

<b>REFERENCE NO -</b> 18/505417/REM		
<b>APPLICATION PROPOSAL</b> Approval of Reserved Matters for Appearance, Layout, Scale and Landscaping and details pursuant to conditions 6 (Arboricultural Method Statement); 7 (Tree Protection) and 24 (Minimise Risk of Crime) being sought for erection of 210 dwellings together with access off Forstal Lane, 1.85 hectares of open space and associated infrastructure - pursuant of Outline Application 17/502072/OUT.		
<b>ADDRESS</b> Land south of Forstal Lane, Coxheath Kent		
<b>RECOMMENDATION</b> Application Permitted		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The application accords with the principles established in the outline planning permission and legal agreement and relevant national and local plan policies.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> An informative on the Outline Consent required Reserved Matters to be reported to the Planning Committee for determination.		
<b>WARD</b> Coxheath And Hunton	<b>PARISH/TOWN COUNCIL</b> Coxheath	<b>APPLICANT</b> Chartway Group Ltd <b>AGENT</b> N/A
<b>TARGET DECISION DATE</b> 05/02/19		<b>PUBLICITY EXPIRY DATE</b> 13/12/18

### Relevant Planning History

17/502072/OUT

Outline Application for residential development for up to 210 dwellings together with access off Forstal Lane, 1.85 hectares of open space and associated infrastructure (Access being sought).

Approved Decision Date: 27.02.2018

18/502922/SUB

Submission of details pursuant to Condition 4 (i) : Archaeological field evaluation works (original application ref: 17/502072/OUT).

Approved Decision Date: 25.07.2018

18/504503/NMAMD

Section 96A Application (Non-Material Amendment) - to Vary Condition 5 (All Existing Hedgerow To Be Retained) on Outline Planning Permission 17/502072/OUT - To Allow A Temporary Construction Access.

Approved Decision Date: 09.10.2018

18/504665/NMAMD

Section 96A Application (Non-Material Minor Amendment) - To Vary Condition 18 (Badger Mitigation Strategy and Measures Approved) To amend the Badger Mitigation Approach on Outline Planning Permission 17/502072/OUT ( for 210 dwellings together with access off Forstal Lane, 1.85 hectares of open space)-

Approved Decision Date: 08.11.2018

18/504669/SUB

Submission of Details Pursuant to Condition 13 - Ecological Design Strategy of original planning permission 17/502072/OUT (for 210 dwellings together with access off Forstal Lane, 1.85 hectares of open space)

Approved Decision Date: 24.10.2018

18/505019/SUB

Submission of details pursuant to condition 4ii (Further archaeological investigation) for planning permission 17/502072/OUT s Approved) To amend the Badger Mitigation Approach on Outline Planning Permission 17/502072/OUT (for 210 dwellings together with access off Forstal Lane, 1.85 hectares of open space)  
Approved Decision Date: 12.11.2018

18/505765/NMAMD

Non Material Amendment to vary Condition 19 (EV Fast Charging Points of 22kw or Faster) for the provision of EV slow charging points (of 3.6kW or faster) to serve the development (WallPod Details and shown on the Proposed EV Charging Location Plan) subject to 17/502072/OUT (210 dwellings)  
Approved Decision Date: 17.12.2018

18/506028/SUB

Submission of Details to Discharge Condition 3 (Construction Method Statement) Condition 9 (Maintenance and Management of the Sustainable Drainage Scheme) Condition 16 (Contamination) and Condition 23 (Drainage Strategy - Means of Disposal) Subject to 17/502072/OUT  
Pending Consideration

18/506426/SUB

Submission of Details to Discharge Condition 15 Air Quality assessment and mitigation measures subject to 17/502072/OUT.  
Pending Decision

## **MAIN REPORT**

### **1. DESCRIPTION OF SITE**

- 1.01 The site of 7.79ha is allocated in the adopted Plan (H1(58)) and lies to the south of Forstal Lane, adjoining the existing estate of Park Way and Mill Road to the west and south the recently constructed housing development of Willow Grange which was a Local Plan allocation (H1(57)) for 130 dwellings.
- 1.02 The site is currently laid out as rough grassland and is generally enclosed by hedgerows to its boundaries, with the western part of the site being relatively level with the eastern part of the site dropping into a gentle valley which runs from the south eastern to north eastern boundary of the site. The site has an existing site access onto Forstal Lane to the northern boundary and a public footpath, KM67 runs north to south along the eastern boundary, into the Willow Grange development and then to Heath Road.
- 1.03 The established part of Coxheath village lies to the south and west, including Park Way and open countryside lies to the north and east. Forstal Lane itself is characterised by a lane with deep highway verges. Coxheath village is a short walk via the existing estates to the south west via the footpath link or alternatively along Forstal Lane and through Mill Lane and through the housing estate. The village itself has a range of facilities including shops, medical and community facilities and public transport links and is categorised as a 'larger village' in the Local Plan
- 1.04 In regard of the 2 GP Surgeries, Members will be aware that they are due to merge and relocate to new premises just to the east of Coxheath (and technically in the Parish of Linton). The new premises would be 600m walking via the KM67 and Heath Road.

- 1.05 To the North East of the site, Forstal Lane becomes Well Street, a narrow lane which leads to Loose and its Conservation Area (which is over 500m from the application site)

## **2. PROPOSAL**

- 2.01 The site was allocated for 195 dwellings with 1.4ha of Open Space under policy H1 (58) of the adopted Local Plan. Prior to the Local Plan adoption, outline planning permission (all matters reserved except for access) was sought for up to 210 dwellings with 1.85 ha of Open Space. Planning permission was resolved to be granted at the Planning Committee of 7 November 2017 and the decision was issued on 27 February 2018.

- 2.02 The outline planning permission was granted in February 2018, subject to a legal agreement (under section 106 of the Town & Country Planning Act 1990) that secured the following, with priority to the Coxheath area especially in terms of social care and youth services:

- Financial contribution to local late night bus services;
- 40% affordable residential units within the application site (Tenure mix 60% Affordable Rent, 40% Shared Ownership).
- The securing of a LEMP for the management of the Open Space and other communal areas including protection measures
- Financial contribution towards permanent expansion to 2FE of South Borough Primary School)
- Financial contribution towards Phase 2 expansion at Maidstone Grammar School.
- Travel Plan and monitoring fee of £5,000
- Financial contribution towards the Linton Crossroads Improvements scheme
- Financial contribution towards community learning
- Financial contribution towards book stock at Coxheath Library.
- Financial contribution towards Healthcare at Stockett Lane and Orchard surgeries.
- Financial contribution for Youth Services (Coxheath youth workers; towards Social Care and Trinity Foyer Sensory -beds and rockery)
- Open Space Contribution towards Whitebeam Drive Play Area; open space at Stockett Lane; Outdoor Sports and Amenity Green Space (Linden Road)

- 2.03 The outline application dealt with a number of key principles of development and specifically there were conditions imposed in regard of:

- Renewable and Low Carbon Energy
- Construction Method Statement
- sustainable surface water drainage design

- lighting design strategy for biodiversity
- ecological design and management strategy
- air quality
- contamination
- decentralised and renewable or low-carbon sources of energy
- EV charging
- Access configuration to make right turns extremely difficult
- S278 for Forstal Lane including footpath on southern side
- KM67 resurfacing
- Foul drainage strategy
- Parameter plans for Green infrastructure

2.04 Summary of Reserved Matters application

2.05 The reserved matters submitted in terms of the scale, layout, appearance and landscaping are as follows:

- The overall site area is 7.79ha (including the POS) giving gross density of 27dph
- 210 dwellings on 5.94 ha of the site giving an overall average density of approx. 35 dph on the developed sector of the site.
- In terms of overall layout there are 2 distinct character areas. One on the peripheries of the site that abut the countryside (the northern and eastern edges) has 37 units at a density of approx. 27 dph. This leaves the core area at a density of approx. 38 dph.
- The houses are mainly 2 storeys, there are some 2.5 storeys and the apartment block (12 flats) is 3 and 2.5 storeys.
- 126 market houses comprising 70 x 3-bed; 42 x 4-bed and 14 x 5-bed dwellings.
- 84 affordable units (50 rented and 34 shared ownership), mainly sited in the SW of the site. The Registered Provider is secured as Optivo.
- The affordable rented comprises of 8 x 1-bed; 18 x 2-bed; 20 x 3-bed and 4 x 4-bed. There are 12 flats of 1 and 2 bed sizes.
- The shared ownership comprises of 17 x 2-bed and 17 x 3-bed.
- The materials have not been specified at this stage but generally are expected to be facing brick with features such as tile hanging and composite boarding and clay tiles or composite slate roofs. These key details will be controlled through an appropriately detailed condition.

- The originally submitted drawings had a high proportion of gabled roofs but these have been amended to include more hipped and half hipped roofs to open up and reduced the bulk of the roofscape.
  - The main access (Primary street) remains at the north western corner and runs south into the site with 3 routes traversing the site west-east, one being a primary street and 2 being "Green streets"
  - 1.85 ha of Open space on the eastern part of the site incorporating an equipped play area, the PROW and surface water drainage swales and attenuation pond.
  - 2 smaller "Greens" in the core of the site and an undeveloped section along most of the southern boundary for ecological purposes.
  - A foul drainage pumping station in the NE corner
  - 456 Parking spaces: 252 allocated spaces/86 garage/car port spaces/76 accessible spaces/42 visitor spaces (averaging 12.17 spaces per dwelling).
  - Details of the arboricultural method statement, tree protection and measures to minimise risk of crime.
- 2.06 A key consideration when granting the outline permission was ensuring that egress for motor vehicles was to the left. Separate information on the s278 works (which need to be submitted and approved before dpc level in condition 20 of the outline planning permission) have been submitted for information at this stage and show a raised kerb splitter island orientated to deter right turns out of the site and it is understood agreement has been secured with KCC to also allow "no right turn" signage.
- 2.07 This application is the subject of a Planning Performance Agreement (PPA) and as part of this there were detailed discussions with councillors in December 2018 and January 2019 where certain key issues were explored.
- 2.08 Revisions have been submitted as follows:
- Layout in South West Corner: set back 4 units by approx 2m to break up the building line and provide more space within the street scene; Install more planting (specimen rich shrubs); hip ended additional plot roof forms to reduce the perceived visual bulk; introduce more block paving; additional tree planting.
  - Relationship with adjacent residential areas: Remove 4 x 2.5 storey units along the western aspect and replace with 2 storey units; fully hip the roof forms to the key units to the east and south east of the site to reduce bulk and massing
  - Design: Amendments now include a range of fully hipped and half hipped roof forms and some gable fronted units for variety to the external form and appearance of the streetscapes/roofscapes and to reinforce this edge of village context; hipped roofs to the units adjacent to the open space to support this semi-rural edge location and ensure the open view from Willow Grange is maintained.
  - Landscaping: Additional block paving has been provided in the NW and SW corners to visually soften the streetscapes; additional native species to be planted along a section of the western boundary vegetation; additional new tree planting secured along the secondary (green) corridors; integration of more native species to the landscaping; additional new paths to enhance permeability; POS landscaping measures (including thin stemmed orchard

trees) allow the view to open up of the North Downs; natural surveillance of the eastern aspect to the play area, together with good integration within the POS.

- Provision of 2 additional visitor parking bays; set back boundary walls to allow more landscaping/space and introduced new "ragstone" feature walls at entrance points; legibility for pedestrians/cyclists to continue onto Little Orchard; a knee-rail fence along the northern aspect border to protect hedgerow; brick walls along key plot boundaries ; improved footway design for legibility/permeability purposes.
- Materials, play area equipment, detailed planting plans and lighting details to be reserved by condition.

### **3. POLICY AND OTHER CONSIDERATIONS**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Local Plan 2017:  
SP11 Larger Villages  
SP13 (Coxheath larger Village)  
SP19 Housing mix  
SP20 Affordable Housing  
H1(58) Forstal Lane, Coxheath  
DM1 Principles of good design  
DM2 Sustainable design  
DM3 Natural environment  
DM8 External lighting  
DM12 Density of housing development  
DM19 Open space and recreation  
DM21 Assessing the transport impacts of development  
DM23 Parking standards

### **4. LOCAL REPRESENTATIONS**

#### **Local Residents:**

4.01 Neighbours were notified of the application as originally submitted. A site notice was also put up at the site and a Press Notice was published. A total of 61 representations received from local residents raising the following (summarised) objections.

- Coxheath losing its open spaces, destroying the natural landscape
- currently have enough other estates being built and as yet not sold
- whole charm and originality of village becoming overwhelmed by expected approx 500 new builds
- Too many houses and too high density should be a maximum of 148 dwellings on the site to give 25 dph
- infrastructure problems (power, water pressure, sewerage capacity)
- outermost properties will directly overshadow and overlook existing houses and gardens on both the west and south boundaries
- A 1.5 metre deep vegetation planting screen need along boundary line.
- Difficulty of maintaining hedge and conifers on the common boundary.
- The boundary hedges should be allowed to grow at a height which screens upstairs windows in the new development
- 3 storey flats are not in keeping with the surrounding area

- needs Bungalows for the elderly
- no house should be more than 2 storeys high and houses should be moved further in from the boundaries
- breaches the secure by design regulations
- air pollution
- increased road maintenance that will be required.
- Wilberforce Road will become a rat run- risk of road collapse with the weight and frequency of builders' lorries required for this new estate
- not possible to achieve the dimensions for a major access road given in their access application, limits development to up to 100 dwellings
- rat running along country lanes such as Forstal Lane itself and Stockett Lane and all surrounding country lanes, making them increasingly more hazardous.
- Traffic causing irreversible damage to Loose village and its immediate surroundings including the Loose Valley conservation area.
- Well Street has no footpath for children to walk to and from school.
- Well Street should be blocked off to prevent use as a rat run
- Forstal Lane is not built to handle two way traffic. Stockett Lane is a very busy road which narrows to a single lane due to the amount of vehicles parked in the road
- Well Street also very popular with people horse riding. Will need measures to reduce the speed of the traffic.
- The exit should be routed through the Willow Grange development with a mini roundabout onto Heath Road.
- Needs improvements to Linton crossroads,
- Inadequate Parking; residents use garages as storage space
- 4.8m width will not provide sufficient width for refuse trucks, emergency vehicles, delivery vans etc when cars are parked on the roadside elderly residents that use mobility scooters and parents with pushchairs will be forced into the road to pass
- only 11 car parking places for the 12 flats every household has two cars at a minimum
- very limited visitor parking
- Planned walk ways from existing roads so a possibility parking could also overspill into other surrounding roads
- needs control of hours of construction; limited number of HGVs per day to avoid peak traffic.
- 5 years of dirt, dust, mud, and excess noise, mud on roads
- land is contaminated with asbestos
- Increased noise, light and air pollution
- Open space offers little significance. A play area is not enough to justify the building of 200+ homes.
- Schools, doctors are full and little or no community facilities
- Flood risk
- Sewerage plans still unclear
- affordable housing ( esp rented) not pepper potted

- Non truly affordable for younger generations
- needs key worker housing
- policy H1(60) only requires 1.4 hectares of open space, they should not be allowed to increase the housing density to almost 41dph,
- Changes ecological balance of the area
- People will drive to the village shops and school where there is very little parking
- Village is losing its shops and services
- Should be no street lighting to reduce light pollution to Loose village/conservation area.
- Clarity needed on changes to boundaries owned by others
- Gordon Court currently enjoys views over the Loose Valley and surrounding orchards
- roads have large amounts of surface water snow and ice during bad weather particularly Well Street(single track) and Workhouse Lane(limited passing).
- Committee members should visit the site and surrounding lanes to understand the concerns

4.02 Unsold houses on other Coxheath housing sites; off site road maintenance; affordability of housing for younger generations; loss of services in the village centre; people driving to the village centre; loss of view; snow and ice on country lanes are issues that are not material planning considerations and therefore cannot be taken into account in the determination of this application.

4.03 Issues relating to the principle of the development as a greenfield site; wider housing development in Coxheath; infrastructure; key worker housing; community services; schools and healthcare; air pollution; access via Forstal Lane; wider traffic congestion; construction management; ecology; archaeology; contamination; flood risk and drainage were dealt with at the outline application stage which established principles or was subject to conditions or planning obligations and cannot be revisited in a reserved matters application.

4.04 The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

## **5. CONSULTATIONS**

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

5.01 Coxheath PC: no reference to the Section 278 agreement to upgrade Forstal Lane due to massive increase in traffic emanating from this development site.

- upgrading/improvement of Forstal Lane must be addressed,
- during the construction phase the village road infrastructure will come under very considerable strain
- The Maidstone Local Plan allows for up to 195 dwellings but the plans still indicate a total of 210. - a maximum number of 195 dwellings should be set.
- The only reason is financial gain, like to see some concessions to local sensitivities



- affordable housing concentrated adjacent to Wilberforce Road and Springett Way- it should be spread across the whole site not so close to the boundary of the existing community
  - there needs to be a more substantial and landscaped buffer between the existing settlement and the new houses- a reduction in the overall numbers/density will help this issue
  - garages will not be used to house vehicles: a large overspill into street parking will spoil the amenity of residents
  - a covenant needed to prevent the overnight on-street parking of commercial vehicles
  - effects of surface water from the site are being under- estimated.
  - The overflow pond in the area of public green open space could represent a health and safety hazard, particularly to young children
  - concerns over water pressure and sewage disposal.
- 5.02 Loose PC: fully supports the concerns from Coxheath Parish and stands by their original objections to outline application. Concerned that the lack of street furniture to stop residents of the new estate turning right into Well Street will cause a heavy increase in traffic onto a narrow road with few passing places.
- 5.03 Southern Water: Pumping stations must be more than 15m from any habitable rooms.
- 5.04 Initial desk top study indicates that there is an increase risk of flooding unless any required network reinforcement is provided by SWS, to be part funded through the New Infrastructure Charge with the remainder funded through Southern Water Capital Works programme. SWS and the developer will need to work together in order to review if the delivery of the network reinforcement aligns with the proposed occupation as it will take time to design and deliver any such reinforcement. SWS request a condition to reflect this. It may be possible for some initial dwellings to connect: detailed network modelling may require existing flows to be monitored to design such work in the most economic manner to satisfy needs of customers. The time take will depend on the complexity of any scheme needed, but limited to a maximum of 24 months from a firm commitment from the developer to commence construction on site.
- 5.05 Natural England No objections
- 5.06 KCC (Public Rights of Way) Public Footpath KM67 passes along the eastern boundary of the development site, connecting Forstal Lane with the 'Willow Grange' development to the south. With reference to the Indicative Landscape Masterplan, the applicant states that public footpath KM67 will be 'retained and enhanced with hard surface for all-weather use'. It is requested that the proposed surfacing specification is clarified with the PRow and Access Service, beforehand. It should be expected that a minimum surfaced path width of 2 metres is provided along the right of way, where it passes through the site.
- 5.07 Concerns with the close proximity of the proposed orchard and sub-station vegetation screening adjacent to the path, as this planting could potentially enclose the PRow and have a detrimental impact on the character of the path. Planting should be kept to an absolute minimum to ensure there are clear lines of view from properties and publicly accessible open spaces. It is requested that the public footpath is positioned within a wide green corridor, set back from the vegetation, so that the route is safe and secure to use. This should also ensure that

- future vegetation growth does not encroach onto the path and restrict access for path users.
- 5.08 Indicated that 'Motorbike Deterrent Measures' may be installed on the right of way which would need the authorisation of the PRow and Access Service but happy to discuss and consider measures that address any such issue.
- 5.09 Kent Police: Met with the applicant/agent at the early design stages regarding CPTED for this proposal and we note the inclusion of the Secured By Design (SBD) and consultation references on pages 16 and 17 of the Design and Access Statement (DAS). No additional comments to make at this time.
- 5.10 Kent Fire Brigade: no objections
- 5.11 KCC (Highways And Transportation) State that that a drawing has not been provided demonstrating the visibility sight lines for the development's internal access roads. Confirmation of the roads intended design speeds would also be beneficial in assessing the adequacy of the sight lines proposed.
- 5.12 The applicant has proposed a carriageway width of 5.5m for the major road running north to south through the site and a width of 4.8m for the minor roads, which run from east to west. In the interest of speed attenuation, the applicant has proposed a series of raised tables and curvatures in the carriageways alignment to limit straight sections of road. These measures are intended to reduce the likelihood of vehicles speeds that are higher than the design speed of the road. The Kent Design Guide advises that a Major Access Road (MAR), which can serve between 50 and 300 dwellings, should be provided with speed attenuation measures at intervals of between 100 and 120 meters. The layout proposed accords with this guidance.
- 5.13 Noted that street lighting will be provided to ensure sufficient illumination of the speed restraint measures during periods of darkness.
- 5.14 There are 454 car parking spaces, inclusive of 40 visitor spaces. The 2nd allocated space for some of the 3 and 4 -bed properties will be provided in tandem format or as a car barn/garage. IGN3 advises that garages should only be counted as additional to the total amount of parking spaces required. It would therefore be helpful if a detailed parking schedule could be produced illustrating the total parking provision. This will identify what impact the garages and tandem spaces proposed have on the overall provision. 42 visitor parking spaces are required. This is 2 more should therefore be provided.
- 5.15 Swept path analysis has been provided for a 11.2m-long refuse freighter. This analysis demonstrates that there is enough space for vehicles up to refuse freighter size to access to the proposals.
- 5.16 Some footways appear to terminate abruptly, for example, between plots 22 and 40. The applicant should give further consideration to providing the additional pedestrian links where they have currently been omitted.
- 5.17 Cycle parking for the dwellings will be provided via secure facilities, that are situated in the rear garden of the dwellings, with the apartment building given its own secure cycle store. This is acceptable and in line with the guidance in Kent Vehicle Parking Standards, Supplementary Planning Guidance (SPG4).
- 5.18 KCC- Ecology: Satisfied that the mitigation agreed as part of the original planning application can still be implemented. We highlight that condition 13 of the original planning application requires the submission of an ecological design and management strategy which will provide detailed information on the mitigation

required. The EDS may highlight that there is a need for small changes to the design/management of the open space but it's unlikely to be significant.

- 5.19 KCC (sustainable drainage)- shallow infiltration is extremely variable and often poor in this area. However, consideration could be given to the use of deep bore soakaways in the event that shallow infiltration is ineffective or poses an unacceptable risk of ground instability or washout. This should be fully assessed as part of the detailed design.
- 5.20 Previous discussions recommended the incorporation of individual plot soakaways. From the Drainage Strategy drawing (7054/1060, Revision 2) submitted, it is unclear if this method of source control has been maintained in the design. We would recommend source control features are incorporated wherever possible in accordance with sustainable drainage principles. There is suitable space within the development to incorporate this in at the detailed design stage.
- 5.21 We would also expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2017).
- 5.22 Satisfied that any alterations would be accommodated within the proposed development layout. Therefore no objection.

## **6. APPRAISAL**

### **Main Issues**

- 6.01 The key issues for consideration relate to:
- Design, layout, appearance and density
  - Residential amenity
  - Highways
  - Parking
  - Trees, landscaping, and ecology
  - Affordable Housing

### **Design, layout, appearance and density**

- 6.02 Policy DM 1 of the local plan states that proposals which would create high quality design will be permitted. Proposals should respond positively to and where possible enhance the character of the area. Particular regard will be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage.
- 6.03 Policy DM12 of the local plan advises that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area.
- 6.04 The site is in a relatively sustainable location and the proposed density is considered acceptable in this context. The outline planning permission approved up to 210 units with 1.85ha of Open Space. Specifically, in the committee recommendation, there was a reference to that application proposing dwellings in excess of that set out in the policy which was said to allow flexibility and it was considered there was scope to secure a high quality scheme at the reserved matters stage including a substantial area of open space and the other matters relevant to the policy.

- 6.05 It is my view that the development of the site as proposed with 210 units is acceptable in principle and the development would accord with the relevant policy criteria. The site is capable of accommodating the proposed quantum of development with the 2 character areas (core and edge) having regard to the character of the rural locality and edge of village location.
- 6.06 The revised NPPF (July 2018) has a chapter dedicated to design ("12. Achieving well-designed places") and there is specific reference to the design assessment framework 'Building for Life 12' and this application has been carefully considered against this assessment framework. Much of the general design principles were agreed as part of the outline consent and/or conditioned and these emanated from the relevant criteria in the allocation Policy. However, this reserved matters application provides far greater detail than hitherto.
- 6.07 The key design feature that gives the proposed layout structure and distinctiveness is the two character areas. The open space has been located where proposed due to topography and views both to and from the north of the site. Between the open space and the higher density housing is the lower density housing thus providing a transitional zone. The higher density housing is closest to the existing housing to the west and this, in turn, is made up of neighbourhood sub areas. This zonal approach creates a distinctive 'sense of place'. Secondly, the layout is not wholly inward looking but provides pedestrian linkages in order to achieve integration and permeability.
- 6.08 Other design techniques such as buildings turning corners and enclosure to define the streets have also been employed. However, this is balanced with the need to bring landscaping into the layout so that it is an integral feature and so a distinct 'green corridor' is proposed. A legible street pattern has been employed and, with block paving, this helps reduce motor vehicle speeds and encourages pedestrian and bicycle flows. Sufficient amenity space is proposed. Private gardens are intended to be the location of bin and recycling storage (except for day of collection points) and the flats block has an enclosed lean to bin store. In terms of architectural detailing, both vernacular materials and façade treatment are proposed and these will be conditioned. However, I discuss the south west corner in more detail below.
- 6.09 The area of the site layout which is most relevant in terms of its relationship with adjoining dwellings is the SW corner and the western boundary. This does have a higher density than Springett Way, Wilberforce Road and Little Orchard. Amendments have been secured in terms of fewer 2.5 storey dwellings along the western boundary. However, due to density, this is the most challenging area. In the SW corner, positive changes to the amount of soft landscaping, the type of hard surfacing, a slight change to the building line and design changes to reduce roof bulk together with sensitive elevational treatment and materials will cumulatively result in an acceptable proposal in my opinion. However, there needs to be detailed conditions to ensure this (e.g the use of natural or composite slate to 'lighten' the roofscape).

### **Residential amenity**

- 6.10 The core principles set out in the NPPF state that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM1 advises that development should respect the amenities of occupiers of neighbouring properties and uses by ensuring that development does not result in excessive noise, activity or vehicular movements, overlooking or visual intrusion. The policy states that the built form should not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.

- 6.11 The proposed layout of the development provides a good standard of residential accommodation overall with adequate daylight, sunlight and privacy provision. Residential amenity within the new layout is acceptable and accords with current standards.
- 6.12 Separation distances (ie back to back or flank to back) between proposed new units along the western boundary and the existing dwellings in Springett Way and Wilberforce Road are in the order of 35m or greater. Three of the proposed terraced units have flank walls onto this boundary but these do not have any windows to the walls which would directly face the gardens. A condition restricting new first floor openings on key plots is suggested.
- 6.13 The apartment block which does have 3 floors of accommodation is indicated to be 35m from the western boundary and the upper windows set over 50m from the backs of dwellings in Springett Way and Wilberforce Road.
- 6.14 I am therefore satisfied that there are no unacceptable overlooking or overbearing issues from the proposed layout, including from the 3 storey apartment block, thereby protecting residential amenity as required by policy DM1 of the Local Plan.
- 6.15 The pumping station is adequately separated from the nearest dwelling in accordance with SWS advice.

### **Highways & Parking**

- 6.16 The application site is in a relatively sustainable location. The village centre is within walking distance and other everyday services (including doctors, schools and parks) are all within a short distance of the site. This includes the intended new GP surgery at Heath Road.
- 6.17 Additional visitor bays have been proposed so standards are now met in that regard. There are garages and car ports contributing towards the parking provision which is acceptable in my view. The main access and one of the traversing routes are 5.5m wide and overall parking levels are satisfactory overall, averaging at 2.17 spaces per dwelling.
- 6.18 The access point via Forstal Lane and Stockett Lane was approved at outline stage and there is no scope to require access to Heath Road via Willow Grange which was not pursued before as there is a third party ownership of part of the necessary route.
- 6.19 The need for s278 approval in terms of improvements to Forstal Lane and the restriction of right turns is covered by a condition on the outline planning permission and does not have to be signed until development is at damp proof course level. However, the applicants have indicated that s278 drawings are with KCC and approval is envisaged shortly which will secure these objectives.

### **Trees, Landscaping & Ecology**

- 6.20 The landscaping of the Open Space includes an equipped play area (equipment details to be submitted subsequently), a network of paths linking to the PROW and a mix of shrubs and amenity orchard trees, oak trees and surface water drainage swales and an attenuation pond.
- 6.21 More planting of native species has been proposed along the western boundary which will abut a proposed 1.8m close board fence for privacy.
- 6.22 The open space to the south and east factors in the needs of the approved Ecological Design Strategy.

- 6.23 Overall I am satisfied that the scheme accords with the objectives of the outline planning permission in regard of the open space and use of native species in the landscaping of the site and the details of the arboricultural method statement and tree protection measures are acceptable and accord with policies DM1, DM3 and DM19 of the Local Plan.

### **Affordable Housing**

- 6.24 The number and tenure mix of affordable housing was agreed in the s106 at outline planning permission stage. The sizes of the units have since been agreed with the housing officer pursuant to the terms of the legal agreement.
- 6.25 However, in accordance with Policy SP20 which states that Affordable housing provision should be appropriately integrated within the site, the remaining issue for this application to consider is the distribution within the site. It is the case that there is a relative concentration of affordable rented in particular in the SW corner but the houses are designed to be "tenure blind" and the Registered Provider will have management efficiency objectives that are best served by clusters rather than pepper potting, so this is acceptable.

### **Other Matters**

- 6.26 External lighting is subject to policy DM8 of the Local Plan. The external lighting is to be the subject of a subsequent submission of details. It is accepted that light pollution needs to be avoided in this sensitive location, although some needs to be provided to ensure sufficient illumination of the speed restraint measures during periods of darkness.
- 6.27 Kent Police advise that they are satisfied that the development is designed to minimise risk of crime and thus accords with Policy DM1 in that regard.
- 6.28 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

## **7. CONCLUSION**

- 7.01 The Reserved matters application and the tree and designing out crime details all accord with the principles established in the outline planning permission and legal agreement and relevant national and local plan policies.
- 7.02 Conditions are suggested for certain issues where more detail or negotiation are necessary, being external lighting, external materials/appearance, play area equipment/landscaping and safeguarding privacy for neighbouring dwellings where flank walls are proposed to face them. Detailed planting plans are also needed in addition to the landscape strategy and masterplan.

## **8. RECOMMENDATION**

APPROVE reserved matters subject to the following conditions:

- 1) The drawings hereby approved are as detailed on the Drawing Issue Sheet rev D received on 21.01.19.

Reason: For the avoidance of doubt.

- 2) The development hereby approved shall not commence above damp proof course level until full written details and samples of the materials to be used and incorporated within in the block paving and in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. These shall be vernacular and shall include: Kentish Ragstone to plots 1 and 208; stock brickwork, clay tile hanging, composite weatherboarding and plain clay and/or natural or composite (ie slate waste) slate roof tiles. The Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of development.

- 3) The development hereby approved shall not commence above slab level until details of all joinery, eaves, gable verges, segmental gauged arches, railings and knee high railings have been submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of development.

- 4) No development above slab level shall take place until a sample panel of the ragstone to an agreed mortar mix for plots 1 and 208 and the feature entrance walling has been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented.

Reason: To ensure a satisfactory appearance of development.

- 5) Notwithstanding drawing 4755-LLB-EB-E1-DR-L-0002 Rev P01, the development hereby approved shall not commence above damp proof course until details and an implementation timetable in respect of play equipment installation and landscaping of the Children's Play Space been submitted to and approved by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained thereafter.

Reason: To ensure a satisfactory Public Open Space.

- 6) There shall be no external lighting to dwellings, roads and paths unless details have first been submitted to and approved by the Local Planning Authority.

Reason: In the interests of minimising light pollution in a rural area.

- 7) No additional first floor windows or other openings shall be inserted in the west facing flank walls of plots 159, 178, 179, 210 hereby approved.

Reason: To safeguard the privacy of neighbouring property.

- 8) The development hereby approved shall not commence above damp proof course until details and timetable of proposed planting (which shall include the large scale detail of pits for street trees including drainage) to accord with the landscape strategy and masterplan hereby approved have been submitted to and approved by the Local Planning Authority.

Reason: No such details have been submitted and to ensure a satisfactory appearance of development.

#### Informatives

- 1) You are advised that the details to be submitted pursuant to condition 8 of the outline planning permission will be expected to include the surface water drainage in the open space to be linked with landscaping.

Planning Committee Report  
31 January 2019

- 2) You are advised that the ragstone walls should be with flush joints and with a lime based mortar.

Case Officer: Marion Geary