

APPENDIX A

Report to Planning Committee 10 October 2024

REFERENCE NO 22/502086/OUT		
PROPOSAL Outline application for a residential development of up to 650 units inclusive of a new community hub, landscaping measures and green infrastructure, with all matters reserved except for access.		
SITE LOCATION Land to the east of Scocles Road, Minster on Sea, Kent		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions and the completion of a 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 Major (Outline)		
REASON FOR REFERRAL TO COMMITTEE Call-in by Councillors Harrison and Jayes and objections from Minster Parish Council and Eastchurch Parish Council		
Case Officer Simon Greenwood		
WARD Sheppey Central	PARISH COUNCIL Minster-on-Sea	APPLICANT MLN (Land and Properties) Ltd AGENT Broadgrove Planning and Development
DATE REGISTERED 6 th May 2022	TARGET DATE 15 th October 2024	
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - SCP/220758/D10 Rev. E Potential Traffic Improvements at A249/A500 Roundabout SCP/220758/D09 Rev. D Potential Segregated Northbound Lane at A249/A500 Roundabout SCP/220758/D08 Rev. E Potential Segregated Southbound Lane at A249/A2500 Roundabout SCP/220758/D11 Assessment of Land Ownership Impact 03/001 Proposed Access Strategy Access Road onto Scocles Road 35m ICD Roundabout 03/002 Proposed Access Strategy Main Access onto A2500 40m ICD Roundabout 03/003 Rev. B Proposed Access Strategy Potential A249/A2500 Roundabout Improvement Option		

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Transport Assessment ref. MA /VL/P21-2283/03 (April 2022)
Transport Assessment Addendum ref. SCP/220758/TAA/00 (June 2023)
Transport Assessment Addendum ref. SCP/220758/TAA/01 (December 2023)
Transport Assessment Addendum ref. SCP/220758/TAA/03 (April 2024)
Habitat Suitability Assessment ref. NGR: TQ 95268 71950 (August 2022)
Landscape and Visual Impact Assessment ref. 7839LVIA (April 2022)
Landscape and Visual Impact Assessment Addendum ref. 7839LVIA (July 2022)
Design and Access Statement (April 2022)
Landscape Strategy Plan 7839/ASP3
Planning Statement (April 2022)
Tree Survey and Preliminary Arboricultural Impact Assessment ref. 1597 (21 April 2022)
Parameters Plan BG/SRM/PP/01
Phase 1 Geo-Environmental Risk Assessment ref. AG3392-22-AO18 (March 2022)
Acoustic Assessment ref. MT/VL/P21-2283 /01 (April 2022)
Historic Environment Desk Based Assessment ref. 3381/01 (March 2022)
Preliminary Ecological Appraisal ref. 1596 (20 April 2022)
Air Quality Assessment ref. NP/VL/P21-2283/02 (April 2022)
Flood Risk Assessment and Outline Drainage Strategy ref. PGC199.

All drawings submitted

All representations received

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

<https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RAWI21TYFRC00>

SITE LOCATION AND DESCRIPTION

- 1.1. The approx. 31.06ha site presently comprises undeveloped greenfield land in agricultural use with a thin tree line and hedgerow around the site. The land undulates from northwest to southeast, dipping from c. 20m to c. 9m at its highest and lowest points.
- 1.2. The site fronts Elm Lane to the north; agricultural fields to the east; Lower Road to the south; and Scocles Road to the west. The main settlement of Minster is located to the north and west, whilst the site is mainly surrounded by open countryside/agricultural land and sporadic development to the south and east.

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- 1.3. The housing to the west of Scocles Road forms part of the Thistle Hill development which has been built out over recent years and is allocated under Local Plan Policy A 7. Residential development is currently taking place within the area to the north at the junction of Scocles Road and Elm Lane which is allocated under Local Plan Policy A 21.3.
- 1.4. There is a primary school, small supermarket, community centre, doctor's surgery and pharmacy and a community hospital within the Thistle Hill development to the west and within a reasonable walking distance of the site. Sheerness town centre which provides a broader range of shops, amenities and services is approx. 6.25km to the north-west.
- 1.5. No public footpaths, bridleways or rights of way cross the site. Public Rights of Way (PRoW) ZS9 and ZS10 provide routes from the western boundary of the site through the Thistle Hill development. PRoW ZS6 provides an approx. 400m northbound route from the northern boundary of the site which links to Scocles Road. PRoW ZS7 provides a route through agricultural land parallel to the eastern boundary of the site. The site is visible from PRoWs ZS5 and ZS8 which are located further to the east and north-east of the site.
- 1.6. The Grade II listed Scocles Court is located to the west of the site on the opposite side of Scocles Road.
- 1.7. The site is classified as Grade 3 (good to moderate) agricultural land on Natural England's Agricultural Land Classification Map.
- 1.8. The site falls entirely within Flood Zone 1 where a low probability of flooding from rivers and the sea is anticipated.
- 1.9. The site is not subject to a landscape designation nor is it located in an Important Local Countryside Gap.

PLANNING HISTORY

- 2.1. There is no relevant planning history relating to the application site.

EIA Screening Opinion

- 2.2. An Environmental Impact Assessment (EIA) Screening Opinion for this planning application was provided in December 2023 under application ref. 22/502296/ENVSCR. The screening opinion advised that an EIA is not required for the proposed development. The proposal constitutes Schedule 2 development under Regulation 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The development would comprise 'urban development' and be located on a site of more than 1 hectare in size. Due to the scale and nature of the proposed development it is unlikely to give rise to significant environmental effects that would require an EIA. Impacts of the development can be satisfactorily addressed

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through the technical reports submitted in the formal planning application ref. 22/502086/OUT. The proposal is not therefore considered to represent EIA development.

Nearby Sites

- 2.3. An application for outline planning permission was refused and dismissed at appeal in October 2022 for residential development for up to 100 dwellings at land west of Elm Lane, Minster on Sea (LPA ref. 20/504408/OUT; PINS ref. APP/V2255/W/22/3298959). The inspector applied the 'tilted balance' in accordance with paragraph 11 d) of the NPPF but identified significant harm to the character and appearance of the area which was not outweighed by the benefits of the scheme, including the delivery of new housing.
- 2.4. Outline planning permission was granted at appeal in January 2024 for residential development for up to 44 dwellings at land north of Elm Lane, Minster on Sea (LPA ref. 21/503124/OUT; PINS ref. APP/V2255/W/22/3308462). The inspector applied the 'tilted balance' in accordance with paragraph 11 d) and determined that the benefits of the scheme, including the delivery of new housing, outweighed the limited harm arising from conflict with the development plan which included slight harm to the character and appearance of the area.
- 2.5. Up to 700 dwellings and supporting infrastructure were granted outline planning permission at appeal in March 2020 at land west of Barton Hill Drive, Minster on Sea (LPA ref. 18/503135/OUT; PINS ref. APP/V2255/W/19/3238171).
- 2.6. 62 dwellings and supporting infrastructure were granted outline planning permission in August 2018 at the Slips, Scocles Road, Minster on Sea (LPA ref. 16/508117/OUT).
- 2.7. Up to 97 dwellings and supporting infrastructure were granted outline planning permission in April 2018 at land north of Plover Road, Minster on Sea (LPA ref. 15/507059/OUT).
- 2.8. Up to 431 dwellings and supporting infrastructure were granted outline planning permission in October 2017 at land at Harps Farm Parcels D, E, F and G, Minster on Sea (LPA ref. SW/13/1455).
- 2.9. Reserved matters have subsequently been approved in relation to the above outline planning consents.

Background - SHLAA call for sites and Local Plan process a

- 3.1. The application site was promoted through the Local Plan (2017) process for allocation for development to meet the borough's housing needs. A Landscape Statement was prepared in December 2016 by Huskisson Brown Associates. This Statement informed the Local Plan Examination in response to representations from the application site promoter following consultation on the Main Modifications to the Local

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Plan. The application site had been identified for omission from the Local Plan allocations for housing and the Statement provided a comparison with the Council's preferred alternative site at Land West of Barton Hill Drive. The report concluded as follows in terms of the landscape impact of the Masterplan development proposed at the time:

'Overall it is not considered that the proposed development on the site can be easily mitigated, bearing in mind the site's largely rural, open character and how it is perceived in relation to the wider, open countryside, and its visually exposed landform. In particular the negative visual impact of the development on the overlooking views from the rising landform to the north of the site looking across the wider undeveloped open marshland would be permanent and could not be fully mitigated. Planting of significant woodland areas to provide screening could be out of character in this open landscape. Due to its size and scale, even taking account of the proposed mitigation measures, it is not considered that the proposed development would represent a sensitive urban extension, appropriate to the local context of Minster.'

- 3.2. The site was submitted to the Council as a Strategic Housing Land Availability Assessment (SHLAA) submission under the 'call for sites' exercise. In the SHLAA, the site was considered to be in a relatively sustainable location in view of access to services and facilities in the wider locality and opportunities for sustainable travel.
- 3.3. The Council's Local Plan Panel considered a Local Plan Review report on site selection for housing allocations on 29 October 2020. The report acknowledged that the site was assessed as suitable and deliverable in the SHLAA and noted that peak time congestion on Lower Road and the setting of the Grade II listed Scocles Court would need to be addressed. In terms of the landscape impacts and conclusion the report recommended as follows:

'The site is in an area of medium landscape sensitivity but is visually prominent due to the land levels that raise upwards to the north. Development in this location would punch into the open countryside beyond Scocles Road that already provides a strong physical boundary to the town...Overall, the balance of this site falls on the impacts it would have on the local landscape character of the area and traffic impacts on the Lower Road. It should not be progressed through the LPR.'
- 3.4. The recommendation was accepted by the Local Plan Panel.
- 3.5. In response to the identified landscape constraints the proposal has been prepared as a landscape led scheme which seeks to mitigate and address the landscape impacts identified through the Local Plan site allocations process. The proposed quantum of development (650 units) is consistent with the capacity identified in the SHLAA.

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PROPOSED DEVELOPMENT-

- 4.1. Outline planning permission is sought for the erection of up to 650 residential dwellings. 41.5% (270 units) of the units would be provided as affordable dwellings. The application seeks outline permission therefore the proposed unit mix could be subject to changes at reserved matters stage. The currently proposed indicative unit mix is as follows:

Tenure	1 bed flats	1 bed bungalows	2 bed flats	2 bed houses/ bungalows	3 bed houses	4 bed houses	Total
Market	28	0	0	138	160	54	380
Affordable (social rent)	0	0	0	28	50	22	100
Affordable (extra care social rent)	54	24	6	6	0	0	90
Affordable (shared ownership)	0	0	0	40	30	10	80
Total	82	24	6	212	240	86	650

- 4.2. The application is accompanied by an indicative Masterplan which details detached and semi-detached housing throughout the site with some larger blocks to the centre and west of the site. The applicant advises that the maximum height of buildings within the development will be three storeys.
- 4.3. Appearance is a reserved matter; however, the application advises that the appearance of the proposed development will be informed by the existing character of Minster on Sea and the wider residential area. The Design and Access Statement identifies indicative materials including grey and terracotta roofs, and red, brown and buff bricks. Indicative architectural features include hipped roofs, timber cladding, hanging tiles, bay windows and pillared porches.
- 4.4. A multi-use Community Hub is proposed close to the centre of the site. The applicant advises that The Plunkett Foundation (an independent charity specialising in community projects and business planning) would prepare a detailed business plan and undertake a community/stakeholder consultation with a view to delivering the facility. It is intended that this exercise would be undertaken within timescales to secure the capital costs for the centre through a Section 106 agreement. The hub would provide indoor and outdoor spaces to support social, recreational, sporting, educational and economic uses. The outdoor facilities could include a multi-use 5-a-side/sports pitch, tennis court, bowling club and allotments.
- 4.5. A medical hub is also proposed which could comprise a combined doctor's surgery and pharmacy. The delivery of the hub would be subject to a 3 stage Integrated Care Board approval process. In the event that approval is not secured then the land will be

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safeguarded for a use delivering community benefits, such as additional affordable housing.

- 4.6. The application advises that the scheme is 'landscape led' and in this regard is informed by a landscape assessment of the site and its surrounding context. The proposal incorporates a substantial soft landscape buffer along the eastern and southern boundaries of the site to mitigate landscape impacts as well as tree planting and soft landscaping throughout the site which is intended to better integrate the development with the wider landscape.
- 4.7. The application seeks detailed approval of access arrangements and there would be two vehicular accesses into the site. The primary access would be via a new three-arm roundabout onto the A2500 located approximately 200m to the east of the Scocles Road/A2500 junction which would require a localised realignment of the A2500 approximately 25m northwards. The second access would be provided from a new arm at the Thistle Hill Way/Scocles Road roundabout. A spine road would run north-south through the site. Off-site highways improvement works are proposed to increase capacity along Lower Road.
- 4.8. Footways/cycleways would be provided to link the development to the built-up area of Thistle Hill to the west of Scocles Road. The applicant has also agreed to fund a shared use footway/cycleway from the junction of Lower Road and Thistle Hill Way through the community woodland to the junction of Lower Road and Scocles Road. A new bus service is proposed with a route between the application site and Tesco in Sheerness.
- 4.9. Project Delivery
- 4.10. The applicant advises that it is intended to deliver the scheme at an accelerated rate which would increase the Council's 5-year housing land supply. The applicant intends to submit a reserved matters application for the first phase of the development in a timely manner and commence works shortly after approval of these reserved matters. Accordingly, conditions 2 and 3 require the submission of the first reserved matters application within 12 months of a grant of outline planning permission and commencement of development within 12 months of approval of the first phase reserved matters. The first phase of development will include the highways access, spine roads, drainage infrastructure and all of the affordable housing. The extra care housing will be delivered by Housing 21 (a registered provider specialising in extra care housing) whilst the social rented and shared ownership housing will be delivered by Moat Housing Association. It is intended that all of the affordable housing will be delivered within 3 years from reserved matters approval. The market housing will be delivered in parcels by small to medium sized developers which is intended to provide faster delivery than the controlled approach which could be expected of a volume housebuilder.

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4.11. CONSULTATION

4.12. One round of consultation has 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.

4.13. 156 letters of representation were received in relation to the consultation. Concerns/ comments were raised in relation to the following matters: -

Comment	Report reference
Harm to landscape, in particular due to prominence of site; development would be visible from low lying marshland to the south up towards Minster Abbey and historic core of Minster; dense tree belt landscape screening is not characteristic of the area; landscape screening will take a long time to mature and mitigate impact of proposals.	Paras. 6.34-6.53
Loss of green space/countryside; harm to rural character; loss of arable land; developer hasn't established grade of agricultural land; application does not consider availability of lower grade agricultural land to meet housing need	Paras. 6.10-6.13 and 6.34-6.53
Proposal is contrary to development plan policies including Local Plan Settlement strategy (policy ST 3); Scocles Road currently forms clear edge to the built-up area; site functions as a countryside gap between settlements; site was previously dismissed as unsuitable for residential development.	Paras. 1.9, 6.5-6.8 and 6.165-6.186
Overdevelopment; scheme will be built to the maximum density specified in the application	Paras. 6.66-6.70
Development should take place on brownfield sites; there are windfall sites on the Island which can accommodate housing need; precedent for further development in the locality.	Paras. 6.5-6.8 and 6.165-6.186
Island / Minster on Sea have already accommodated a considerable amount of residential development over recent years, including at Thistle Hill; there are more suitable sites to accommodate housing need on the mainland.	Paras. 6.5-6.8 and 6.165-6.186
Increased pressure on inadequate infrastructure and services including roads, health facilities and services, schools, nurseries, public transport, shops and amenities, sewage/drainage,	Paras. 6.105-6.112, 6.128-6.131, 6.163

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<p>electricity, water, telecommunications, refuse and recycling facilities; development will add to pressure which will arise from already consented housing not yet built; lack of community infrastructure; proposed community infrastructure, including doctor's surgery, will not be delivered.</p>	
<p>Southern Water have declared the region a 'water stressed area'. Sewage discharges into sea as a result of lack of infrastructure investment.</p>	Paras. 6.163
<p>Lack of youth facilities and increased youth population could result in increased anti-social behaviour; Increased crime; lack of police presence on the Island; increased social deprivation.</p>	Paras. 6.128-6.135
<p>Business floorspace should be prioritised over housing; inadequate job opportunities on the Island; development would not deliver economic benefits; development does not support tourism and culture</p>	Paras. 6.5-6.8 and 6.165-6.186
<p>Increased traffic and congestion; Scocles Road is a narrow country lane and cannot adequately serve the proposed development; traffic issues impact emergency vehicles; traffic is particularly bad at peak hours and during holiday season; traffic impacts emergency services vehicles; traffic surveys should have been undertaken during holiday season; highways modelling does not consider cumulative impacts of planned developments including prison extension; Covid was still impacting vehicular movements when traffic surveys were undertaken; highways modelling is flawed and proposed highways improvements are unsuitable and will not mitigate impact of this and other developments; site is not sustainably located and occupants will be car dependent; cycle paths will not be used, particularly in winter; inadequate pedestrian and cycling infrastructure to serve development; rail service from Island is inadequate; bus services are fragmented; proposed bus service could be withdrawn; Travel Plan should be provided; impacts from construction traffic.</p>	Paras. 6.100-6.112

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Detrimental impact on highway and pedestrian safety, in particular on Lower Road and Scocles Road; no pavement or cycle lane on Scocles Road and Lower Road.	Paras. 6.100-6.112
Housing is not required to meet local need; housing will accommodate London families; development will accommodate social housing needs of London boroughs and will increase deprivation; application does not demonstrate how it will meet local need.	Paras. 6.14-6.28
Swale has demonstrated a 5 year housing land supply; development of site was previously considered and rejected, on grounds including landscape harm, through the Local Plan process; harm from development is not outweighed by lack of a 5 year housing land supply	Paras. 6.5-6.8 and 6.165-6.186
Loss of wildlife and wildlife habitat; impact on Ramsar site and Special Protection Areas; harm to protected species; inadequate ecological surveys have been carried out and their findings are questioned; records of great crested newst, reptiles, bats, water vole and various bird species in the area Habitat Suitability Assessment is inadequate; harm to ecology and biodiversity; loss of hedgerows; inadequate measures to improve ecology and biodiversity.	Paras. 6.76-6.85
Increased noise and disturbance; increased litter; increased air pollution; increased light pollution.	Paras. 6.147-6.153
Loss of privacy/overlooking at nearby dwellings	Para. 6.148
Increased flood risk, particularly with global warming; increased surface water run off from hard surfaces.	Paras. 6.136-6.142
Development will not be energy efficient and does not propose measures to address climate change	Paras. 6.154-6.157
Harm to Grade II listed Scocles Court; disagreement with Heritage Assessment conclusions; harm to agricultural character of site which contributes to an understanding of the function of Scocles Court as a farmhouse.	Paras. 6.54-6.63
EIA should have been required.	Para. 2.2
Reiterate parish council objection (detailed below).	See below

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Land west of Elm Lane appeal decision is relevant, particularly in relation to landscape and character impacts.	Paras. 6.34-6.53
Planning and decision making process is flawed.	Paras. 6.3-6.4
Inadequate community consultation.	Paras. 5.1-5.2

4.28. Minster Parish Council and Eastchurch Parish Council both objected to the application on the following grounds (both Councils made the same comments): -

Comment	Report reference/ clarification
Minster has seen substantial residential development in recent years including at Thistle Hill where approx. 40% of the site remains available for development. "Windfall" sites in the parish could be developed to accommodate housing need.	Paras. 6.5-6.8 and 6.165-6.186
Proposal is contrary to Local Plan Policy ST 3 which sets out the Swale settlement strategy and seeks to protect and enhance the quality, character and amenity value of the countryside, as was made clear through the Council's pre-application advice.	Paras. 6.5-6.8, 6.34-6.53 and 6.165-6.186
Site acts as part of a crucial Countryside Gap between East Minster and Eastchurch. Proposal would undermine the purpose of this gap which is to maintain the separate identities and characters of settlements, safeguard open and undeveloped areas; and prevent encroachment of built development with changes to the rural open character of the area. Development would involve the loss of open countryside, to the detriment of a much-loved landscape, precious rural amenity and residents' well-being. Release of the site would make containment difficult and development pressures further to the east difficult to resist.	Paras. 1.9, 6.5-6.8, 6.34-6.53 and 6.165-6.186
Landscape impacts harmful to the character of the area as scheme will be visible in views from the low-lying marshland to the south towards Minster Abbey and the historic core of Minster.	Paras. 6.34-6.53
Displacement of prolific wildlife and additional pressure on Sheppey's natural habitats.	Paras. 6.76-6.85
Site is not sustainably located in relation to services including GP Surgery and services offered at Queenborough and Sheerness.	Paras. 1.4, 6.104-6.108

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Pedestrian links to the site are non-existent. Proposal is contrary to Policy DM 14.	
Increased pressure on existing utilities	Paras. 6.163-6.164
Ecological harm and impact on archaeological potential of the site.	Paras. 6.64-6.66 and 6.76-6.87
Inadequate infrastructure to serve the development detrimental to the existing local population. Urban sprawl, increased traffic and pressure on schools, medical facilities and other public services and water supply.	Paras. 6.100-6.112, 6.128-6.131 and 6.163-6.164
Adverse impact on community cohesion, particularly given high levels of social deprivation on Sheppey and increased pressure on public services from additional population.	Paras. 6.128-6.131
Transport Assessment is misleading as local highway network is already critically overloaded and Scocles Road has poor visibility on dangerous bends, narrow 'pinch points', and inadequate speed restrictions which result in queues and tailbacks. Development will result in unacceptable additional pressures.	Paras. 6.100-6.112
Encouraging pedestrians and cyclists onto the A2500 Lower Road / Scocles Road poses the constant risk of uncontrolled collision with vehicles using those roads.	Paras. 6.100-6.112
A249 has far exceeded its design capacity, and is critically congested. National Highways have restricted developments pending improvements are made to M2 Junction 5 and the A249 Grovehurst Junction as new development is generating additional traffic.	Paras. 6.100-6.112
Application specifies maximum unit numbers and will 'lock in' the maximum density.	Paras. 6.67-6.70
Council's consultation document considered this site and disregarded it as being unsustainable.	Paras. 6.5-6.8 and 6.165-6.186

4.29. The Countryside Charity (Kent) objected to the proposal on the following grounds:

Comment	Report reference/ clarification
Site is not allocated for housing development and proposal is contrary to the Local Plan, in particular Policy ST3 (Settlement Strategy), directing development to existing defined settlements and allocated sites and restricting development in the countryside.	Paras. 6.5-6.8 and 6.165-6.186

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Site was considered under the 'call for sites' and was rejected, including on landscape grounds. It was not included within the now withdrawn Regulation 19 version of the emerging plan. Council clearly consider there are sufficient reasonable alternatives to the application site.	Paras. 6.5-6.8 and 6.165-6.186
Whilst the tilted balance would be applied the arguments regarding weight to be given to housing need are overstated - applicant is a site promoter and not a housebuilder. No certainty that site would be developed any time soon given potential local market saturation and slowdown in housebuilding. Affordable housing quantum could be negotiated down.	Paras. 4.9, 6.5-6.8
Council's previous objection to this site on landscape terms is noted and supported. Site is visually prominent from the lower lying marshes to the south and it provides a rural setting to the historic core of Minster. Agree that there is moderate-high sensitivity to further residential development.	Paras. 6.34-6.53
Agree and support Minster Parish Council's observations that site acts as part of a crucial Countryside Gap.	Paras. 1.9, 6.5-6.8, 6.34-6.53 and 6.165-6.186
Application downplays impact upon nearby heritage assets, in particular setting of Scocles Court.	Paras. 6.54-6.63
KCC Highways object on the basis that the application has not addressed the traffic impact on the local network with unacceptable impacts on the A2500 and A249 corridors.	Paras. 6.100-6.112
No community facilities to the south and the existing and proposed highway network to the north and west have areas of incomplete footway - KCC considered there is not a safe and suitable access from the site.	Paras. 1.4 and 6.100-6.112
National Highways raise concerns with updated Transport Assessment.	Para. 6.109
Ecological Assessment has been conducted outside the optimal time to survey for botanical species therefore the findings cannot be relied upon.	Para. 6.82
Bat activity not surveyed at correct time of year.	Para. 6.82
SSSI, SPA and Ramsar under serious threat of recreational pressure and disturbance from	Para. 6.91-6.99

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additional population with dogs visiting protected areas supporting vulnerable ground nesting birds, along with additional cat predation.	
Natural England commented that this development could have potential significant effects on Ramsar site and SPAs. Development is unacceptably close to these designated sites having regard to cumulative effect of developments underway nearby. Application plays down site's significance for wildlife value.	Para. 6.84
Outside lighting will negatively impact area and surrounding protected sites. Light or sound will disrupt bird behaviour including migration. Artificial light at night (ALAN) disrupts reptiles, invertebrates, moths, bats, amphibians and other flora and fauna.	Condition 38
Ecological Assessment doesn't consider impacts on reptiles from cat predation, recreational pressure/disturbance, ALAN and potential mowing and spraying.	Para. 6.82
Natural England advise Habitat Suitability Assessment (HSA) should demonstrate that the site and surrounding land is unsuitable for SPA/Ramsar waterbirds which has not been done. Species-specific surveys should be undertaken to demonstrate that site is not functionally linked land. Assertion that the site is well removed from the majority of the area of the coastal designations is not accepted. Brent Geese will often travel short distances inland to graze.	Para. 6.84
Surveys for dormouse, bat, migratory bird, nesting bird, wintering bird, amphibian, great crested newt, water vole, otter, beaver, reptile, botanical and badger should be undertaken.	Paras. 6.82-6.83

REPRESENTATIONS

- 4.2. **SBC Heritage:** - Heritage Statement understates the degree of harm to the significance of the Grade II listed Scocles Court and it is considered to result in a medium degree of less than substantial harm. Meaningful mitigation would involve a significant area of undeveloped open space on the application site. Further mitigation against the harm could be achieved through interpretation measures to promote appreciation of the historic function and original agricultural setting of the listed

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building. The identified harm should be balanced against the public benefits of the scheme in line with paragraph 208 of the NPPF.

- 4.3. **SBC Urban Design:** - No objections raised in design terms. It is important that design quality is integrated throughout all planning processes and conditions are suggested to secure the following and ensure the development delivers high quality design and placemaking:
- A detailed phasing plan;
 - Number of units limited to 650 units;
 - Site wide detailed Masterplan and Design Code which will be subject to review by a Design Review Panel;
 - Reserved matters application should be accompanied by a Masterplan and Design Code Compliance Statement;
 - Details/samples of materials for the external surfaces of the buildings;
 - Details of landscaping;
 - Replacement of any trees and shrubs which die, become diseased or are removed within 5 years from the completion of the development;
 - Details of site levels and finished floor levels for buildings;
 - A detailed lighting strategy.
- 4.4. **KCC Archaeology:** - No objections raised subject to a condition securing an archaeological evaluation with subsequent mitigation.
- 4.5. **Mid Kent Environmental Health:** - No objections raised in terms of air quality, noise and contaminated land subject to conditions securing the following:
- A further noise assessment to identify properties that require noise mitigation measures and to secure those measures;
 - A scheme of contamination remediation in the event that contamination is identified during construction works;
 - A Construction Method Statement to mitigate air quality impacts during the construction stage;
 - Restrictions on hours of construction activity to 0730-1800 Monday to Friday and 0800-1300 on Saturdays;
 - Piling works only to take place 0900-1700 hours Mondays to Fridays.
- 4.6. **SBC Housing:** - Strong support for the proposed affordable housing in view of the high level of need on the Island arising from the 0% planning policy requirement in place.
- 4.7. **KCC Ecology:** - Sufficient information has been provided and no objections are raised subject to conditions to secure an Ecological Mitigation and Management Plan and a Landscape and Ecological Management Plan.

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- 4.8. **SBC Green Spaces:**- No objections raised in respect of open space, sport and recreation subject to securing on-site formal sports facilities which meet Sport England requirements.
- 4.9. **Kent Wildlife Trust:**- Concerns are raised regarding the adequacy of the HSA and the Preliminary Ecological Assessment (PEA) and the adequacy of measures to mitigate impacts on designated sites and protected species.
- Submission does not indicate biodiversity enhancement and the development should ensure that impacts to protected and priority species habitat are mitigated, and that habitat creation and enhancement is realistic and deliverable. Any habitats created to achieve a net gain which are situated within areas provided for residential amenity would be subject to recreational and site management pressures therefore further details on habitat creation and enhancement measures and site management should be provided. *Officer note: These matters will be addressed through the Biodiversity Enhancement Plan which will be secured by condition.*
- 4.10. **KCC SUDs:** - No objections raised subject to conditions to secure details of surface water drainage scheme to accommodate all rainfall durations and intensities up to climate change adjusted critical 100 year storm, including details of maintenance.
- 4.11. **National Highways:** - No objections raised subject to conditions securing the following:
- Details of a 'Monitor and Manage Mitigation Strategy';
 - Completion of improvement works to the A249/A2500 roundabout prior to the construction of the 326th dwelling;
 - Approval of a full Travel Plan;
 - Construction Management Plan.
- 4.12. **KCC Minerals:**- No objections raised.
- 4.13. **KCC Highways:** - No objections raised. The applicant has demonstrated that traffic associated with the proposed development can be accommodated on the highway network, and where there would be areas of congestion its impact can also be mitigated to provide overall betterment.
- 4.14. National Highways have requested a 'monitor and manage' condition to inform the delivery of highways improvements. Provided KCC is included in the review group to consider the impact on the local highway network and input into the approval, this is acceptable.
- 4.15. Walking and cycling routes to link the development to the wider area and its amenities can be achieved and delivery of these will need to be coordinated with the phasing of the development.

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- 4.16. The proposed roundabouts onto Scocles Road and Lower Road are considered suitable for access to the development, though use of the Scocles Road roundabout should be restricted to serving a maximum of 300 dwellings only until the connection has been made through to the proposed Lower Road roundabout.
- 4.17. A new bus service can be provided to cater for the development and enhance the offer to existing communities, and the developer would be expected to fund this in full for a period of 4 years.
- 4.18. Financial contributions to meet the full cost of running the bus service for a minimum of 4 years and Sustainable Travel Vouchers for each dwelling should be secured through a Section 106 agreement.
- 4.19. Conditions are requested to secure the following:
- Off-site highway works to the A2500 Lower Road / Barton Hill Drive roundabout;
 - Vehicle accesses onto Scocles Road and the A2500 Lower Road, and a spine road connecting the two;
 - A footway on the eastern side of Scocles Road between Thistle Hill Way and Elm Lane;
 - A shared use footway/cycleway alongside Lower Road and extending to Scocles Road;
 - A shared use footway/cycleway between the existing provision at the junction of Lower Road and Thistle Hill Way to the junction of Lower Road and Scocles Road;
 - Vehicle parking and turning space to be provided, surfaced and drained prior to occupation of each dwelling;
 - Details of the electric vehicle charging;
 - Details of cycle storage;
 - Approval of details of estate 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, drive gradients, car parking and street furniture;
 - Travel Plan.
- 4.20. **KCC PROW:** - There are no Public Rights of Way directly affected within the site; however, there are important routes adjacent to the site which provide access to local facilities, amenities and the wider PRow network. No objections are raised to the application; however, a financial contribution of £48,925 (index linked) is requested to mitigate the increased use of the PRow network. There would also be a negative impact on the landscape and visual amenity of the wider network and the developer contributions sought would mitigate this loss of landscape and visual amenity.
- 4.21. Consideration should be given to pedestrian crossings over Scocles Road to connect the development directly to the above paths, with signed links out of the site to aid this direct connectivity.

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4.22. **Lower Medway Internal Drainage Board:-** It is proposed to discharge into watercourses adopted by the Board. Adequate access to the watercourses for maintenance purposes should be secured. Conditions are requested to secure the following:

- Detailed surface water drainage scheme incorporating Sustainable Drainage Systems (SuDS);
- A Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed during the construction stage;
- A SuDS maintenance schedule for the lifetime of the development.

4.23. **Environment Agency:** - No comments.

4.24. **Natural England:** - Initial comments advised that further information was required in order to determine impacts on functionally linked land for non-breeding birds in relation to the Swale Ramsar Site and Special Protection Area (SPA), Outer Thames Estuary SPA and Medway Estuary and Marshes SPA. The applicant responded through the submission of a Habitat Suitability Assessment which concluded that the site does not represent supporting habitat or functionally linked land to any of the neighbouring SPA or Ramsar sites. Following concerns raised by the Kent Wildlife Trust, Natural England were provided with further data by the applicant and have confirmed that they are satisfied that the application site is not functionally linked land.

4.25. **Southern Water:** - The proposed development will lie over an existing 315mm public water distribution main and 12 inch water trunk main, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined before the layout of the proposed development is finalised. It might be possible to divert the water main, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

4.26. Conditions and informatives are requested relating to the diversion of the water main, delivery of sufficient sewerage infrastructure to serve the development, maintenance and/or adoption by Southern Water of SUDS infrastructure and water supply.

4.27. **SBC Trees:-** The main arboricultural features on the development area are existing boundary hedges with sporadic mature trees being mainly Poplar. The proposed indicative layout would retain much of the boundary hedges and trees. If outline planning permission is granted the final detailed layout should be accompanied by an updated and more comprehensive arboricultural impact assessment and tree protection plan.

4.28. In terms of the proposed landscape strategy plan it is good to see linear tree planting along the major roads and expansion and enhancement of the boundary plantings. The development should seek to conserve and enhance biodiversity through the final

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design. The current landscape strategy could be improved through the introduction of small copse/woodland around the boundaries and the use of larger tree species (such as Black Poplar) in the more open public spaces. An updated and more detailed landscape masterplan should be submitted at reserved matters stage.

- 4.29. **Kent Police:** - No objections raised subject to a condition securing crime prevention and community safety design measures.
- 4.30. **Integrated Care Board:** - Financial contribution of £675,792 is sought towards refurbishment, reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development or new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.
- 4.31. **SBC Climate Change:** - There is no reference to sustainability in any of the relevant documents. However, it is noted that the application seeks outline planning permission and further detail would be anticipated at reserved matters stage. It is also noted that the Future Homes standard, which will become mandatory in 2025, will ensure that the development achieves appropriate standards in terms of energy efficiency and carbon reduction. Conditions are requested to secure sustainable design and energy efficiency measures and details of measures to reduce water consumption.
- 4.32. **Swale footpaths:** - If the development were to go ahead then proper provision for traffic free pedestrian routes (already desirable) would become necessary. The proposed layout provides space for them.

DEVELOPMENT PLAN POLICIES

- 5.1. **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 –**
- **ST 1** Delivering sustainable development.
 - **ST 2** Development targets for jobs and homes 2014- 2031
 - **ST 3** The Swale settlement strategy
 - **ST 4** Meeting the Local Plan development targets
 - **ST 6** The Isle of Sheppey area strategy
 - **CP 1** Building a strong, competitive economy
 - **CP 2** Promoting sustainable transport
 - **CP 3** Delivering a wide choice of high-quality homes
 - **CP 4** Requiring good design
 - **CP 5** Health and wellbeing
 - **CP 6** Community facilities and services to meet local needs
 - **CP 7** Conserving and enhancing the natural environment
 - **CP 8** Conserving and enhancing the historic environment
 - **DM 6** Managing transport demand and impact
 - **DM 7** Vehicle parking

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- **DM 8** Affordable Housing
- **DM 14** General development criteria
- **DM 17** Open space, sport and recreation provision
- **DM 19** Sustainable design and construction
- **DM 21** Water, flooding and drainage
- **DM 24** Conserving and enhancing valued landscapes
- **DM 28** Biodiversity and geological conservation
- **DM 29** Woodland, trees and hedges
- **DM 31** Agricultural land
- **DM 32** Development involving listed buildings.

5.2. Supplementary Planning Guidance/Documents –

- Landscape Character and Biodiversity Appraisal (2011);
- Swale Borough Council's Noise and Vibration Planning Technical Guidance (2020);
- KCC Developer Contributions Guide;
- Developer contributions SPD (2009);
- Swale Landscape Character and Biodiversity Appraisal SPD (2011);
- Parking Standards SPD (2020);
- Planting on New Developments: A Guide for Developers;
- Air Quality Technical Guidance (2021);
- Guidance for complying with the climate change planning condition to reduce operational carbon of new dwellings in Swale by 50% (2020);
- Kent Design – A Guide to Sustainable Development (2000);
- National Design Guide: Planning practice guidance for beautiful, enduring and successful places (2021);
- Renewable Energy Guide (2014);
- Housing Supply Statement (2022 -2023);
- Open Spaces and Play Area Strategy (2018-2022);
- A Heritage Strategy for Swale (2020);
- National Planning Practice Guidance.

ASSESSMENT

- 6.1. This application is reported to the Committee because Councillors Harrison and Jayes have called the application in to be considered by the Planning Committee whilst Eastchurch and Minster Parish Councils have raised objections.
- 6.2. The main considerations involved in the assessment of the application are:
 - The Principle of Development
 - Loss of Agricultural Land

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- Size and Type of Housing
- Affordable Housing
- Landscape and Visual
- Heritage
- Archaeology
- Design of the proposed development
- Ecology
- Transport and Highways
- Air Quality
- Community Infrastructure
- Open Space, Sport and Recreation
- Flood Risk, Drainage and Surface Water
- Contamination
- Living Conditions
- Sustainability / Energy
- Other Matters

Principle

- 6.3. 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.
- 6.4. 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.

Housing

- 6.5. Local Plan Policy ST1 (4) states that to deliver sustainable development in Swale, all development proposals will, as appropriate, accord with the Local Plan settlement strategy. Local Plan Policy ST3 (5) relates to the settlement strategy and states that at locations in the open countryside, outside the built-up area boundaries shown on the Proposals Map, development will not be permitted, unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.
- 6.6. The supporting text to Policy ST3 states in part that the primary objective of the strategy outside the built-up boundaries will be to protect it from isolated and/or large

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scales of development (as is proposed). The site lies adjacent to but wholly outside of the settlement boundary for Minster in the open countryside. Accordingly, the application is in conflict with Policies ST 1 and ST 3.

- 6.7. The Council can demonstrate a 4.1-year supply of housing. In accordance with footnote 8 to paragraph 11 of the NPPF, the most important policies for determining this application cannot be considered up-to-date, and the 'Tilted Balance' in favour of sustainable development should apply to decision making. Only if the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, should planning permission be refused.
- 6.8. As noted above, residential development conflicts with the Local Plan settlement strategy. However, given the Council's lack of a 5 year housing land supply and the application of the 'Tilted Balance', the defined boundary around Minster is not afforded full weight. It is clear from the SHLAA assessment that the site is suitable for residential development of this scale. The erection of 650 dwellings including 41.5% affordable housing would contribute significantly towards addressing the borough's lack of a 5-year housing land supply whilst addressing a significant need for affordable housing. The application of the 'Tilted Balance' affords significant weight to the delivery of housing. The subsequent sections of this report make an assessment of the impacts of the development and consideration of whether these would significantly and demonstrably outweigh the benefits. This is considered in the Planning Balance section of this report.

Community Facilities, Sports Pitches, Open Space and Recreation

- 6.9. The proposal includes a multi-use Community Hub, Medical Hub, sports pitches, children's play areas, allotments and open space for recreation. The requirement for this provision arises from the demand generated by future occupiers of the proposed housing, and its acceptability is interrelated to the acceptability of the housing. In the event that the proposed housing is considered acceptable it would therefore follow that community, sporting and recreational facilities necessary to support the residential use are also acceptable in principle.

Loss of Agricultural Land

- 6.10. Policy DM 31 of the Local Plan indicates that development on agricultural land will only be permitted where there is an overriding need that cannot be met on land within the built-up area boundaries. The policy indicates that development on Best and Most Versatile (BMV) agricultural land (identified as Grades 1, 2, and 3a) will not be permitted unless three criteria have been met. This requirement is reiterated under Local Plan policy ST 6 (The Isle of Sheppey area strategy).
- 6.11. NPPF paragraph 175 is concerned with allocating land for development which has the least environmental or amenity value where consistent with other policies in the Framework. Footnote 58 to this paragraph advises that where significant development

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of agricultural land is demonstrated to be necessary, areas of poorer land should be preferred to those of a higher quality.

- 6.12. Grade 3 agricultural land is subdivided into categories 3a and 3b. Grade 3b is not categorised as BMV and is not captured by policy DM 31. Natural England's Agricultural Land Classification Map identifies that the site is Grade 3 agricultural land but this map does not differentiate between Grades 3a and 3b. The applicant has submitted correspondence from an Agronomist who has visited the site and notes that it is currently in arable production supporting a poor crop of wheat. A visual inspection of the soil type and structure was undertaken along with a soil structure pentameter test which identified soil compaction leading to an anaerobic soil with extremely low organic matter and a worm count of 2. The agronomist concluded that the site comprises Grade 3b agricultural land. It is also noted that the site at Land West of Elm Lane to the north of the application site (considered under planning application ref. 20/504408/OUT) was identified as comprising Grade 3b agricultural land with a small area of Grade 4 land. Defra's Magic Map indicates that the land to the west of Scocles Road which has now been developed as part of the Thistle Hill estate comprised Grade 3b agricultural land.
- 6.13. The available information suggests that the site comprises poorer quality agricultural land which is preferable to develop in order to meet the borough's housing needs. It is therefore considered that the proposal is acceptable in terms of loss of agricultural and is in accordance with the NPPF.

Size and Type of Housing

- 6.14. Paragraph 9 of the NPPF states that sustainable development involves seeking positive improvements in the quality of the built environment, including widening the choice of high-quality homes. The NPPF recognises that in order to create sustainable, inclusive and diverse communities, a mix of housing types, which is based on demographic trends, market trends and the needs of different groups, should be provided.
- 6.15. The proposed development will deliver 41.5% (270 units) affordable housing which represents additionality over the Local Plan Policy DM 8 requirement for 0% affordable housing in respect of developments of 11 or more dwellings on the Isle of Sheppey.
- 6.16. Local Plan Policy CP 3 requires the mix of tenures and sizes of homes provided in any development to reflect local needs and the Strategic Housing Market Assessment. The proposed mix of housing is set out below:

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Tenure	1 Bed Flat	1 Bed House	2 Bed Flat	2 Bed House	3 Bed House	4 Bed House	Total
Market*	28	0	0	138	160	54	380
Affordable	54	24	6	74	80	32	270
Total	82	24	6	212	240	86	650

* Market housing is indicative at this Outline stage.

6.17. The supporting text to Local Plan Policy CP3 sets out requirements for market and affordable housing by size. The table below shows the requirements set out in supporting text for Local Plan Policy CP3 and how the proposal compares with this.

Tenure – Local Plan	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Total
Market Required	7%	36%	42%	15%	0%	100%
Market Proposed	7.4%	36.3%	42%	14.2%	0%	100%
Affordable Required	8%	20%	36%	36%	0%	100%
Affordable Proposed	28.9%	29.6%	29.6%	11.9%	0%	100%

6.18. The Council has a Housing Market Assessment (HMA) prepared in 2020, i.e., more recently than the Local Plan, and after the introduction of the standard method for calculating the objectively assessed need. As such officers have considered the proposed mix against that set out in the HMA.

Tenure - HMA	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Total
Market Required	7%	33%	41%	19%	0%	100%
Market Proposed	7.4%	36.3%	42%	14.2%	0%	100%
Affordable Required	27%	23%	30%	20%	0%	100%
Affordable Proposed	28.9%	29.6%	29.6%	11.9%	0%	100%

6.19. The HMA (2020) broadly echoes the Local Plan requirements in terms of the mix of dwelling sizes, albeit the requirement for 1-bedroom affordable dwellings is notably higher. It should be noted that this reflects the Borough wide need.

6.20. In terms of the market housing, the proposed indicative mix would broadly equate to the identified borough wide need as set out above. Local housing market areas have been identified which relate to specific postcode evidence. For the Isle of Sheppey, the supporting text to Policy CP3 states that demand is greatest for family housing. Future development of quality family housing that reflects the character of the area should be encouraged. In view of the identified need within Sheppey, it is considered that the proposed development would provide an acceptable mix of housing.

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6.21. The affordable provision is fairly broadly in accordance with the requirements identified above. However, it should also be noted that the housing register indicates considerable demand for all sizes of dwellings. The figures for Sheppey are as follows, as of July 2024:

- 1 bed - 361 applicants
- 2 bed - 214 applicants
- 3 bed - 182 applicants
- 4 bed - 132 applicants.

6.22. The social rented provision is intended to directly respond to identified local need whilst the shared ownership provision is based upon market research which has been undertaken to identify the likely need. The Council's Affordable Housing Manager raises no objection in relation to the affordable housing tenure mix.

6.23. In terms of extra care housing, the KCC Adult Social Care and Health Commissioner has advised that the borough presently has 51 extra care units and has a need for an additional 205 extra care units by 2026 with a potential demand for a further 63 units by 2031. The identified need is not broken down by unit size; however, in view of the outstanding need the 90 extra care units proposed would make a significant contribution to meeting current need. The Commissioner advises that KCC are hugely supportive of the proposed delivery of extra care housing.

6.24. Officers have taken account of the context in which the site is set, policy requirements, the HMA, the housing register, the local housing market areas and overall analysis shows that the proposal satisfactorily complies with Local Plan Policy CP3.

Affordable Housing

6.25. The NPPF sets out the requirement for setting appropriate affordable housing levels for new development based on up-to-date evidence. Local Plan Policy DM 8 sets out that nil affordable housing will be required from developments on the Isle of Sheppey as the delivery of affordable housing without grant funding has not been demonstrated to be viable. As a result, affordable housing need on the Isle of Sheppey is high and the delivery of new affordable homes, in particular affordable and social rent tenure housing, falls far below local housing need.

6.26. Paragraph 7.3.14 of the Local Plan notes that there is an identified need for affordable older person housing (retirement dwellings and extra care housing) and the current viability evidence shows this to be marginally viable in Faversham and rural areas...As a result, extra care housing is not sought in the policy, however the Council is keen to support proposals for affordable older persons housing.

6.27. As set out above, there are a considerable number of applicants on the Council's Housing Register for Sheppey for all unit sizes. The number of households living in temporary accommodation in Swale was the highest across all Kent authorities last

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year. The following proposed affordable tenure mix will be incorporated within the scheme: -

	1 bed	2 bed	3 bed	4 bed	Total
Social rent extra care	78	12	0	0	90
Social rent	0	28	50	22	100
Shared ownership	0	40	30	10	80

6.28. The proposed delivery of 270 units (41.5%) affordable housing would obviously exceed the nil policy requirement for the Isle of Sheppey. There are no tenure mix requirements in view of the nil policy requirement. The provision of 80 (29.6%) shared ownership and 190 (70.4%) social rented homes is very much welcomed in affordable housing terms. As noted above, the proposed affordable housing would be delivered during the first phase of the development and therefore should assist in meeting affordable housing need in a timely manner.

Inclusive and Mixed Communities

6.29. Policy CP 3 promotes the delivery of inclusive and mixed communities. The proposed phasing of the development will involve the delivery of market and affordable housing within separate parcels of land, with the affordable housing comprising the first phase of development. A 60-unit extra care block and 30 extra care bungalows are proposed within a parcel to the centre of the site, immediately to the east of the Community Hub. The shared ownership and social rent housing will be provided within a parcel to the north of the site (80 units) and within a parcel to the south-east (100 units). There will be pepper-potting of the shared ownership and social rent tenures within these parcels and the houses will be designed to be indistinguishable in tenure terms. It is also noted that the affordable housing will comprise a range of unit sizes to respond to local need whilst residents of all tenures will share the community facilities and open spaces within the site. It is therefore considered that, whilst there will be concentrations of affordable housing within the site, the development will facilitate a sufficiently inclusive and mixed community.

Accessible and Adaptable Homes

6.30. In line with Policies DM8 and CP3 of the Local Plan the affordable homes should be designed for use by disabled persons and made available for a variety of groups including families, vulnerable and older persons. As such, there should be a number of accessible and wheelchair adaptable homes provided. It is proposed that at least 10% of the social rented homes be built to Building Regulations Part M4(3) standard (wheelchair user dwelling) with the remaining affordable homes provided to Part M4(2) standard (accessible and adaptable dwellings). It is recommended that the accessible and adaptable homes are secured by planning condition (No. 48).

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Affordable Housing Delivery

- 6.31. The terms of Homes England grant funding for the delivery of affordable housing presently imposes restrictions whereby the funding cannot be applied in cases where the affordable housing is secured through a Section 106 agreement. In this case 25% of the proposed affordable housing can be delivered with recycled grant funding which Moat Housing Association are able to allocate to the scheme and which is unaffected by these restrictions. The remaining 16.5% affordable housing will be delivered with Homes England grant funding and accordingly cannot be secured by a condition or legal agreement. A mechanism has been agreed whereby the Section 106 agreement will include 2 options relating to the delivery of affordable housing. Option A will secure the 25% affordable housing which will be delivered with recycled grant funding. Option B will secure the total (41.5%) affordable housing proposed. The additional 16.5% is included within the Section 106 agreement but as there is an alternative Option A there would not be a conflict with the Homes England grant funding restrictions.
- 6.32. The ability of the applicant to exercise Option A represents a risk that the additional 16.5% affordable housing is not delivered. The applicant advises that there are contracts in place and commitments on the part of Homes England, Moat Housing and Housing 21 to fund and deliver the proposed affordable housing. Homes England is a public body whilst the registered providers are not-for-profit organisations and are reputable. It can be considered that these factors go some way to mitigate any risk that the affordable housing will not be delivered. However, in view of this risk it is considered that within the planning balance substantial weight can be afforded to the delivery of the 25% affordable housing and significant weight can be afforded to the delivery of the further 16.5% affordable housing.
- 6.33. The proposals are considered consistent with policies DM8 and CP3 of the Local Plan and the NPPF and are therefore acceptable in terms of affordable housing.

Landscape and Visual

- 6.34. The NPPF requires decisions to ensure that development is '*sympathetic to... landscape setting*' whilst paragraph 174 criterion b) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 6.35. The site is not within a designated landscape. Local Plan Policy DM24 states that the value, character, amenity and tranquillity of the Borough's landscapes will be protected, enhanced, and, where appropriate, managed. The policy further states at Part B that non-designated landscapes will be protected and enhanced and planning permission will be granted subject to the minimisation and mitigation of adverse landscape impacts. When significant adverse impacts remain, the social and or economic benefits of the proposal need to significantly and demonstrably outweigh the harm to the landscape character and value of the area.

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6.36. Local Plan Policy ST6 (the Isle of Sheppey area strategy) states at part 9 that development proposals will, as appropriate:

Improve the condition and quality of landscapes in the area, especially those in poor condition and ensure that development is appropriate to landscape character and quality, especially within landscape designations and areas with low or moderate capacity to accommodate change. Additionally, the Council will seek to bring landscape wide initiatives to Sheppey to improve landscape condition.

6.37. The application site is not noted for its special quality or character in landscape terms. It consists of a large arable field and is set within a landscape that has a sloping landform, moderate sense of rural character, is visually prominent in relation to views from the lower lying marshes and contributes to a rural setting to the historic core of Minster. The site is bound along the northern edge by dense hedgerows and trees which help to screen the site in this direction. However, there is open visibility of the site along Scocles Road and Lower Road.

6.38. The National Character Area Profile (prepared by Natural England in 2013) locates the site within the landscape character area of the 'Greater Thames Estuary'. The National Character Area Profile states that the Greater Thames Estuary should be improved and protected and planting to screen new urban and industrial developments should be introduced to help protect the tranquillity of the estuary.

6.39. The Landscape Assessment of Kent (2004) locates the site within the North Sheppey Local Character Area (LCA) and describes this LCA as having been subject to change whereby it now has an exposed and open character and is in poor condition. It is considered to have a moderate sensitivity to change. The recommendations of the Assessment include encouraging urban planting within built development and the creation of urban edges which promote intermittent views of built development beyond.

6.40. Swale's Landscape Character and Biodiversity Appraisal (2011) is also relevant and the application site lies within Swale's Landscape Character Area 13 (LCA13) (Central Sheppey Farmlands). The overall condition of LCA13 is identified as 'poor' due to fragmented shelterbelts and hedgerows and urban fringe activities. LCA13 is considered to have a 'moderate' sensitivity to change. The hills are visually prominent, and the landscape has a rural character, despite the urbanising influence of roads, lighting and ribbon development. It is noted that the condition of individual parcels of land within LCA13 vary enormously.

6.41. In 2018, the Council commissioned Land Use Company (LUC) to carry out and produce the Swale Landscape Sensitivity Assessment (2019). The application site forms part of Landscape Sensitivity Parcel MR2 and the assessment notes that the landscape is important as part of the rural setting for the historic core of Minster, including Minster Abbey on the ridge. The assessment concludes that MR2 has an overall moderate-high sensitivity to residential development of 2-3 storey housing over

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2ha. This is due to the sloping landform, moderate sense of rural character, visual prominence in views from the lower-lying marshes, and the role the slopes provide as a rural setting to Minster. It states, “*there may be opportunities for limited further housing infill particularly where this can help achieve better overall integration of the urban edges with their landscape setting*”.

- 6.42. The Assessment provides some general guidance which encourages a landscape led approach to new development and conservation of the open rural slopes which are prominent in views from the marshland to the south and form a rural setting and foreground to Minster Abbey. A predominantly rural setting should be maintained along the A2500 with minimal development to its south, whilst development should be low rise and visually prominent buildings should be avoided. The site is located centrally within the MR2 parcel on the lower slopes rising up from Lower Road (A2500) which are identified as sensitive. The location of the site extending out into the wider landscape east of Scocles Road would create a more exposed unintegrated urban edge to this part of Minster. It also forms part of the open rural setting along the A2500.
- 6.43. As noted above, the applicant advises that they have adopted a ‘landscape-led’ approach to the proposed development whereby the proposals were informed by a landscape assessment to understand the site and surrounding context from a landscape perspective. A landscape parameters plan was produced which detailed potentially sensitive landscape areas within the site and incorporated a substantial, soft-edged landscape buffer to integrate the development with surrounding countryside. The proposals incorporate generous green spaces and greater offset to the surrounding landscape.
- 6.44. The application is accompanied a Landscape Visual Impact Assessment (LVIA) which provides a landscape character baseline for the assessment which is informed by the National, County and District level assessments. The methodology and findings of the LVIA have been reviewed and in terms of the landscape character baseline it is considered that the site has a medium landscape value and a moderate-high sensitivity to change whilst the broader area has a medium sensitivity to change.
- 6.45. In terms of effect on landscape character, the proposed development would be integrated into the existing settlement edge which, along with the landscape strategy would reduce its impact on the wider landscape setting. The impact on the localised setting would also be mitigated by the landscape strategy as well as the scale, massing and layout of the proposed development. These measures would also assist in mitigating the impact of the development within the site itself whilst, given the relationship of the site to the existing settlement of Minster, it would not introduce elements significantly at odds with the immediate prevailing character. Accordingly, it is considered that the proposed residential development of an agricultural field, which forms a prominent part of a wider rural landscape, would result in a moderate (or greater) impact on the site and the localised and wider landscape character area at

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year 1 and remain at moderate in year 10 once the proposed landscape planting has established.

- 6.46. The wider landscape is identified as contributing to the rural setting of Minster Abbey and as being visually prominent in views from the marshland to the south. The LVIA acknowledges that there would be an adverse impact in landscape terms on the setting of Minster Abbey; however, in view of the significant extent of built form around the Abbey the proposed development would not result in a significant change in the landscape character and visual amenity of its setting. In terms of views from the marshes to the south, visibility of the site is highly limited by intervening arable land and vegetation structure whilst the proposed landscape buffer would further reduce the impact of the development.
- 6.47. The LVIA considers the visual impact of the assessment from a series of publicly accessible viewpoints which include PRowS ZS5 and ZS7 to the east, ZS6 to the north and ZS8 to the north-east. 21 viewpoints of the site were selected through a field assessment and a desk study informed by the use of a 'Zone of Theoretical Visibility' (ZTV) which is a tool employed to identify the likely (or theoretical) extent of visibility of a development. The LVIA then goes on to consider the likely significance of the landscape and visual effects at year 0 and at year 10 once the proposed landscape planting has established.
- 6.48. Four views have been assessed from PRowS ZS7 and there will be a moderate adverse effect in year 0 and a minor beneficial effect in year 10 following the establishment of extensive landscaping to the eastern boundary. Two views from PRowS ZS8 have been assessed and there will be a moderate adverse effect in both years 0 and 10 as the site cannot be screened from these elevated viewpoints. Three longer distance views of the site from PRowS ZS5 have been considered and there will be a moderate neutral effect in year 0 and a moderate beneficial effect in year 10 once the landscape planting has matured. Two viewpoints from PRowS ZS6 have been assessed and an additional degree of roofscape would be perceived which will be increasingly screened by landscape planting with a low neutral effect in year 1 and a negligible beneficial effect in year 10.
- 6.49. Two viewpoints experienced by motorists on Lower Road have been assessed. Viewpoint 12 is approx. 1.2km to the southeast of the site and is identified as a sensitive view whilst Viewpoint 13 is located adjacent to the southern boundary of the site. Viewpoint 12 would be subject to at least a moderate adverse impact in year 0 and year 10 due to the sloping orientation of the field and limited opportunity for landscape screening. Viewpoint 13 from Lower Road adjacent to the southern boundary of the site would be subject to a moderate adverse impact in both year 0 and year 10 as existing boundary vegetation will be replaced by a new access road and junction whilst new landscape planting is proposed to soften views of the development.

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- 6.50. Six viewpoints which will be experienced by residents on Scocles Road have been assessed and it is considered that there will be a moderate adverse impact in year 0, including by reason of the introduction of the access road from Scocles Road. The establishment of landscape planting will reduce the visual effect of the development to low neutral by year 10.
- 6.51. The proposed development will be entirely screened by the topography from the remaining 2 viewpoints.
- 6.52. In conclusion, the application site has a landscape value and visual sensitivity due to its rising topography and relationship with the wider setting of Minster and the marshes, the open character of the landscape, availability of overlooking views and the prominence of the site within them. Mature landscape planting will act as a screen for the development and will provide some mitigation of the impacts of the proposal. Visibility is likely to be greatest during the construction period, however this would be for a limited period. The landscape strategy includes internal tree planting which is intended to soften the appearance of the proposed buildings and create an appropriate landscape character on the site, whilst enhancing biodiversity.
- 6.53. Details of landscaping would be submitted at reserved matters stage which would represent an opportunity to ensure that the planting provides an appropriate degree of landscape screening with a suitable mix of native planting. In view of the impact of the proposal on landscape character and the visual impacts to landscape, and having regard to the landscape mitigation which will mature around year 10, it is considered that the proposed development would not protect and enhance this non-designated landscape and would result in a moderate degree of harm in landscape terms. As such, the proposed development would not be in accordance with the NPPF and Local Plan Policies ST6 and DM24.

Heritage

- 6.54. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“PLBCAA”) provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.55. The NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.

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- 6.56. Local Plan Policy CP 8 states that development will sustain and enhance the significance of designated and non-designated heritage assets to sustain the historic environment whilst creating for all areas a sense of place and special identity. Policy DM32 relates to listed buildings and is clear that proposals affecting listed building must preserve the buildings setting and any features of special architectural or historic interest.
- 6.57. The application is accompanied by a Heritage Statement which identifies that the Grade II Listed Scocles Court, a former farmhouse located on the opposite side of Scocles Road, is the only heritage asset which would be materially impacted by the proposed development. The farmhouse originally benefitted from the rural setting provided by Scocles Farm which included agricultural land within the application site as well as land to the south, west and north. Housing development has been allowed to take place to the south, west and north of the site. The Heritage Statement asserts that the significance of the asset is largely derived from its architectural and archaeological interest and whilst the agricultural fields to the east of Scocles Road do relate to its former function as a farm. The redevelopment of its immediate farmstead setting and envelopment within modern residential development has served to diminish any understanding of its role within the context of the farmstead and, in turn, the contribution setting makes to the significance of Scocles Court. Accordingly, the statement concludes that Scocles Court makes no contribution to the significance of the designated heritage asset and, therefore, there will be no harm as an effect of the proposed development.
- 6.58. SBC Heritage consider that the proposed development of the fields to the east would in effect largely remove the last meaningful vestiges of agricultural setting to this building, thereby potentially giving rise to the situation where its historic function cannot be readily understood and/or appreciated, to the detriment of public enjoyment of this designated heritage asset.
- 6.59. SBC Heritage advise that, in the context of the changes that have already taken place to the setting of this former farmhouse and those that are agreed and effectively in the pipeline to be delivered, it is considered that there will be a degree of less than substantial harm towards the middle range of the spectrum. This harm should be mitigated as far as reasonably possible whilst the remaining harm should be balanced against the public benefits of the scheme.
- 6.60. The applicant has revised the Masterplan layout to provide a greater quantum of open space within the application site immediately opposite Scocles Court; however, it is advised that the revisions do not sufficiently address the identified concerns. The Council's Heritage Manager has suggested that further mitigation could be achieved through interpretation measures which would assist local residents and visitors to the area being able to appreciate the historic function and original agricultural setting of

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the listed building. Condition 51 is recommended to secure a heritage interpretation board.

- 6.61. SBC Heritage suggest that meaningful mitigation would likely need to consist of a wide green corridor (minimum width of 50 metres) positioned directly adjacent the listed building providing it with a visual linkage to the farmland to the east of the application site area, or alternatively, the southwest part of the site remaining undeveloped and ideally retained at least in part agricultural use. The applicant has declined to incorporate such measures and it can be accepted that such measures would unduly compromise the scheme as submitted, including the delivery of affordable housing. Accordingly, the identified medium level of less than substantial should be balanced against the public benefits of the proposal in accordance with paragraph 208 of the NPPF.
- 6.62. The decision-maker needs to ensure that they give considerable importance and weight to any harm to the significance of a designated heritage asset, and ensure that the more important the asset, the more the weight that is given to the harm in the balancing exercise.
- 6.63. A public benefit can be anything that delivers economic, social or environmental objectives, which are the three overarching objectives of the planning system as set out in the NPPF. The public benefits of the proposed development are weighed against the identified medium level of less than substantial harm within the planning balance section of this report; however, it should be noted that this is a separate exercise to the assessment of the overall planning balance.

Archaeology

- 6.64. The NPPF sets out that where development has the potential to affect heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation.
- 6.65. The application is accompanied by a Historic Environment Desk Based Assessment which identifies that there may be potential for the survival of sub-surface remains of the later prehistoric and Roman period date which would be of local significance. There is also some potential for the survival of sub-surface features relating to medieval and postmedieval agricultural activity, such as ploughing or drainage features, which could be impacted by the proposed development in the south-east of the site, but any such remains would be considered to be of negligible significance. The KCC Archaeological Officer advises that a condition should be imposed on any consent requiring an archaeological investigation.
- 6.66. Subject to such a condition, no objection is raised in relation to compliance with policy DM34 of the Local Plan which requires archaeological mitigation or the preservation of important archaeological features in situ.

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Character and appearance

- 6.67. 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.
- 6.68. The National Design Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. The Kent Design Guide seeks to provide a starting point for good design while retaining scope for creative, individual approaches to different buildings and different areas and provides criteria necessary for assessing planning applications.
- 6.69. Whilst the layout, appearance, scale and landscaping of the development are reserved for future consideration the illustrative Masterplan provides some indication of how the proposal could be developed. Intent is also shown within Design and Access Statement which advises that the appearance of the proposed development will be informed by the surrounding context with indicative architectural features including hipped roofs, timber cladding, hanging tiles, bay windows and pillared porches. Members will also appreciate that as details other than access are reserved, there will be an opportunity to control the quality of the final development at the point when the reserved matters applications are submitted. There is no reason that the appearance of dwellings could not be sympathetically designed to be in keeping with local typologies that would assimilate well with the existing context. Any future reserved matters application that includes appearance would need to set out the extent to which the development is consistent with the National Design Guide and Kent Design Guide. A condition is recommended to secure a site wide detailed masterplan and associated design code with the first reserved matters submission and subsequent compliance with the approved details.
- 6.70. It is considered that appropriate details can be secured at reserved matters stage in order to ensure that the siting, scale, design, appearance and detail of the scheme represents a high-quality design that is appropriate to its surroundings in accordance with Local Plan Policies CP 4 and DM 14.

Trees

- 6.71. The NPPF recognises the contribution of trees to the intrinsic character and beauty of the countryside. The Local Plan requirement is recognised through Policy DM 29 of the Local Plan.
- 6.72. The application is accompanied by an Arboricultural Impact Assessment which identifies that some category B hedgerow and some small category B Ash and Hawthorn trees will require removal in order to facilitate the development. All other trees on and adjacent to the site will be retained and protected during development.

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- 6.73. The Arboricultural Impact Assessment has been reviewed by the Council's Trees Officer who observes that the main arboricultural features on the development area are existing boundary hedges with sporadic mature trees being mainly Poplar. The proposed indicative layout would retain much of the boundary hedges and trees. If outline planning permission is granted the final detailed layout should be accompanied by an updated and more comprehensive Arboricultural Impact Assessment and Tree Protection Plan in accordance with BS5837:2012.
- 6.74. The Trees Officer welcomes the proposed linear tree planting along the major roads and expansion and enhancement of the boundary plantings. The development should seek to conserve and enhance biodiversity through the final design. The current landscape strategy could be improved through the introduction of small copse/woodland around the boundaries and the use of larger tree species (such as Black Poplar) in the more open public spaces. An updated and more detailed landscape masterplan should be submitted at reserved matters stage (condition 11).
- 6.75. The proposed development is considered acceptable in terms of trees in accordance with Local Plan Policy DM 29.

Ecology

- 6.76. 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 CP 7 and DM 28 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.
- 6.77. 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 furthering the general biodiversity objective of conserving and enhancing biodiversity in England. 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.'
- 6.78. 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".

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6.79. Local Plan Policy ST 6 (The Isle of Sheppey area strategy) seeks net gains to biodiversity and natural and semi-natural greenspace at development sites and mitigation of impacts on internationally designated sites for biodiversity.

6.80. The application is accompanied by a Preliminary Ecological Appraisal (PEA) which identifies the presence or potential for protected and priority habitats and species within and around the application site and the potential for these features to be adversely affected without appropriate avoidance and mitigation measures. These features include:

- Hedgerows – sections of hedgerow will need to be removed to create site access and the necessary associated sight lines;
- Bats – four trees with potential to support roosting bats were identified in the field surveys. These trees therefore need to be fully protected during construction and on completion of the proposed development;
- Reptiles – habitats around the boundaries of the application site include scrub, tussocky grassland and wet ditches which have a high potential to support common reptile species such as slow worm, common lizard and grass snake. Suitable reptile habitat will need to be removed to create site access and the necessary associated sight lines and a significant area of this habitat is proposed for residential development in the south-west corner of the application site;
- Water Vole – the water-filled ditch habitats on site are suitable for water vole and potential water vole burrows were found during field surveys. Part of the water-filled ditch will be impacted by the creation of the proposed road access from Scocles Road;
- Brown Hare – the habitat on site is suitable for this species;
- Nesting birds – bird nesting was confirmed during field surveys and two male skylarks were heard singing overhead. This indicates that skylarks may be nesting within the application site.

6.81. The PEA concludes that the site is considered to be of low local value for wildlife whilst the vast majority of habitats considered to be of higher value to wildlife on the site can be retained. Overall, the risk of impact to protected species or habitats from the proposed development is identified as negligible. Furthermore, with suitable biodiversity enhancements incorporated into the development it is considered there would be significant scope for the site to achieve a biodiversity net gain. These measures could be secured by condition and through reserved matters of landscaping.

6.82. The KCC Ecology officer raises no objections to the proposal subject to a condition securing an Ecological Mitigation and Management Plan. In order that any retained habitats and those proposed for creation are appropriately managed to ensure their satisfactory establishment and long-term management so that biodiversity conservation objectives are delivered, a condition securing a Landscape and Ecological Management Plan is also sought.

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- 6.83. The assessment identified a negligible risk to great crested newt; however, the KCC Ecology Officer recommends that precautionary methods for working should be adopted to avoid the risk of killing or injury to great crested newts and other amphibians.
- 6.84. Natural England provided initial comments seeking further information in order to determine the impacts on functionally linked land for non-breeding birds in relation to the Swale Ramsar Site and Special Protection Area (SPA), Outer Thames Estuary SPA and Medway Estuary and Marshes SPA. The applicant responded through the submission of an HSA which concluded that the site does not represent supporting habitat or functionally linked land to any of the neighbouring SPA or Ramsar sites. The Kent Wildlife Trust subsequently raised concerns regarding the adequacy of the HSA and the applicant has provided Natural England with further information. Natural England have confirmed that they are satisfied that the application site is not supporting habitat or functionally linked land to the SPA or Ramsar sites.
- 6.85. The Kent Wildlife Trust have raised a series of concerns which are summarised as follows, with officer responses provided:
- Situated to the north of the application site are the Sheppey Cliffs and Foreshore Site of Special Scientific Interest (SSSI) and the Minster Marshes Local Wildlife Site (LWS). Situated to the south of the application site are The Swale SSSI, Special Protection Area (SPA), Ramsar, the Medway Estuary and Marshes SPA and Ramsar, the Elmley National Nature Reserve, and The Swale Estuary Marine Conservation Zone.
 - Insufficient information to determine whether the site forms functionally linked land to the relevant designated sites. HSA does not establish that the site is not suitable for the designated features of the SPA and Ramsar. HSA does not collect existing bird data due to an absence of such data and therefore appropriate breeding and wintering bird surveys need to be carried out. *Officer response: the HSA identifies several factors which reduce its suitability as functionally linked land including: tall boundary hedgerows and the undulating nature of the site which reduce its visibility; proximity to residential development; distance from the designated sites and availability of more suitable habitat in the intervening area.*
 - Concerns about impacts on any protected and priority species on the adjoining land to the east which shares the application site's characteristics and could be functionally linked to the relevant designated sites - this land should be part of the HSA survey area. *Officer response: The HSA concludes that the land to the east would not represent supporting habitat or functionally linked land largely on the basis that there is more suitable (i.e. largely flat) farmland available close to the designated site.*
 - Natural England's most recent comments provide their standing advice which contradicts comments made on 20th June 2022 requesting submission of an HSA

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- clarification on this from Natural England should be sought prior to determination of the application. *Officer response: Natural England have confirmed that they are satisfied that the application site is not functionally linked land.*
- Insufficient mitigation measures are proposed to address the development's impact on the designated sites due to increased recreational pressures including disturbance of ground nesting birds, trampling of sensitive vegetation and dogs being walked off lead. Concerns at impact of increased cat predation on the designated features of the SSSI, SPA and Ramsar and LWS. *Officer response: these impacts are considered as part of the Appropriate Assessment set out in this report. The Council will secure a financial contribution through a Section 106 agreement to mitigate the impacts of the development.*
- Impacts from increased visitor pressure on Elmley National Nature Reserve are discounted due to the reserve being in private ownership and able to restrict visitor numbers. This does not account for two public footpaths and one public bridleway that cross the nature reserve or the adjacent public car park. *Officer response: The impacts are not discounted but indicated to be less relevant. In view of the distance of the PRow's and bridleway from the application site it is not considered that the proposed development would result in increased use which would result in adverse impacts upon these PRow's and bridleway.*
- Preliminary Ecological Assessment (PEA) identifies the ditch habitat on site as being suitable for water vole with three potential burrows having been found and therefore surveys should be carried out. It is also not clear whether invertebrate surveys of the ditch habitat have been considered. *Officer response: It is considered that any impacts on water vole and invertebrates can be satisfactorily addressed through the Ecological Mitigation and Management Plan which would be secured by condition.*
- Proposals may impact foraging, commuting and roosting bats and dark corridors, including for commuting bats, are not proposed through the site whilst unsuitable or no habitat is provided across the developed areas. Bats utilising the site will be impacted by light pollution and the lack of dark corridors and bat surveys have not been carried out so the impact on bats cannot be assessed. *Officer response: It is considered that any impacts on bats can be satisfactorily addressed through the Ecological Mitigation and Management Plan which would be secured by condition. A condition is also recommended to secure a Lighting Design for Biodiversity which will address impacts on bats.*
- PEA states that two male skylarks were recorded overhead so may be nesting within the site. Insufficient information has been provided to establish what species are breeding within the site or to mitigate loss of habitat for ground nesting birds and those which forage on arable land. Mitigation for loss of habitat which provides feeding areas for skylark and other farmland birds should be provided. *Officer response: It is considered that any impacts on skylark and other ground nesting*

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birds can be satisfactorily addressed through the Ecological Mitigation and Management Plan which would be secured by condition.

- Submission does not address impacts on any habitats and species within the adjoining land to the east which could be functionally linked to the designated sites. Cat predation on bird and reptile species may occur whilst a footpath through the land would provide access to dog walkers which may cause disturbance to ground nesting birds. *Officer response: As noted above, the Habitat Suitability Assessment concludes that the land to the east would not represent supporting habitat or functionally linked land largely on the basis that there is more suitable (i.e. largely flat) farmland available close to the designated site.*
- Artificial lighting may impact migratory birds by affecting foraging, migration, orientation, and daily timing of behaviour. Increased lighting also increases predation by enabling birds of prey to hunt later into the night. Submission does not propose mitigation such as the creation of a dark corridor along the eastern boundary. A wildlife sensitive lighting design scheme should be required by condition and provided at the reserved matters stage in the event planning permission is granted. *Officer response: A condition is recommended to secure a Lighting Design for Biodiversity which will address these comments.*
- Submission does not indicate biodiversity enhancement and the development should ensure that impacts to protected and priority species habitat are mitigated, and that habitat creation and enhancement is realistic and deliverable. Any habitats created to achieve a net gain which are situated within areas provided for residential amenity would be subject to recreational and site management pressures therefore further details on habitat creation and enhancement measures and site management should be provided. *Officer response: These matters will be addressed through the Biodiversity Enhancement Plan which will be secured by condition.*

Biodiversity

6.86. The application was submitted before Biodiversity Net Gain became a mandatory requirement. The KCC Ecology Officer notes that the proposals identify the potential to create new habitats around the site boundaries which could significantly improve the biodiversity value of the application site from its current predominantly low value arable use. It is advised that details of how the proposed development will compensate for the loss of important habitats such as hedgerows and deliver the required biodiversity net gain should be sought. A condition securing a Biodiversity Enhancement Plan is recommended.

6.87. Accordingly, it is considered that the proposal accords with Local Plan Policy DM 28 which requires 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.

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Habitat Regulations

- 6.88. The application site is located within 6km of The Medway Estuary and Marshes Special Protection Area (SPA) and the Swale SPA, and Wetland of International Importance under the Ramsar Convention (Ramsar Site) which is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
- 6.89. SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.
- 6.90. The proposal would result in up to 650 residential dwellings on the site which would be anticipated to result in impacts to the SPA and Ramsar sites from increased recreational disturbance. Due to the scale of the development there is insufficient scope to provide on site mitigation and in such circumstances off site mitigation is normally required by means of developer contributions at the rate of £328.27 per dwelling. The proposal would therefore give rise to a requirement for a contribution of £213,375.50 which would be secured through a Section 106 agreement. In accordance with the Conservation of Habitats and Species Regulations 2017, for completeness an Appropriate Assessment has been completed and is set out below.

Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.

- 6.91. This Appropriate Assessment (AA) has been undertaken without information provided by the applicant.
- 6.92. The proposal therefore has potential to affect said site's features of interest, and an Appropriate Assessment is required to establish the likely impacts of the development.
- 6.93. In considering the European site interest, Natural England advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 63 and 64 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advise that the proposal is not necessary for the management of the European sites and that subject to a financial contribution to strategic mitigation and site remediation satisfactory to the EA, the proposal is unlikely to have significant effects on these sites.
- 6.94. The recent (April 2018) judgement (People Over Wind v Coillte Teoranta, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected area, "it is not appropriate, at

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the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.” The development therefore cannot be screened out of the need to provide an Appropriate Assessment solely on the basis of the mitigation measures agreed between Natural England and the North Kent Environmental Planning Group.

- 6.95. However, in view of the scale of the development it is considered that and, in itself and in combination with other development, would not have an adverse effect on the integrity of the SPA, subject to appropriate mitigation measures.
- 6.96. Notwithstanding the above, NE has stipulated that, when considering any residential development within 6km of the SPA, the Council should secure financial contributions to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the North Kent Environmental Planning Group (NKEPG), and that such strategic mitigation should be in place before dwellings are occupied.
- 6.97. Due to the scale and location of the development it is not considered that there is scope to provide on-site mitigation such as an on-site dog walking area or signage to prevent the primary causes of bird disturbance, which are recreational disturbance including walking, dog walking (particularly off the lead), and predation of birds by cats.
- 6.98. Based on the correspondence with Natural England, I conclude that off-site mitigation is required.
- 6.99. In this regard, whilst there are likely to be impacts upon the SPA arising from this development, the mitigation measures can be implemented within the SPA from collection of the standard SAMMS tariff will ensure that these impacts will not be significant or long-term. I therefore consider that any adverse effect on the integrity of the SPA can be satisfactorily addressed through mitigation measures.

Transport and Highways

- 6.100. 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.”

- 6.101. 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.”

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- 6.102. Local Plan policy DM 6 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.
- 6.103. The application seeks detailed approval of access arrangements and two vehicular accesses into the site are proposed. The primary access involves a new three-arm roundabout onto the A2500 located approximately 200m to the east of the Scocles Road/A2500 junction which would require a localised realignment of the A2500 approximately 25m northwards. The second access point to the development is proposed towards the north-west corner of the site from a new eastern arm to the Thistle Hill Way/Scocles Road roundabout. This would also serve as the main multi-modal connection to the existing Thistle Hill residential area to the west of Scocles Road which provides a range of services and amenities as identified at paragraph 1.4.
- 6.104. A footway will be provided on the eastern side of Scocles Road between the Thistle Hill Way roundabout and Elm Lane connecting to the footway recently delivered through the development at The Slips. Pedestrian and cycle paths would provide further links to the existing Thistle Hill development on the opposite side of Scocles Road. A footway is also indicated along the northern side of Lower Road along the site frontage. The KCC Highways Officer suggests that this should be provided as a shared use footway/cycleway which could then link with a shared use footway/cycleway proposed by the Council's Active Travel Co-ordinator through the Thistle Hill Community Woodland. This would run parallel to Lower Road and link with the existing footway/cycleway at the junction of Lower Road and Thistle Hill Way to promote active travel choices to Queenborough and Neats Court where a range of employment and retail is located. The Council's Active Travel Co-ordinator welcomes the provision of the footway/cycleway through the community woodland and an indicative cost of £132,000 has been calculated; however, a more accurate costing would involve detailed surveys and design work. The applicant has indicated a willingness, in principle, to meeting the cost of these works which would serve to mitigate some of the highways impacts of the scheme and promote active and sustainable travel choices. The infrastructure would be secured by condition or through a Section 106 agreement, subject to confirming the ownership of the land.
- 6.105. The applicant has developed a transport strategy for the scheme which has involved discussions with National Highways. Highways modelling has been undertaken to assess the impacts of the proposal on the wider highways network and inform mitigation proposals.
- 6.106. The Transport Assessment identifies that the proposed development will increase congestion on the wider highways network giving rise to a requirement for mitigation measures. Accordingly, works to increase capacity at road junctions are proposed as follows:

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- A2500 Lower Road / Barton Hill Drive roundabout – geometric changes to the entry radii on the A2500 Lower Road arms;
- A249 Sheppey Crossing / A2500 Lower Road roundabout – bypass lanes for the eastbound A249 onto the A2500 Lower Road roundabout and the southbound A249 movement from the A2500 Lower Road roundabout.

6.107. The application is accompanied by a Public Transport Strategy which identifies a preferred option involving a new local bus service with a route from the development to Tesco in Sheerness with a timetable aligned with train services to and from Sheerness Railway Station. KCC Highways advise that funding for the service should be secured for a minimum of 4 years to allow patronage to grow as the development builds out.

6.108. The Transport Assessment sets out a Transport Vision which includes the provision of a Car Club and remote working facilities within the Community Hub.

6.109. National Highways have considered the proposals, and in particular the impacts of the development upon the capacity of the A2500 Lower Road and the applicant's proposals to increase capacity on Lower Road. National Highways raise no objections to the proposal subject to conditions securing the following:

- Details of a 'Monitor and Manage Mitigation Strategy' which will set out a methodology to determine the actual traffic impact of the completed dwellings in terms of traffic flow changes, changes to road safety risk, and changes in traffic conditions (queue lengths and delays) on the SRN upon the occupation of the 250th dwelling. The information will be used to confirm that:
 - agreed mitigation for the A249/A2500 Roundabout remains necessary, or
 - an alternative scheme of mitigation for the A249/A2500 Roundabout is necessary and appropriate to safely accommodate the traffic generation of the remainder of the development beyond the 325th dwelling, or
 - the traffic generation of more than 325 dwellings can be safely accommodated by the existing A249/A2500 Roundabout layout and if so, the number of occupations that, on the basis of the monitoring data and up-to-date transport evidence, renders the agreed mitigation necessary. In this case, the monitoring process shall be repeated on the occupation of the Xth dwelling, X being the revised number of permitted occupations prior to mitigation becoming necessary minus 75, or
 - the traffic generation of the full development can be safely accommodated by the existing A249/A2500 Roundabout layout and therefore the agreed mitigation is no longer needed.
- Completion of improvement works to the A249/A2500 roundabout prior to the construction of the 326th dwelling;
- Approval of a full Travel Plan;

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- Construction Management Plan.

6.110. KCC Highways raise no objections to the proposals and provide the following:

- It is considered that the applicant has demonstrated that traffic associated with the proposed development can be accommodated on the highway network, and where there would be areas of congestion its impact can also be mitigated to provide overall betterment.
- It is noted that National Highways have requested a ‘monitor and manage’ condition to inform the delivery of highways improvements. Provided KCC is included in the review group to consider the impact on the local highway network and input into the approval, this is acceptable.
- Walking and cycling routes to link the development to the wider area and its amenities can be achieved and delivery of these will need to be coordinated with the phasing of the development.
- The proposed roundabouts onto Scocles Road and Lower Road are considered suitable for access to the development, though use of the Scocles Road roundabout should be restricted to serving a maximum of 300 dwellings only until the connection has been made through to the proposed Lower Road roundabout.
- A new bus service can be provided to cater for the development and enhance the offer to existing communities, and the developer would be expected to fund this in full for a period of 4 years.
- Financial contribution to meet the full cost of running the bus service for a minimum of 4 years and Sustainable Travel Vouchers for each dwelling should be secured through a Section 106 agreement.
- Conditions are requested to secure the following:
 - No dwelling to be occupied until the off-site highway works to the A2500 Lower Road / Barton Hill Drive roundabout have been constructed.
 - No more than 300 dwellings hereby approved shall be occupied until vehicle accesses onto Scocles Road and the A2500 Lower Road, and a spine road connecting the two have been constructed and opened for use.
 - Prior to the occupation of any dwelling accessed from Scocles Road, a footway measuring at least 2m in width shall be constructed on the eastern side of Scocles Road between Thistle Hill Way and Elm Lane.
 - Prior to the occupation of any dwelling accessed from Lower Road, a 3m wide shared use footway/cycleway shall be constructed alongside Lower Road and extending to Scocles Road.
 - Prior to the occupation of any dwelling accessed from Lower Road, off-site works to construct a 3m wide shared use footway/cycleway between the existing provision at the junction of Lower Road and Thistle Hill Way to the junction of Lower Road and Scocles Road shall be carried out.
 - Prior to the commencement of development a phasing plan and details of footway connections linking pedestrian routes within the development to

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Queen Anne Close and the southern boundary of Scocles Court shall be approved by the Local Planning Authority and constructed in accordance with the approved specification and phasing plan.

- Approval of a Construction Traffic Management Plan
- No dwelling to be occupied until vehicle parking and turning space has been provided, surfaced and drained to the satisfaction of the Local Planning Authority.
- Approval of full details of the electric vehicle charging and provision prior to occupation of each dwelling.
- Approval of cycle storage and provision prior to the occupation of each dwelling.
- Estate 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, drive gradients, car parking and street furniture to be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority.
- Completion of relevant highways works to serve each dwelling prior to its occupation.
- Approval and implementation of a Travel Plan.

6.111. In view of the above, the proposal would sufficiently accord with the requirements of Local Plan Policy ST6 (The Isle of Sheppey area strategy) which requires that larger scale development proposals will, as appropriate, be well located in respect of the most accessible parts of the Island to both car and public transport and, where appropriate, bring forward improvements to the A2500 Lower Road. It will also accord with Policy DM6 which requires improvements to the highways network where new development would result in traffic generation in excess of its capacity.

6.112. It is further considered that the proposal would sufficiently address the NPPF requirement to promote sustainable patterns of development and actively manage patterns of growth to make the fullest use of public transport, walking and cycling. It has been demonstrated that the proposal would not result in unacceptable impacts on highway safety or severe residual cumulative impacts on the road network which the NPPF states would warrant refusal of planning permission.

Public Rights of Way

6.113. The KCC PRoW and Access Officer advises that there are no PRoWs directly affected within the site, however there are important routes adjacent to the site which provide access to local facilities, amenities and the wider PROW network. No objections are raised to the application; however, a financial contribution of £48,925 (index linked) is requested to mitigate the increased use of the PROW network.

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- 6.114. Public Footpaths ZS9 and ZS10 run west from Scocles Road, immediately opposite the development site, provide direct links to the Community Hospital and the Thistle Hill Academy School, other community facilities and onward connectivity. £43,300 is sought to fund surface improvements, culvert repairs and a replacement 10m bridge to public footpath ZS9 and £5,625 is sought to fund surface improvements to public footpath ZS10.
- 6.115. The KCC PRoW and Access Officer advises that consideration should be given to pedestrian crossings over Scocles Road to connect the development directly to footpaths ZS9 and ZS10, with signed links out of the site to aid this direct connectivity. Safety concerns regarding the increase of vehicular traffic on Scocles Road would be raised if no crossings were in place. These crossings will be secured through condition No. 29.
- 6.116. KCC PRoW and Access consider there would also be a negative impact on the landscape and visual amenity of the wider network, ZS5, ZS6, ZS8, and ZS31. There is also the route of the new National Trail, the England Coast Path, on the mainland to the south. The mitigation suggested within the application of planting giving a low/neutral effect on the wider PROW network in ten years' time would not address the impact sufficiently. The developer contributions sought would mitigate this loss of landscape and visual amenity if planning permission were granted.

Car and Cycle Parking

- 6.117. The Swale Car Parking SPD includes recommended residential car parking standards. Details of car parking to individual units will be assessed at reserved matters stage. However, the indicative Masterplan provides sufficient details of car parking to demonstrate that a reserved matters scheme could be brought forward which provides adequate car parking provision to comply with the recommended standards. Accordingly, the proposal can comply with Local Plan Policy DM 7 requirement for compliance with the Swale Vehicle Parking SPD.
- 6.118. The application advises that cycle parking will be provided in accordance with policy requirements and this will be addressed at the detailed application stage. It is anticipated that cycle parking will be provided within sheds/stores to the houses and within dedicated facilities within the flatted blocks. Accordingly, the proposal can comply with the requirement of Policy DM 7 to provide cycle parking facilities of an appropriate design and in a convenient, safe, secure and sheltered location.

Air Quality

- 6.119. 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.

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- 6.120. 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.
- 6.121. The Planning Practice Guidance on Air Quality states that *“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.....”*.
- 6.122. The application is accompanied by an Air Quality Assessment (AQA) which considers potential air quality impacts associated with the construction and operation of the development. The AQA identifies that there is potential for air quality impacts as a result of construction stage dust emissions which can be satisfactorily mitigated through good practice measures. Operational stage air quality impacts from traffic exhaust emissions were predicted to be negligible at all sensitive receptor locations. Accordingly, the AQA identifies that air quality is not considered a constraint to the proposed development.
- 6.123. The AQA has been reviewed by the Council’s Environmental Health Officer who raises no objections to the proposed development in terms of air quality subject to a condition securing a Construction Method Statement setting out construction stage dust control measures. Accordingly, the proposed development is considered to satisfy Local Plan Policy DM 6 which requires that development proposals 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.

Open Space, Sport and Recreation

- 6.124. Policy Local Plan Policy CP7 requires developments to promote the expansion of Swale’s natural assets and green infrastructure. Policy DM17 of the Local Plan sets out that new housing development should make provision for appropriate outdoor recreation and play space proportionate to the likely number of people who will live there. Policy DM17 sets out various open space typologies and the amounts of space that would be required for residential development. The Council’s Greenspaces Manager has confirmed that there will be no requirement for open space, sport and recreation arising from the proposed extra care housing having regard to the profile of the residents and the trip free and safe green space which serve the extra care block. The table below compares the proposal to the open space requirements.

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Typology	Policy DM17 requirement (ha per 1,000 person)	Scheme requirement (ha)	Proposed (ha)	Difference (ha)
Parks and gardens	1.11	1.47	0.87	-0.60
Natural and semi natural greenspace	4.36	5.81	6.75	+0.94
Formal outdoor sport	1.09	1.45	0.90	-0.55
Amenity Greenspace	0.45	0.60	0.70	+0.10
Provision for children and young people	0.24	0.32	0.13	-0.19
Formal Play facilities			on site	
Allotments	0.2	0.27	0.36	+0.09
Total		9.92	9.71	-0.21

6.125. As the table above shows, there is a shortfall in the parks and gardens typology, provision for children and young people and the formal outdoor sport provision. There is a surplus of natural and semi-natural green space, amenity green space and allotments. It is noted that residents of the site would benefit from the Thistle Hill Community Woodland to the west of the site.

6.126. The Council's Open Spaces and Play Area Strategy sets out a requirement for financial contributions towards off-site formal sports facilities and off-site play/fitness facilities. In view of the on-site provision, details of which would be secured at reserved matters stage, the Council's Green Spaces Manager has advised that financial contributions will not be sought, subject to securing sports facilities which meet Sport England specifications (condition 50).

6.127. The overall provision of open space and sport and recreation facilities within the scheme is close to meeting the requirements set out in the Council's Open Spaces and Play Area Strategy, albeit there are some shortfalls and surpluses amongst the typologies. The Council's Green Spaces Manager confirms that no objections are raised in terms of open space, sports and recreation provision. Therefore, having regard to the overall on-site provision as well as the proximity of existing public open space, the proposal is acceptable in terms of open space and is therefore in accordance with Policy DM 17 of the Local Plan.

Community Infrastructure

6.128. 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

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new communities. This is reflected in Policies CP 5 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.

6.129. It is critical that necessary social and other infrastructure to support the future population occupying the site is delivered in a time frame that ensures infrastructure is in place when it is required.

6.130. As with any planning application, the request for financial contributions needs to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 (which were amended in 2014). These stipulate that an obligation can only be a reason for granting planning permission if it is:

- Necessary
- Related to the development
- Reasonably related in scale and kind.

6.131. The following planning obligations would be necessary to mitigate the impact of the development and make it acceptable in planning terms. The obligations have been identified and assessed by Officers to comply with the Regulations (as amended).

Requirement	Value	Towards
Ecology		
SAMMS payment	£328.27 per dwelling	North Kent Strategic Access Management and Monitoring Strategy.
Education		
Secondary Education Contribution	£2,814,547.45	Towards additional Secondary School places to be provided at the new NW Sittingbourne allocated (MU1) site and/or at the Borden or Highsted Grammar schools.*
Special Educational Needs (SEND) Contribution	£559.83 per applicable house and £139.96 per applicable flat**	Special Education Needs (SEND) contribution to be applied towards additional places in Swale district.
Special Education Needs (SEND) School	£273.87 per applicable house and £67.22 per applicable flat	Proportionate financial contribution towards the provision of a new SEND school site.
Community Learning	£22,236.50 (£34.21 per dwelling)	Financial contribution towards additional equipment and resources at Adult Education Centres including at Sheerness

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		and outreach provision to increase capacity in the service.
Community		
Integrated Children's Services	£41,468.00 (£74.05 per dwelling - excluding extra care units)	Financial contribution additional equipment and resources for the Integrated Children's Services in Swale including outreach provision.
Library Service	£40,709.50 (£62.63 per dwelling)	Financial contribution towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development including at Minster.
Adult Social Care	£117,572.00 (£180.88 per dwelling)	Financial contribution towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities, and Changing Places within Swale.
Waste		
Refuse	£126,184.50 (£194.13 per dwelling)	Financial contribution towards additional capacity at the Sheerness or Sittingbourne Household Waste Recycling Centre and Sittingbourne Waste Transfer Station.
Refuse and Recycling Bins	<u>Each house</u> 180ltr green bin for refuse £51.20 240ltr blue bin for recycling £51.20 23ltr food bin £11.90 5ltr food caddy £6 <u>Each 5 Flats with a block</u> 1100ltr refuse - £497 1100ltr recycling - £497 140ltr food - £45.20 <u>Each flat</u> 5ltr food caddy £6	Bin provision

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Health care		
NHS (Integrated Care Board)	£675,792.00	Financial contribution towards refurbishment, reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development or new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.
Highways and transportation		
Pedestrian links	Best endeavours to secure Section 278 works with highways authority	Pedestrian links across Scocles Road to Scocles Court / Scocles Farm and Queen Anne Close
Footway/cycleway	£132,000 (estimated) subject to more detailed survey	Contribution towards construction of a multi-user path between Scocles Road and Thistle Hill Way, through the Thistle Hill Community Woodland running parallel to Lower Road***
Bus Service	Best endeavours to secure service with local operator	Financial contribution to meet the full cost of running the bus service stated in the Public Transport Strategy for a minimum of 4 years
Sustainable Travel Vouchers	£350 per dwelling	Sustainable Travel Vouchers for each dwelling to the value of £350 to be used on either bus travel, train travel or the purchase of a bicycle.
Public Rights of Way (PRoW)		
Public Rights of Way	£48,925.00 (Index linked)	Mitigation of increased use of PRoW network and impacts on landscape and visual amenity of the wider network.
Affordable Housing		
Affordable housing	Provision of 25% affordable housing (Option A) or 41.5% affordable housing (Option B)	Affordable housing, including extra care housing.
Monitoring		

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Monitoring fee	Amount to be agreed with SBC Legal Services and KCC Infrastructure based upon the obligations being secured	Contribution to cover the cost of monitoring the delivery of various planning obligations
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*Kent County Council in its capacity as education provider, has a duty to ensure that adequate school places are provided to accommodate current and future projections for primary school and secondary needs. Currently there is no Primary school requirement.

**Applicable excludes 1 bed units of less than 56sqm (GIA) and the extra care housing.

*** Subject to confirmation of land ownership this could potentially be dealt with through condition No. 27 securing off-site works to deliver the multi-use path.

6.135. Subject to securing the obligations, the application would accord with Policies CP5, CP6, DM8, DM17 and DM28 of the Local Plan.

Flood Risk, Drainage and Surface Water

6.136. 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 DM 21 of the Local Plan.

6.137. The application site lies within Flood Zone 1, meaning it is an area with a low probability of river or sea flooding. Planning Practice Guidance confirms that the aim is to steer new development to Flood Zone 1. In respect of the Flood Risk Vulnerability Classification residential dwellings are classified as 'more vulnerable'. Within Flood Zone 1, Table 3 of the Planning Practice Guidance confirms that 'more vulnerable' uses in Flood Zone 1 are appropriate and an exception test is not required. As the application site is greater than 1 ha a Flood Risk Assessment (FRA) is required.

6.138. The application is accompanied by a Flood Risk Assessment and Outline Drainage Strategy which proposes surface water drainage measures including water butts to individual properties, swales and 5 attenuation ponds which will discharge into the adjacent ditch network at greenfield run-off rates.

6.139. KCC Drainage have reviewed the proposals and raise no objections to the proposals subject to conditions.

6.140. Southern Water raise no objections in relation to surface water drainage subject to an informative relating to maintenance and/or adoption by Southern Water of SUDS infrastructure.

6.141. Lower Medway Internal Drainage Board advise that they have responsibility for maintenance of the watercourses that will receive the surface water discharge from the site. The Board have made representations which include the following points:

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- Adequate access to the watercourses for maintenance purposes must be maintained.
- Access from Scocles Road will require a watercourse to be bridged over and the design principles should be agreed with the board.
- The Board would expect habitat compensation and biodiversity net gain of 10%.
- The outfall structures to the watercourses will require land drainage consent which will be conditional upon a Surface Water Development Contribution Fee.
- SuDS features for surface water storage are welcomed as they also provide pollution control; amenity; and habitat. Above ground storage is encouraged as it is easier to maintain.
- Detailed surface water drainage proposals with maintenance and management proposals as well as flood resilience measures along the watercourse corridors and land low spots should be secured by condition.

6.142. In view of the above it is anticipated that the proposals will satisfy the requirements of Local Plan Policy DM21 to include sustainable drainage systems to restrict runoff to an appropriate discharge rate, maintain or improve the quality of the receiving watercourse, enhance biodiversity and amenity and increase the potential for grey water recycling. It is therefore considered that the proposals are in accordance with Policy DM 21 of the Local Plan and the NPPF.

Contamination

6.143. 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.

6.144. The application is accompanied by a Desk Study Report which provides a geo-environmental risk assessment. The study concludes that the risk to human health from any ground contamination is negligible and recommends ground investigation works prior to the commencement of development.

6.145. The Council's Environmental Health Officer has reviewed the Desk Study Report and advises that it is satisfactory. A watching brief condition is recommended to deal with any unforeseen ground contamination during construction works.

6.146. Accordingly, the proposals are considered acceptable in relation to contamination and are therefore in accordance with the Local Plan and the NPPF.

Living Conditions

Existing residents

6.147. The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.

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6.148. The application seeks outline planning permission and accordingly the masterplan layout is indicative only and subject to change at the detailed stage. However, the indicative masterplan layout indicates that the proposed development could be accommodated within the site without any undue harm to the residential amenities of the occupants of nearby dwellings by reason of overlooking, loss of daylight and/or sunlight, visual impact and noise and disturbance.

Future residents

6.149. New development is expected to offer future occupiers a sufficient standard of accommodation and to have regard to the Government's minimum internal space standards for new dwellings.

6.150. As noted above, the masterplan layout is indicative only. However, the layout demonstrates that 650 residential dwellings could be satisfactorily accommodated on the site whilst providing adequate separation between dwellings to ensure adequate outlook and privacy for occupants of the dwellings.

6.151. Approval of the detailed internal layouts of the proposed accommodation is not sought at this stage. However, the indicative masterplan is considered to demonstrate adequate space to accommodate dwellings which would provide an appropriate standard of internal accommodation subject to details to be submitted at reserved matters stage.

6.152. The indicative masterplan layout demonstrates that adequate private amenity space in the form of rear gardens could be provided for the proposed houses. It is recommended that relevant permitted development rights are removed to ensure that adequate private amenity space to the dwellings is maintained.

6.153. The indicative masterplan indicates that the site could accommodate 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 the Local Plan and the NPPF.

Sustainability / Energy

6.154. Policy DM 19 of the Local Plan requires development proposals to include measures to address climate change. Details of sustainable design and construction measures to minimise environmental impacts can be secured at detailed stage and may include measures such as electric vehicle charging points (provision of one per dwelling); solar panels; passive energy measures; and/or low NOx boilers as examples.

6.155. Non-residential buildings under 1000m² (GIA) within the scheme will be expected to achieve BREEAM 'Good' standard or equivalent as a minimum whilst non-

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residential developments over 1,000m² (GIA) should achieve BREEAM 'Very Good'. Compliance with the relevant BREEAM standards can be secured by condition.

- 6.156. The Council's Climate Change Officer notes that there is no reference to sustainability in any of the relevant documents. However, it is noted that the application seeks outline planning permission and further detail would be anticipated at reserved matters stage. It is also noted that the Future Homes standard, which will become mandatory in 2025, would ensure that the development achieves appropriate standards in terms of energy efficiency and carbon reduction. Conditions are requested to secure sustainable design and energy efficiency measures and details of measures to reduce water consumption.
- 6.157. In view of the above the proposed development is considered acceptable in relation to sustainability and energy and is in accordance with Local Plan Policy DM 19.

Noise

- 6.158. The NPPF states that planning decisions should ensure that noise from new development is mitigated and potential adverse impacts are reduced to a minimum.
- 6.159. The application is accompanied by an Acoustic Assessment which identifies the need for certain mitigation measures to be incorporated into the development and recommends suitable façade constructions and ventilation elements that will need to be provided. The Council's Environmental Health Officer advises that compliance with the recommendations in the assessment should be secured through condition. The final detailed housing layout proposed will necessitate a further acoustic review to reflect any changes made which should also be secured through the condition (No. 49).
- 6.160. In view of the above the proposed development is considered acceptable in terms of noise and in accordance with the provisions of the NPPF.

Other matters

- 6.161. The site is unencumbered by mineral designations and KCC have made no comments in relation to minerals.
- 6.162. The application will need to accord with the latest Secure by Design requirements, and this will need to be appropriately detailed in the reserved matters submission documents.
- 6.163. In terms of water supply and sewerage, Southern Water note that the proposed development will lie over an existing 315mm public water distribution main and 12 inch water trunk main, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined before the layout of the proposed development is finalised. It might be possible to divert the water main, so long as this

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would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions. The applicant has advised that the water mains have been identified from the outset by the design team and some diversion will be necessary and the extent of this will be determined at detailed design stage. It is envisaged that the diversion will be made into the landscaping buffer and in other publicly accessible areas of the site such as road infrastructure to ensure they are maintainable post adoption by the relevant bodies.

6.164. Southern Water have requested conditions and informatives relating to the diversion of the water main, water supply and delivery of sufficient sewerage infrastructure to serve the development.

The Planning Balance

6.165. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Under s70(2) of the Town and Country Planning Act 1990, the decision-maker needs to have regard to the provisions of the development plan and any other material considerations.

6.166. The Council can demonstrate a 4.1 year supply of housing. In accordance with footnote 8 to paragraph 11 of the NPPF, the most important policies for determining this application cannot be considered up-to-date, and the 'Tilted Balance' in favour of sustainable development should apply to decision making. Only if the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, should planning permission be refused. It is therefore necessary to consider the benefits and disbenefits of the proposal in order to determine whether there are adverse impacts which would justify a refusal of planning permission.

6.167. It is considered that the proposal will result in disbenefits arising from conflict with Local Plan Policies ST1, ST3, ST 6 and DM 24.

6.168. Officers consider that the proposed development would deliver the following benefits:

- Housing and affordable housing
- Infrastructure needed to support the new communities including community facilities
- Employment and economic activity
- Open space and sports facilities
- Ecology and biodiversity
- Design and appearance
- Sustainability and carbon reduction
- Transport
- Local finance considerations.

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Benefits

Housing and affordable housing

- 6.169. The erection of 650 dwellings, including 41.5% affordable housing to address a pressing need, would contribute towards addressing the lack of 5-year housing land supply within the borough. Given the Framework's general imperative to boost the supply of housing, this is an important factor weighing in favour of the application. As set out at paragraph 6.31-6.32 above, the delivery of 14.5% affordable housing will not be firmly secured through the Section 106 agreement therefore in acknowledgement of a degree some risk around its delivery significant weight is afforded to the benefit arising from this proportion of the affordable housing. However, overall, it is considered that the delivery of housing and affordable housing is a benefit which should be afforded **substantial weight**.

Infrastructure needed to support the new communities including community facilities

- 6.170. The need for the proposed community uses is only driven by the future population that could be expected to be living on the site (if approved). While the proposed community uses may provide a closer option for some existing nearby residents, they are primarily necessary to mitigate the impacts of the proposed development. If they were not provided on site, planning obligations would need to be secured to ensure additional capacity was provided elsewhere to meet the needs of the development. Without the mitigation, the housing proposals would be unacceptable. It is therefore considered that the community facilities should be afforded **limited weight** in the planning balance.

Employment and economic activity

- 6.171. New residents who will use local services and facilities and facilitate potential future growth opportunities which meet the economic and social objectives of sustainable development at paragraph 8 of the NPPF.
- 6.172. The development would bring forward jobs and spending during the construction phase. Paragraph 81 of the NPPF advises that significant weight should be placed on the benefit a scheme offers in supporting economic growth and productivity; however, this weight is moderated on the basis that these benefits will be limited to the construction phase. Overall, **moderate weight** is afforded to the employment and economic activity benefits of the development.

Open space and sports facilities

- 6.173. The provision of public open space and recreation areas within the proposed development is a normal planning requirement of good place-making and to mitigate impacts of the development and is therefore attributed **limited weight** in the planning balance.

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Ecology and Biodiversity

- 6.174. Whilst landscaping is a reserved matter, the indicative plans and documents show that the emerging proposals would provide suitable landscaping and planting in and around the site (subject to details being secured at the reserved matters stage) which would provide ecological and biodiversity enhancements. This is a normal planning requirement and is therefore attributed **limited weight** in the planning balance.

Design and appearance

- 6.175. As an Outline application, matters of layout, scale, appearance and landscaping are not for determination. However, the application includes an indicative Masterplan layout and a Design and Access Statement which demonstrate how the site could be developed to deliver a high quality and distinctive development and **limited weight** is afforded to this benefit.

Sustainability and carbon reduction

- 6.176. The proposed development would comply with Local Plan policy and Building Regulations requirements in respect of sustainability and energy consumption which would be a normal planning and Building Regulation requirement. Accordingly, **limited weight** can be afforded to this benefit.

Transport

- 6.177. The proposals involve off-site highways improvements and the implementation of a new local bus route with funding provided by the developer during the initial years.
- 6.178. The transport improvements are primarily required to mitigate the impacts of the development on the local road network. However, the improvements will also deliver wider public benefits in the form of more efficient highways infrastructure and additional bus services between the site and Sheerness. Accordingly, **moderate weight** can be afforded to these benefits.

Economic benefits

- 6.179. The Town and Country Planning Act 1990 sets out general considerations in the determination of applications states the following:

“In dealing with an application the authority shall have regard to

- (a) the provisions of the development plan, as far as material to the application,*
- (b) any local finance considerations, as far as material to the application, and*
- (c) any other material considerations.”*

- 6.180. The application proposes 650 new dwellings with associated Council tax being received from occupiers and able to be used by the Borough to carry out its statutory

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functions. The funding is needed to mitigate the impacts of the development and **limited weight** is afforded to this benefit in the planning balance.

Heritage impacts

- 6.181. As is set out in the Heritage section of this report, the development would result in harm to the setting of the Grade II listed Scocles Court. The level of harm is considered to amount to a medium level of ‘less than substantial’ harm. Even in cases where the heritage harm falls in the ‘less than substantial’ category, as is the case here, this still requires being given great weight and importance in the planning balance.
- 6.182. Officers have been mindful of the statutory duty to do no harm and have placed great weight and importance on the fact that less than substantial harm would be caused to the designated heritage asset.
- 6.183. The proposal would bring forward public benefits identified in this section including the delivery of housing which is afforded substantial weight. The proposal would bring forward employment and economic benefits and transport improvements which are public benefits afforded moderate weight. The further benefits identified above are also considered to represent public benefits which would be afforded limited weight.
- 6.184. In light of the benefits identified, in particular the substantial benefit arising from the delivery of housing, and given the medium degree of less than substantial harm to the Grade II listed Scocles Court it is considered that the public benefits are sufficient to outweigh the heritage harm. Officers are therefore of the view that the proposals are in accordance with Local Plan Policies CP8 and DM32 and the provisions of the NPPF.
- 6.185. In considering the impact of this proposal on designated heritage assets, officers have had regard to the Council’s obligations pursuant to s16, s66 and s72 of the Planning (Listed Building and Conservation Areas Act) 1990.

Planning balance – conclusion

- 6.186. The above assessment identifies a series of benefits which weigh in favour of the proposal. In particular, the delivery of 650 units of housing including 41.5% affordable housing is considered to be a benefit which can be afforded substantial weight overall, noting that significant weight afforded to 16.5% of the affordable housing as set out above. The benefits identified above are considered to substantially outweigh the identified moderate degree of harm which will arise from conflict with Local Plan Policies ST 1, ST 3, ST 6 and DM 24. Accordingly, the proposal is considered acceptable, and it is recommended that planning permission be granted subject to conditions and the prior completion of a Section 106 agreement.

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RECOMMEDATION – GRANT PLANNING PERMISSION subject to conditions and the prior completion of a Section 106 agreement

CONDITIONS

1. Reserved Matters

Details relating to the appearance, landscaping, layout, and scale of the proposed dwelling(s) (hereinafter called the 'reserved matters') shall be submitted to and approved by the Local Planning Authority before any development is commenced 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. Time Limit – Reserved Matters

The first application for approval of reserved matters referred to in Condition (1) must be made to the local planning authority no later than the expiration of 12 months 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. Reserved Matters

The first phase of development to which this permission relates must be begun not later than the expiration of 12 months from the final approval of the relevant reserved matters.

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. Phasing

No development shall take place until a Phasing Plan, which shall include justification for the proposed Phases, demonstrate the timescale for the delivery of the development and include the order of the delivery of the proposed phases, has been submitted to and approved in writing by the local planning authority. The phasing of the development shall not be carried out otherwise than in accordance with the approved plan.

All reserved matters submissions shall be in accordance with the Phasing Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Phasing Plan submitted under this condition.

Reason: To ensure the development proceeds in a satisfactory manner. The objectives and purposes of this condition are such that it is required to be

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complied with before commencement. As such, those objectives and purposes would not be met if expressed other than as a pre-commencement condition.

5. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

SCP/220758/D10 Rev. E Potential Traffic Improvements at A249/A500 Roundabout
SCP/220758/D09 Rev. D Potential Segregated Northbound Lane at A249/A500 Roundabout
SCP/220758/D08 Rev. E Potential Segregated Southbound Lane at A249/A2500 Roundabout
SCP/220758/D11 Assessment of Land Ownership Impact
03/001 Proposed Access Strategy Access Road onto Scocles Road 35m ICD Roundabout
03/002 Proposed Access Strategy Main Access onto A2500 40m ICD Roundabout
03/003 Rev. B Proposed Access Strategy Potential A249/A2500 Roundabout Improvement Option
Parameters Plan BG/SRM/PP/01.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with this application.

6. **Levels**

Any reserved matters application(s) which covers the matter of 'scale' shall include a detailed levels survey of the site and cross sections showing:

- Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
- The level of the roads outside the site. (AOD)
- The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).
- The location and type of any retaining structures needed to support ground level changes.
- Finished Floor Levels for proposed buildings.
- The information supplied should clearly identify if land levels are being raised or lowered.

Reason: Understanding level changes and finished floor levels is necessary to ensure that the work is carried out at suitable levels in the interests of the character and appearance of the area, to safeguard wider views, and protect residential amenities.

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7. Landscaping

Any reserved matters application(s) which covers the matter of 'Landscaping' shall include:

- Plans, drawings, sections, and specifications to explain full details of the hard and soft landscaping treatment and works including: planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity, where possible), plant sizes, numbers and densities where appropriate, materials (size, type and colour), proposed drainage arrangements, children's play equipment, street furniture, lighting columns, private and communal areas, open spaces, edges, boundary treatments, public rights of way and roads;
- Tree planting details (including street trees and hedge rows) and specification of all planting in hard and soft landscaped areas, to include provision for advanced planting to the northern and southern boundary of the site.
- The open space details shall demonstrate that there will be no Sustainable Urban Drainage Systems located within private gardens or play areas.
- Details of the programme for implementing and completing the planting.
- An Arboricultural Method Statement produced in accordance with BS5837.
- A Tree Protection Plan showing trees that would be retained and the arrangement of temporary protection measures that would be installed prior to the commencement of development.
- A methodology for any special construction that is required to ensure the success of proposed tree retention.
- A detail for any temporary construction measures, products or construction methods that are specified.
- Details of a proposed watching brief, monitoring or reporting.
- Significant landscaping provided within the core of the site and internal streets and roads are tree lined.

Reason: In order that the Reserved Matters Applications can be properly considered and assessed, in the interests of proper planning.

8. Landscaping

All new planting, seeding or turfing comprised in the landscaping reserved matters shall be carried out in the first planting and seeding seasons following the completion of any particular phase. Any trees or plants, including retained trees and shrubs identified in the landscaping reserved matters, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

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9. Secure by Design

The details submitted pursuant to condition (1) (the reserved matters) shall include details demonstrating how the development meets the principles of 'secure by design'.

Reason: In the interests of crime prevention and safety

10. Limits

The quantum of residential units to be constructed for the development hereby approved shall be limited to a maximum of 650 units.

Reason: To ensure that the development is carried out in accordance with the submitted with the application.

11. Detailed Masterplan, Design Code and Landscape Strategy

The first application for Reserved Matters for the development hereby permitted shall be accompanied by a site wide detailed Masterplan with associated Design Code and a site-wide Landscape Strategy incorporating biodiversity enhancement measures and a Landscape Management Plan. The Masterplan and Design Code shall be informed by:

- The National Design Guide (Amended 2021 to align with National Model Design Code and Guidance Notes for Design Codes);
- The National Model Design Code (2021);
- Any other relevant Design Guide or Code that is adopted at the time; and
- A Design Review Outcome Report following a design review process involving the Local Planning Authority carried out by Design South-East or another appropriate design review panel that has been approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved Masterplan, Design Code and Landscape Strategy.

Reason: In order to ensure the development delivers a high-quality design, landscaping and place making.

12. Compliance Statement

Any applications for Reserved Matters shall be accompanied by a Masterplan and Design Code Compliance Statement which demonstrates how that phase of the development has been brought forward in accordance with the approved Masterplan and Design Code pursuant to Condition no. 11 (above) of this permission.

Reason: In order to ensure the development delivers a high-quality design and place making.

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13. Details of Materials

No development above construction of foundations, in a particular phase, shall commence until full details/samples of the materials to be used in the construction of the external surfaces of the buildings in that phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples.

Reason: In order to further secure good design and a satisfactory appearance and so as not to delay construction the condition is triggered once development has reached slab level.

14. Archaeological Works

To assess and mitigate the impacts of development on significant archaeological remains:

- A. Prior to the commencement of development the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.
- B. Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of 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.
- C. The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.
- D. Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
 - a) a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
 - b) an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
 - c) a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.
- E. The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

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Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Local Plan policies and the National Planning Policy Framework. These details are required prior to the commencement of development in order to ensure that the works do not result in harm to features of archaeological interest.

15. Contaminated Land

If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

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 pollution from previously unidentified contamination sources at the development site.

16. Construction Method Statement

Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The document shall be produced in accordance with the Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites, the Control of Dust from Construction Sites (BRE DTi Feb 2003) and the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction'. The construction of the development shall then be carried out in accordance with the approved methodology.

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Reason: To protect the amenity of nearby occupiers and prevent pollution. The objectives and purposes of this condition are such that it is required to be complied with before commencement. As such, those objectives and purposes would not be met if expressed other than as a pre-commencement condition.

17. Construction Surface Water Management Plan

Prior to the commencement of development, a Construction Surface Water Management Plan (CSWMP) shall be submitted to and approved by the Local Planning Authority. The CSWMP shall detail how surface water and storm water will be managed on the site during construction is submitted to and agreed by the local planning authority. The plan should outline the phases of construction showing where and when drainage features will be installed and how runoff will be managed, to minimise flood risk and water quality impacts on site and to the surrounding areas.

Reason: In the interest of managing flood risk during the construction stage. The objectives and purposes of this condition are such that it is required to be complied with before commencement. As such, those objectives and purposes would not be met if expressed other than as a pre-commencement condition.

18. Hours of Construction Activity

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: To protect the amenity of nearby occupiers.

19. Impact Piling Hours of Activity

No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times:-

- Monday to Friday 0900 - 1700 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of nearby occupiers.

20. Ecological Mitigation and Management Plan

Prior to the commencement of development (including site clearance) an Ecological Mitigation and Management Plan (EMMP) shall be submitted to and approved in writing by the Local Planning Authority. The EMMP shall be based on the recommendations in Section 5 of the Preliminary Ecological Appraisal by

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Adonis Ecology Ltd. Dated 20th April 2022. It shall provide detailed avoidance and mitigation measures to be carried out on site, together with a timetable for implementation. The development shall be carried out in accordance with the approved details. The EMMP shall include the following:

- a) Risk assessment of potentially damaging site clearance and construction activities;
- b) Further surveys required to inform the measures within the EMMP;
- c) Extent and location of proposed mitigation measures, shown on appropriate scale maps and plans;
- d) Identification of 'biodiversity protection zones';
- e) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during site clearance and construction (may be provided as a set of method statements);
- f) The location and timing of sensitive works to avoid harm to biodiversity features;
- g) The times during construction when specialist ecologists need to be present on site to oversee works;
- h) Responsible persons and lines of communication;
- i) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- j) Use of protective fences, exclusion barriers and warning signs.

The approved EMMP shall be adhered to and implemented throughout site clearance and the construction period in accordance with the approved details.

Reason: To ensure that any adverse ecological impacts of development activities are avoided or suitably mitigated. The objectives and purposes of this condition are such that it is required to be complied with before commencement. As such, those objectives and purposes would not be met if expressed other than as a pre-commencement condition.

21. Biodiversity Enhancement Plan

Prior to the commencement of development (including site clearance) a Biodiversity Enhancement Plan (BEP) addressing ecological mitigation and enhancement of the site has been submitted to and approved in writing by the local planning authority. The BEP shall be based on the outline proposals in Section 5.3 of the submitted Preliminary Ecological Appraisal by Adonis Ecology Ltd. Dated 20th April 2022 and include the following:

- a) Purpose and conservation objectives for the proposed works including creating suitable habitat for reptiles and amphibians and mammals and creating new hedgerows;
- b) Detailed design(s) and working method(s) to achieve stated conservation objectives;
- c) Extent and location/area of proposed works on appropriate scale maps and plans;

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- d) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- f) Persons responsible for implementing the works.

The BEP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that the losses of biodiversity can be compensated for and a net gain in biodiversity delivered in accordance with the requirements of the NPPF (September 2023), and that the proposed design, specification and planting can demonstrate this. The objectives and purposes of this condition are such that it is required to be complied with before commencement. As such, those objectives and purposes would not be met if expressed other than as a pre-commencement condition.

22. Landscape and Ecological Management Plan

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the completion of site access works of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions, together with a plan of management compartments;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Monitoring measures to demonstrate that the aims and objectives of management are being achieved including:
 - Identification of adequate baseline conditions prior to the start of development;
 - Methods for data gathering and analysis;
 - Location of monitoring and timing and frequency of monitoring;
 - Responsible persons and lines of communication.
- i) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and

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objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features.

23. Highways Works

No dwelling hereby approved shall be occupied until the off-site highway works to the A2500 Lower Road / Barton Hill Drive roundabout as indicated on drawing number SCP/220758/D03 have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

24. Highways Works

No more than 300 dwellings hereby approved shall be occupied until vehicle accesses onto Scocles Road and the A2500 Lower Road respectively as indicated on Create Consulting Engineers Ltd drawings both numbered 03/001 and 03/001, and a spine road connecting the two have been constructed and opened for use in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

25. Provision of footway

Prior to the occupation of any dwelling accessed from Scocles Road, a footway measuring at least 2m in width shall be constructed on the eastern side of Scocles Road between Thistle Hill Way and Elm Lane in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

26. Provision of footway

Prior to the occupation of any dwelling accessed from Lower Road, a 3m wide shared use footway/cycleway shall be constructed alongside Lower Road as shown indicatively on drawing BG/SRM/PCP/1 Revision C and extending to Scocles Road in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

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27. Provision of shared use footway/cycleway

Prior to the occupation of any dwelling accessed from Lower Road, off-site works to construct a 3m wide shared use footway/cycleway between the existing provision at the junction of Lower Road and Thistle Hill Way to the junction of Lower Road and Scocles Road shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

28. Provision of footway connections

Prior to the submission of the first reserved matters application, a phasing plan and details of footway connections linking pedestrian routes within the development to Queen Anne Close and the southern boundary of Scocles Court shall be submitted to and approved in writing by the Local Planning Authority, and the footways shall thereafter be constructed in accordance with the approved specification and phasing plan.

Reason: In the interests of highway safety and convenience.

29. Construction Traffic Management Plan

Prior to the commencement of development (including any works of site clearance or preparation) a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority (in consultation with the Highway Authority for the A249). The approved Plan shall be adhered to throughout the construction period. The Plan shall include as a minimum:

- a) Construction phasing
- b) The parking of vehicles of site operatives and visitors
- c) Loading and unloading of plant and materials
- d) Recording the condition of the immediate local highway prior to commencement, and measures to make good any damage attributed to construction traffic
- e) Routing and timing of construction traffic to / from site
- f) Wheel washing facilities
- g) Temporary traffic management / signage.

Reason: In the interests of the amenities of the area and highway safety and convenience and to mitigate any adverse impact from the development on the A249 in accordance with DfT Circular 01/2022 and section 10 of the Highways Act 1980. These details are required prior to commencement in order to ensure that satisfactory measures are in place prior to any construction activity.

30. Parking and turning space

No dwelling shall be occupied until vehicle parking and turning space has been provided, surfaced and drained to the satisfaction of the Local Planning Authority in accordance with the adopted parking standards, and shall be retained for the

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use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

31. Electrical vehicle charging

No dwelling shall be occupied until full details of the electric vehicle charging have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented for each house before the dwelling in question is first occupied. All Electric Vehicle chargers must be provided to Mode 3 standard (providing up to 7kw). 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-schemeapproved-chargepoint-model-list>

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

32. Cycle storage

No dwelling shall be occupied or the approved use commenced until space has been laid out for cycles to be securely sheltered and stored for that dwelling within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of sustainable development and promoting cycle visits.

33. Highways works

The proposed estate 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, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

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Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

34. Highways works

Prior to the first occupation of a dwelling / premises the following works between that dwelling / premises and the adopted highway shall be completed as follows:

- a) Footways and/or footpaths shall be completed, with the exception of the wearing course;
- b) Carriageways completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:
 - 1) highway drainage, including off-site works,
 - 2) junction visibility splays,
 - 3) street lighting, street nameplates and highway structures if any..

Reason: In the interests of highway safety.

35. Travel Plan

The development hereby permitted shall not be occupied unless and until a comprehensive Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A249). The Full Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

- the identification of targets for trip reduction and modal shift;
- the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
- the timetable/ phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
- the mechanisms for monitoring and review;
- the mechanisms for reporting;
- the remedial measures to be applied in the event that targets are not met;
- the mechanisms to secure variations to the Travel Plan following monitoring and reviews.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain in perpetuity unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework and paragraph 40 DfT Circular 01/2022.

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36. Highways Mitigation Strategy – Monitor and Manage

The construction of the 250th dwelling (excluding enabling works, access routes, public realm, utilities and other associated infrastructure) shall not commence until full details of a 'Monitor and Manage Mitigation Strategy' has been submitted to, and approved in writing by, the Local Planning Authority, following consultation and agreement with National Highways as the highway National Highways Planning Response (NHPR 24-02) February 2024 authority for the Strategic Road Network (SRN). The Monitor and Manage Mitigation Strategy will set out a methodology to determine the actual traffic impacts of the completed dwellings in terms of traffic flow changes, changes to road safety risk, and changes in traffic conditions (queue lengths and delays) on the SRN upon the occupation of the 250th dwelling. This information is to be set out in a report, and be used to confirm that:

- a) the agreed mitigation for the A249/A2500 Roundabout (as shown in SCP drawings refs: SCP/220758/D08 Rev F and SCP/220758/D09 Rev E in the Transport Assessment Addendum dated April 2024 (Ref. SCP/220758/TAA/03)), remains necessary, or
- b) an alternative scheme of mitigation for the A249/A2500 Roundabout, detailed to preliminary design standard including but not limited to a Stage 1 Road Safety Audit, is necessary and appropriate to safely accommodate the traffic generation of the remainder of the development beyond the 325th dwelling, or
- c) the traffic generation of more than 325 dwellings can be safely accommodated by the existing A249/A2500 Roundabout layout and if so, the number of occupations that, on the basis of the monitoring data and up-to-date transport evidence, renders the agreed mitigation necessary. In this case, the monitoring process shall be repeated on the occupation of the Xth dwelling, X being the revised number of permitted occupations prior to mitigation becoming necessary minus 75, or
- d) the traffic generation of the full development can be safely accommodated by the existing A249/A2500 Roundabout layout and therefore the agreed mitigation is no longer needed.

The methodology shall set out how any review of traffic impacts will be informed by up-to-date transport evidence including appropriate traffic modelling capable of satisfactorily replicating the operation of the SRN including junction interactions and network constraints, with reported results.

Reason: To ensure the agreed mitigation for the A249/A2500 Roundabout remains effective and appropriate.

37. Highways Mitigation

The construction of the 326th dwelling shall not commence until the improvement schemes identified for the A249/A2500 Roundabout, as shown in National Highways Planning Response (NHPR 24-02) February 2024 SCP drawings refs: SCP/220758/D08 Rev F and SCP/220758/D09 Rev E in the Transport Assessment

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Addendum dated April 2024 (Doc Ref: SCP/220758/TAA/03) are completed and open to traffic.

Reason: To mitigate the impact of the development on the A249, in accordance with paragraph 115 of the NPPF (December 2023) and paragraph 40 of the DfT Circular 01/2022.

38. Lighting Design

Prior to the commencement of development a “lighting design strategy for biodiversity” for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important foraging and commuting routes;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

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

Reason: In order to protect and enhance biodiversity on the site in accordance with the aim of local planning policy. In line with the National Planning Policy (2012) paragraph 125. The following species have been found on this site [bats, badgers and otters] and are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. These details are required prior to the commencement of development in order to ensure that the construction works do not result in harm to any light sensitive species present on the site.

39. External Lighting Strategy

Prior to the installation of any external lighting, in a particular phase, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority.

Reason: External lighting details are necessary in the interests of the character and appearance of the area, biodiversity and to protect residential amenities

40. Surface Water Drainage

Prior to the commencement of development details of surface water drainage have been submitted and approved in writing by the Local Planning Authority to demonstrate that requirements for surface water drainage for all rainfall durations

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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. 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.

41. SUDS Scheme

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 be based upon the Flood Risk Assessment and Outline Drainage Strategy prepared by Paul Graveney Consulting Ltd (Issue 2 dated 22nd April 2022) and 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 include details of measures to mitigate the risk of flooding along watercourse corridors and land low spots. The details shall include consideration of flood resilience measures, exceedance routes away from buildings and finished floor level for any dwellings close to these locations.

The drainage scheme shall also demonstrate (with reference to published guidance) that appropriate operational requirements for each drainage feature or SUDS component are adequately considered and that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

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.

42. SUDS Maintenance

Prior to the commencement of development a maintenance schedule shall be submitted to and approved by the Local Planning Authority. The schedule shall specify ownership and any proposed arrangements for future adoption by a public body or statutory undertaker. The schedule shall specify a timetable for

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implementation, and it shall provide a management and maintenance plan for the lifetime of the development. All SuDS should be located in accessible areas, and the plan should include addressing the frequency of maintenance for each SuDS feature based on guidance in the CIRIA SuDS Manual 2015 as well as details of who will carry out the maintenance. Any land drainage consent issued by the Lower Medway Internal Drainage Board will be suitably conditioned to include the proposed maintenance schedule.

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.

43. Surface Water Drainage Verification Report

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 169 of the National Planning Policy Framework.

44. Diversion of Sewers/Water Mains

The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers/water mains, prior to the commencement of the development.

Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: In the interests of safeguarding Southern Water infrastructure on the site.

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45. Energy

For each relevant phase, the details submitted pursuant to condition (1) (the reserved matters) shall include 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 details shall demonstrate that at least a 50% reduction in Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended) will be achieved.

The development shall thereafter be carried out in accordance with the approved details.

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

46. BREEAM

All non-residential buildings hereby approved shall be constructed to BREEAM 'Very Good' Standard or an equivalent standard and prior to the use of the buildings the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

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

47. Water Consumption

The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day.

Reason: In the interests of water conservation and sustainability.

48. Accessible and Adaptable Dwellings

At least 10% of the affordable units hereby permitted shall be built to M4(3) of building regulations standards and all of the remaining units will be built to M4(2) of building regulations standards unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure accessible and adaptable dwellings.

49. Noise

Prior to the commencement of development the final layout locations of properties on the site and their associated amenity areas shall be submitted to the Local Planning Authority together with a further noise assessment identifying properties that require noise mitigation measures and full details of any proposed measures.

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Upon approval by the Local Planning Authority the noise mitigation measures shall be implemented in full prior to occupation of the premises and retained thereafter.

Reason: To protect the amenities of any future residents and to ensure acceptable external and internal noise levels are specified and achieved. These details are required prior to the commencement of development in order to ensure that the development as built will provide satisfactory living conditions for future occupants.

50. Sports Facilities

The reserved matters shall include formal sports facilities to meet the needs of the development which shall be delivered in accordance with Sport England and relevant governing body standards.

Reason: In the interests of securing adequate sports facilities to meet the needs of the development which will be delivered to an appropriate specification.

51. Heritage Interpretation Board

Prior to the first occupation of the development hereby permitted the applicant shall install a heritage interpretation board within the site in the vicinity of Scocles Court in accordance with details which shall have been approved in writing by the Local Planning Authority. The heritage interpretation board shall provide information about Scocles Court including its historic function as a farmhouse.

Reason: In order to mitigate the impact of the development on Scocles Court arising from the loss of its rural setting.