures for the proposed care home by encouraging use of electric vehicles, reducing the number of private vehicle trips and encouraging cycling, particularly for staff given the nature of the use. The proposed care home's energy strategy also utilises a system of air source heat pumps and PV solar panels, which will not produce adverse emissions.
- 7.15.7. In view of the measures secured in the Hybrid permission and proposed measures set out above for the proposed care home, it is considered that the proposed development is acceptable in relation to air quality and is therefore in accordance with Policy DM6 of the Local Plan, Policy FAV9 of the draft Faversham Neighbourhood Plan and the NPPF.

7.16. Community Infrastructure

- 7.16.1. The National Planning Policy Framework attaches importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities. This is reflected in Policies CP5 and CP6 of the Local Plan, which set out that provision shall be made to accommodate local community services, social care and health facilities within new developments.
- 7.16.2. Relevant and necessary contributions were secured through the s106 agreement as part of the Hybrid planning permission.
- 7.16.3. The KCC PROW officer has requested a contribution towards off-site improvements to the PROW that crosses through the site under this Reserved Matters application. However, a contribution of £10,000 has already been secured under the Hybrid planning permission for improvements to the PROW in the vicinity of the development including signage, surfacing and access improvements. A such, another contribution is not necessary.

Deed of Variation

- 7.16.4. Clause 3.2.4 of the S106 provides that “*each and every part of the Land*” (which includes the Care Home Site by definition) is bound by all of the obligations and covenants in the s.106. The legal implication of this is that once the Applicant (Aspire) acquires the Care Home Site, they will become (jointly and severally with Fernham Homes/the owner of the remainder of the development site) liable for all of the obligations in the s.106, including the financial contributions.

7.16.5. Accordingly, Aspire propose a variation of the s.106, the purpose of which is to:

- (i) Distinguish the Care Home Site from the wider development site; and
- (ii) Exclude the Care Home Site from all liability under the s.106 except with respect to the specified notification obligations (relating to relevant commencement and occupation thresholds).

7.16.6. The combined effect of the above variations will be to ‘unbind’ the Care Home Site from the S106 obligations that are not relevant to the care home. Officers agree with the proposed variations, with the exception of the following obligations:

- a) Air Quality Contribution – Officers consider that a relative proportion should remain liable to the care home in line with its vehicle trip generation.
- b) Public Rights of Way – This contribution benefits the whole development under the Hybrid permission and therefore a relative proportion should remain liable to the care home.

7.16.7. The applicant has agreed to a proportioned contribution towards these obligations as follows:

- Air Quality Contribution – total trips identified in the approved Transport Statement for the Hybrid application was 2,780 (table 5-9) and for the care home it was 174 (table 5-7). The care home is therefore responsible for 6.3% of the total trips. Applying this to the total contribution of £262,746 gives a proportionate contribution of £16,553.00.
- PRoW – Given the Hybrid permission is for 180 dwellings, and applying average household occupancy figures of 2.4 persons per dwelling giving 432 residents in the dwellings, the total number of occupants on this site is 512. The care home represents 15.6% of these, and so applying this ratio to the contribution requested of £10,000 gives a proportionate contribution for the care home of £1,560.00.

7.16.8. KCC Highways and the Environmental Health officer have confirmed that the trip numbers and AQ contribution are agreed. The PROW officer has confirmed that the proportioned PROW contribution is agreed. A Deed of Variation is being drafted to reflect the above modifications to the s106 agreement.

7.16.9. In view of the above it is considered that the proposed development is acceptable in terms of mitigating the impacts of the additional population on community infrastructure. Accordingly, the proposal is considered to accord with Policies CP5 and CP6 of the Local Plan and the NPPF.

7.17. Conclusion

- 7.17.1. The details of Reserved Matters for the proposed care home are considered to align with the development parameters established by the Hybrid planning permission. Furthermore, the Reserved Matters planning application is in accordance with national and local planning guidance in respect of matters associated with access, layout, scale, landscaping and appearance.
- 7.17.2. As such the proposals are considered acceptable and compliant with NPPF guidance and Local Plan policies. In view of the above it is recommended for that the Reserved Matters application be approved.

RECOMMENDATION – Approval of Reserved Matters subject to the completion of a Deed of Variation to the Section 106 agreement as set out in the report, and the following conditions:

CONDITIONS:

1. The development hereby permitted shall be carried out and maintained in accordance with the following approved plans and documents:
 - Site Location Plan ref: 0101 P4
 - Block Plan ref: 0103 P4
 - Proposed Site Plan ref: 0102 P12
 - Proposed Site Plan Levels ref: 0104 P4
 - Existing Site Plan Levels ref: 0105 P3
 - Proposed Ground Floor Plan ref: 0201 P5
 - Proposed First Floor Plan ref: 0211 P5
 - Proposed Second Floor Plan ref: 0221 P5
 - Proposed Roof Plan ref: 2701 P3
 - Proposed South and West Site Elevations ref: 0301 P6
 - Proposed North and East Site Elevations ref: 0302 P6
 - Proposed South and West Elevations ref: 0303 P8
 - Proposed North and East Elevations ref: 0304 P6
 - Proposed Courtyard Elevations ref: 0305 P6
 - Sub-station ref: 9001 P1
 - External Ancillaries ref: 9002 P2
 - Landscape Proposals ref: 1030-L-01 Rev D
 - Planning Statement RD/DL/31836 (September 2023) DHA Planning
 - Design & Access Statement 3591 P6 (November 2023) Harris Irwin Architects
 - Transport Technical Note PL/TV/31819 (October 2023) DHA Transport
 - Travel Plan PL/TV/31819 (September 2023) DHA Transport
 - Drainage Strategy 5793 DS P03 (October 2023) Considine
 - Energy Statement 2348 – CB (October 2023)
 - Sustainability Statement 2349 – AO (October 2023) Harniss Consultants
 - Cover Letter dated 29/01/2024

Reason: For the avoidance of doubt.

2. Prior to the occupation of the development hereby approved, full details of the electric vehicle charging shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented before the development is first occupied. All Electric Vehicle chargers must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:
<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

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

