

2.6 REFERENCE NO - 15/501140/FULL			
APPLICATION PROPOSAL New vehicular/pedestrian access to the southern boundary			
ADDRESS Four Gun Field Otterham Quay Lane Upchurch Kent ME8 8QP			
RECOMMENDATION Approval subject to additional plans being submitted showing details of the retaining wall and railings and further comments from Kent Highways.(closing date 27 August 2015)			
SUMMARY OF REASONS FOR RECOMMENDATION Kent Highways have identified no highway safety or amenity issues for the access.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection.			
WARD Hartlip, Newington & Upchurch	PARISH/TOWN COUNCIL Upchurch	APPLICANT Matthew Homes Limited AGENT Thrive Architects	
DECISION DUE DATE 03/04/15	PUBLICITY EXPIRY DATE 03/04/15	OFFICER SITE VISIT DATE 26/03/15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/98/0692	Lawful Development Certificate for brickmaking and related activities and/or open storage within Class B8.	Lawful	11.01.1999
SW/00/0101	Outline application for residential development.	Refused and dismissed on appeal	03.05.2000
SW/00/0298	New industrial road access from Otterham Quay Lane.	Approved	28.06.00
SW/11/0866	Stationing of portable office/restroom	Approved	10.10.2011
SW/11/0867	Formation of areas of hardstanding, siting of wheel spinner, CCTV cameras and stanchion	Approved	10.10.2011
SW/12/1243	Outline application for residential development (about 50 dwellings) and public open space with wildlife area.	Approved	14.02.2014

SW/12/1244	Variation of condition (1) of SW/11/0866 to extend the time period in which the portable office/restroom may be retained on site to a period of 36 months without the commencement of a B2 use.	Approved	21.12.2012
SW/12/1245	Variation of condition (1) of SW/11/0867 to extend the time period in which the hardstanding, wheel spinner, CCTV cameras and stanchion may be retained on site to a period of 36 months without the commencement of a B2 use.	Approved	21.12.2012
14/506519/FULL	Redevelopment of existing landscape contractor's yard and land surrounding Kent Terrace to provide 13 dwelling houses and an extension to the existing terrace with associated car parking and landscaping. In addition, a ground floor rear extension to Plot 15	Pending consideration. Relates to adjacent site.	N/A
15/501109/REM	Approval of Reserved Matters for the erection of 52 dwellings, open public space with wildlife area. (appearance, landscaping, layout and scale being sought).	Pending consideration	N/A

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The application site lies approximately 1km to the north east of Rainham centre and approximately 0.9km to the north of the A2. The application site covers an area of 0.17ha with the location of the proposed access approximately 35m from the junction of Canterbury Lane with Otterham Quay Lane. A residential housing estate lies to the west of the application site. Kent Terrace, a residential terrace of 15 properties lies to the southeast of the application site. A contractor's yard the subject of a current planning application (see above) lies further to the southeast. The Cloverlay Industrial Park and two large industrial buildings lie to the south on the opposite side of Canterbury Lane.

- 1.02 The site is currently enclosed by hoardings. The land further to the north and east consists of a golf course and Upchurch Village lies approximately 1km to the northeast.

2.0 PROPOSAL

- 2.01 This application is to provide a new vehicular access off Canterbury Lane. This access would serve six properties that would be built at the same time as the wider housing development at the Four Gun Field site. It is important to note that the proposal for the six dwellings is not included as part of this access application. The access application is required because outline planning permission SW/12/1243 was granted for the residential development of the Four Gun Field site with the access details approved off Otterham Quay Lane only. These access details did not include an access from Canterbury Lane, hence the need to submit a full planning application for the proposed new access now. As such, this application is linked to the reserved matters application 15/501109/REM, also on this agenda. The six houses to which the proposed new access would serve would achieve reserved matters approval should that application be approved.
- 2.02 Members will note that I have recommended a condition under the reserved matters application that would ensure that the proposed access off Canterbury Lane is provided prior to the commencement of the housing development. Otherwise the danger is that six houses would be built without the necessary vehicular access. Members will note from the reserved matters report that I have recommended that if they are minded to refuse this application for the access, no decision should be issued on the reserved matters application until such time as a suitable access is approved.
- 2.03 The access would be five metres wide with visibility splays of 2.4m x 43m. It is important to note that there would be no through route between the Canterbury Lane access and the Otterham Quay Lane access.
- 2.04 Amended plans have been received showing a footpath along Canterbury Lane from the proposed access to Otterham Quay Lane. Kent Highways comments on this amended plan are awaited and I will update members at Committee on this matter.

3.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

Section 106 or 52 Agreement SW/12/1243

A high pressure gas pipeline lies along the southern edge of Canterbury Lane.

4.0 POLICY AND OTHER CONSIDERATIONS

NPPF; NPPG; Swale Borough Local Plan 2008 – policies E1 & T1; Emerging Local Plan – Bearing Fruits 2031: The Swale Borough Local Plan Part 1 Publication Version December 2014 – policy DM6.

5.0 LOCAL REPRESENTATIONS

5.01 Six objections have been received from local residents. A summary of their comments is as follows:

- Concern about increase in traffic in the area;
- Increase in pollution;
- Existing waste water systems are overloaded and more houses will make the situation worse;
- Schools are oversubscribed;
- Lack of medical facilities;
- The roads cannot cope with any more cars;
- If the site is higher than the surrounding land, this will lead to flooding;
- Canterbury Lane has too much fast traffic using it. The proposed access is too close to Otterham Quay Lane; and
- Cars are usually parked on the south side of Canterbury Road and this is a safety hazard.

6.0 CONSULTATIONS

6.01 Upchurch Parish Council comment that: the sustainable urban drainage system needs to be 'better defined'; the education facilities analysed are in Medway but should instead be analysed for Swale; comments on the house designs being typical of urban Rainham and that the house design is bland. It is assumed that these comments were aimed at the reserved matters application 15/501109/REM, also on this agenda. Under the aforementioned reserved matters application, the Parish Council strongly objects to the Canterbury Road access due to this narrow road being used as a cut-through the village. They consider that it is a busy road and overspill parking could obstruct commercial traffic.

6.02 Kent Highways comment that the principle of the new access is acceptable. It does not increase the level of vehicular activity on the highway network as the total number of dwellings remains the same as the outline approval. There is a limited number of dwellings served by the proposed new access. They consider that the access will not affect the capacity of that section of highway, or its junction with Otterham Quay Lane. They accept the proposed sightlines. They recommend that the design of the access should be downgraded so as to avoid attracting traffic. They note that the access would serve a shared drive that would not be adopted by Kent Highways. They also request that a footway link is provided from the proposed new access along Canterbury Lane towards Otterham Quay Lane as they consider pedestrian movements will be generated by the proposal. The development should also allow for the future installation of a pedestrian footpath to the other side of the new access towards Kent Terrace.

6.03 The Health and Safety Executive does not advise against the application.

- 6.04 The Environmental Services Manager have no comments.
- 6.05 Southern Water advise that the exact position of the water main should be established prior to the layout being finalised. They also comment on drainage for the housing development which is not relevant to this particular application.
- 6.06 Medway Council have no objection.
- 6.07 Kent Police have no comments.
- 6.08 The KCC Public Rights of Way Officer have no comment.

7.0 BACKGROUND PAPERS AND PLANS

Site layout; location plan & site survey.

8.0 APPRAISAL

Principle of Development

- 8.01 The development would provide access to a small part of a housing development that already has outline approved. The comments from local residents regarding the impact of new housing on the area are irrelevant to this particular planning application. I therefore consider that the access would be acceptable in principle.

Highways

- 8.02 The proposed access would be of an acceptable design in terms of highway safety and amenity in my view. I have taken into consideration the relevant comments from local residents and Kent Highways and am of the view that the proposed new access would not cause any detriment to Canterbury Lane in terms of an increase in vehicles using this road. It must be noted that the proposed access would only serve six new dwellings and would not serve the wider development of 52 houses. Visibility splays are accepted by Kent Highways and I have recommended a condition to ensure that the sightlines are maintained. I have also recommended a condition to tie in with the reserved matters application 15/501109/REM in respect of the provision of a new footpath to Canterbury Lane leading from the proposed access to Otterham Quay Lane.

Other Matters

- 8.03 The proposed access would have no detriment to visual amenities in my view. I have requested plans to detail the proposed retaining wall and railings to be erected along Canterbury Lane and will ensure that a good design is achieved here.

9.0 CONCLUSION

9.01 Having considered the views of local residents, the parish council and consultees and the relevant planning policies, I am of the view that the development would have no undue impact on highway safety or amenity. I am also of the view that the proposed development would have no detriment to visual amenities, subject to the submission of further plans detailing the retaining wall and railings.

I therefore recommend approval subject to the further comments of Kent Highways on the amended plans.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The development hereby approved shall be carried out in accordance with the following approved drawing: SL02 Rev B.

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

2. Prior to the commencement of development hereby approved, details of the construction and finish of the footpath to Canterbury Lane running between the proposed access off Canterbury Lane and Otterham Quay Lane as shown on drawing no. SL02 Rev B, shall be submitted to the Local Planning Authority for approval in writing and shall be implemented in accordance with the approved details prior to the occupation of the first dwelling hereby approved.

Reason: In the interests of improving pedestrian movements from the site.

3. The access hereby approved shall not be brought into use until the visibility splays shown on the submitted plan have been provided with no obstruction to visibility at or above a height of 1.05m above the nearside carriageway level. The visibility splay shall thereafter be maintained free of obstructions at all times.

Reason: In the interests of highway safety.

INFORMATIVES

(1) The applicant is advised to consider the advice provided by Kent Highways in their letter of 15th April 2015 in regards to works to the public highway.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

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

The applicant/agent was provided formal pre-application advice.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.