

REPORT SUMMARY

REFERENCE NO - 19/503702/REM			
APPLICATION PROPOSAL			
Approval of Reserved Matters for appearance, landscaping and scale being sought following Outline Planning Permission 13/2038 for the erection of 62 no. dwellings with associated car parking, landscaping and demolition of existing dwelling.			
ADDRESS Land At Postley Road Maidstone Kent ME15 6RH			
RECOMMENDATION – APPROVE SUBJECT TO CONDITIONS			
SUMMARY OF REASONS FOR RECOMMENDATION – APPROVE SUBJECT TO CONDITIONS			
<ul style="list-style-type: none"> The principle of 62 dwellings has been accepted under the outline planning permission and the site is allocated for 62 dwellings in the Local Plan under policy H1(24). The proposals comply with the relevant criterion of policy H1(24), other relevant policies within the Local Plan, and the parameters of the outline permission. Conditioned permission is therefore recommended. 			
REASON FOR REFERRAL TO COMMITTEE			
Councillors P.Wilby and B.Clark have requested that the application be reported to Planning committee for the reasons set out below.			
WARD South	PARISH/TOWN Tovil	COUNCIL	APPLICANT Chailey Homes AGENT RDJW Architects Ltd
DECISION DUE DATE 09/01/20	PUBLICITY EXPIRY DATE 09/12/19	OFFICER SITE VISIT DATE 01/08/19	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
13/2038	Outline application for residential development comprising 62 dwellings with associated car parking and landscaping, with access and layout and all other matters reserved for future consideration.	APPROVED	31/07/2017
18/503371/s ub	Submission of details pursuant to Conditions 8 Building recording programme, 9 Historic Landscape Assessment & Field Survey Works, & 10 Programme of Archaeological Work (original application ref: 13/2038)	APPROVED	06/09/2018
19/501163/s ub	Submission of details to discharge Conditions 2 Landscape scheme, 3 Ecological Design Strategy, 4 Landscape and Ecological Management Plan, & 5 Arboricultural Method Statement (original application ref: 13/2038).	PENDING DECISION	
18/503745/s ub	Submission of details to Discharge Condition 13 (Traffic Calming Measures), 17 (Parking/Turning Areas), 22 (Highways) and	PENDING DECISION	

	23 (Foot/Cycle Ways) of planning permission 13/2038.		
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MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is a rectangular parcel of land at the south end of Postley Road with an area of 2.6ha. The site is located within the urban boundary of Maidstone as defined by the Maidstone Borough Local Plan 2017. To the north is a now completed residential development of 127 dwellings and to the east are large areas of established residential development including Richmond Way which is closest.
- 1.02 There is an existing dwelling known as 'The Lodge' in the northeast corner of the site with the remainder of the land mainly grassed. There are scattered trees on site (with certain species protected under an area Tree Protection Order (TPO)) and limited tree/hedge lines along parts of the boundaries. The land has a gentle slope to the west. The Loose Conservation Area adjoins the west boundary. 'Hayle Place' is a Grade II listed building located 155m west of the site. Other nearby listed buildings include Little Bockingford (GII) 100m to the southwest, Bockingford Court (GII) 80m to the southwest, and Bockingford Farmhouse (GII) 90m to the south. Public Right of Way (PROW) KB33A runs along the east and the southern boundary. PROW KB22 heads southwards from the south boundary of the site. There is a private right of way along the north part of the site which runs west to Hayle Place. The North Loose Neighbourhood Plan designated area is adjacent to the site on the eastern boundary.

2.0 PROPOSAL

- 2.01 The application seeks permission for the reserved matters of appearance, landscaping and scale for 62 dwellings. The scheme has a mix of bungalows, two storey detached and semi-detached houses of traditional design along with one 2.5 storey apartment block (rooms in the roof). Affordable housing would be provided at 40% in line with the outline permission. The design and scale will be discussed in more detail in the assessment below.
- 2.02 It is important to note that under the outline application, the principle of 62 houses and the associated outward impacts on matters such as traffic and infrastructure have been accepted. In addition, the access and layout of the scheme has also been accepted through the outline planning permission. Therefore, this application cannot re-visit the principle of housing, access or layout at the site but can consider whether the scale, design and landscaping are acceptable.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan (2011-2031): H1(24), DM1, DM4, DM19, DM23
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

4.0 LOCAL REPRESENTATIONS

4.01 North Loose Residents Association: Raises objections as follows (summarised):

- Location of several plots have been altered, location of children's play area moved, and a drainage scheme introduced that was not mentioned in the original application.
- SUDS located in a prominent position reduces the visual impact of the green entrance and the amount of green space the scheme provides.
- Appears to be a reduction in the amount of edge of site vegetation screening.
- Seems an abuse of process to make material changes to the design that have been added without amended planning application in principle being made.

4.02 **Local Residents:** 14 representations received raising the following (summarised) points:

- Point of access is too narrow and a potential danger spot
- Site is greenfield
- Density of housing proposed is above an acceptable level for such a development
- Dwellings are too close to dwellings along Richmond Way
- Lack of infrastructure provision
- Elevation of apartments is too high
- Loss of amenity to adjacent properties
- No provision for a public footpath and pedestrian access
- Previous refusal to an adjacent property known as 'The Lodge'
- Visitor parking not adequate
- Loss of view from existing properties
- Leap position moved

4.03 **Councillor Brian Clark and Councillor Paul Wilby** raise the following (summarised) points:

- No sewerage plan submitted with the application
- Orientation of some plots have been altered
- Leap has changed position and SUDS drainage scheme incorporated
- Tree species not native
- Conditions from outline planning permission have not been discharged

5.0 CONSULTATIONS

5.01 **KCC Ecology:**

- Main area of created habitat is around the proposed SUDS pond. The amended landscaping includes the retention of the existing boundary vegetation that was not previously proposed. This provides some additional habitat connectivity to the SUDS pond area.
- Greater biodiversity benefits could be realised by changes to the layout.

- Disappointing to note that roads are proposed to encircle the retained mature oak tree in the centre of the southern section of the site.

5.02 **KCC PROW:**

- PROW adjacent to the eastern boundary of the site should not affect the application.

5.03 **Southern Water:** No objection

5.04 **Historic England:** No comment

5.05 **KCC Flood Risk:** No objection in principle to the approval of the reserved matters.

5.06 **Natural England:** No comment

5.07 **MBC Conservation Officer** – Amendments show sufficient screening on the western boundary

5.08 **MBC Landscape Officer** – Soft landscaping is considered acceptable

5.09 **KCC Highways (18/11/2019)** – No comment

6.0 APPRAISAL

Principle of Development

6.01 The principle of 62 houses at the site has already been accepted by the Council under the outline planning and the site is allocated in the Local Plan under policy H1(24).

6.02 This reserved matters application only seeks approval for the detailed issues of appearance, landscaping and scale. In addressing these matters Members should not that there are a number of requirements of both the allocation policy and outline permission and the key issues to consider are the following:

- Design
- Appearance, scale and amenity
- Surfacing, boundary treatments and play area
- Landscape and Ecology

Design

6.03 In considering development proposals, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the setting of listed buildings, whilst Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

- 6.04 The National Planning Policy Framework states that when considering the impact of new development on the significance of any designated heritage asset, great weight should be given to its conservation; advising that significance can be harmed or lost through development within its setting. The NPPF sets out tests which apply when considering a proposed development that may result in harm to a designated heritage asset. MBLP Policy DM4 reiterates the above considerations.
- 6.05 The site allocation policy requires the western boundary of the site to be landscaped in order to screen the development from views from the west, and to protect the setting of the listed building, Bockingford House, and Loose Valley conservation area. In addition, the policy requires the western section of the site to be built at a lower density to reflect the existing open character of the countryside beyond. The layout of the development was approved at the outline application stage and condition 24 requires the development to be carried out in accordance with the drawing no. 1366/C10B (site layout plan).
- 6.06 The revised NPPF (February 2019) 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 designed and considered against Maidstone's own version of this.
- 6.07 Following initial comments from the Council's landscape and conservation officers, the landscape planting on the western boundary has been enhanced. The space available is restricted as the layout of the development has been approved under the outline permission, but this would vary in depth from approx. 1.2m to 7m at the widest. Where it is narrowest, the houses are set back from the site boundary and separated by the internal road for the development. The revised planting shows a number of additional native trees and hedgerow planting. The Conservation Officer considers this sufficient to protect the setting of the listed building and conservation area as required by the Local Plan allocation policy and policy DM4.

Appearance, Scale and Amenity

- 6.08 Whilst the site policy does not define specific requirements for appearance and scale, policy DM1 seeks high quality design and positive responses to local character. The outline consent requires that no buildings exceed 2.5 storeys with any third floor to be within the roof space of the building.
- 6.09 The house designs are of traditional appearance with mainly bungalows and 2 storey detached and semi-detached houses. The apartment block is 2.5 storey (rooms in the roof) and its mass is broken by the use of hipped roofs and dormer windows set into the eaves. The site slopes gently down from east to west by approximately 3m. The heights are acceptable and in line with condition 19 of the outline permission. In terms of the apartment block, objections have been raised with regard to the apartment block at the entrance and the scale of the building. As outlined above, the apartment block is 2.5 storeys in height, with a hipped roof, with the eaves line running through the dormer windows. To the north of the development, there are buildings of 2.5 storeys in height and it is considered

that the scale of the building would not be harmful to the character and appearance of the area. Officers consider that this building and height would provide a quality 'entrance' building to the site that would face onto the curved entrance road and the public open space opposite the building.

- 6.10 Finished floor levels have been submitted and show that these would be set above existing ground levels ranging from around 0.06m to 0.3m. In view of the distance to neighbouring properties and modest heights for the proposed dwellings, the proposed levels are considered to be acceptable.
- 6.11 The buildings would provide interest through architectural detailing including hanging tiles, and features including porch overhangs. A materials schedule has been submitted in support of the application, with the materials proposed including weatherboarding of some houses, hanging tiles and clay roof tiles. These materials would assist understanding the proposed character but be approved under condition 6 of the outline consent.
- 6.12 Further into the site plots 28 and 29 would provide a focus at the junction where the internal road splits, whilst on other corners, buildings are positioned to be set back from the curved road to maintain a frontage to the streetscene. Where plots are located close to road junctions, these houses are dual frontage and turn the corners. Bungalows are proposed along the eastern boundary in response to those on Richmond Way to the east.
- 6.13 Whilst principally a matter considered at the outline stage, this submission confirms that affordable housing would be provided at 40% with the affordable units located in the 2 bedroom bungalows on the eastern boundary, within the apartment block to the north of the site and 3 no. four bedroom units on the western side of the site.
- 6.14 With regard to amenity, houses and gardens would be laid out to ensure sufficient privacy and outlook. To the east, the nearest houses would be located along Richmond Way. A number of residents have objected to the proposed apartments due to their scale, however, the apartments would be located at least 50m from houses on Richmond Way to the east and would be 2.5 storey in height in accordance with the outline permission, which ensures that there is no unacceptable impact upon privacy, outlook or light. To the north, the closest properties are located at least 25m away and the apartment block would be positioned side-on to ensure no impact on amenity to these neighbouring properties.
- 6.15 Overall, I consider the appearance and scale of the buildings to be of a high standard in accordance with policy DM1 of the Local Plan. Future occupants of the dwellings and occupants of neighbouring properties would have and continue to have a good level of amenity in accordance with policy DM1.

Surfacing, Boundary Treatments & Play Area

- 6.16 The main spine road and circular loop road will be tarmac with spurs off of the road to be block paving. All driveways and parking areas are block paved.

Boundary treatments include brick walling with ragstone panels on exposed areas. Around the site boundaries, the boundary treatment will consist of 1.2m high post and rail fencing. Overall, it is considered that these details will provide a high quality appearance to the development.

- 6.17 The proposed play space has been relocated as part of the landscaping scheme for the site and would be located further south in the site, but it would remain well overlooked. The play area is required to be for younger children and would include a climbing unit, swing, see-saw and other play equipment.

Landscaping and Ecology

- 6.18 The landscaping scheme provides new trees across the development, including along the main access road, the loop road and within gardens. Space for front gardens are provided with shrub planting. Species details and long-term management are secured via a condition on the outline consent. Overall, the landscape areas would provide an attractive environment and setting for the development. The landscaping officer had originally raised some concerns that the western boundary could be enhanced through additional planting, and this has been provided through additional details provided by the applicant. The landscape officer is now satisfied with the landscape scheme proposed.
- 6.19 There are some scattered trees on site (with certain species protected under an area TPO) and some limited tree/hedge lines along parts of the boundaries, which would be retained and strengthened. Under the scheme, there is a good quality oak tree at the south end of the site, which would be retained and used as a focal feature around which houses would be placed. Fencing along the eastern boundary would be located behind the existing boundary vegetation, which would be retained, and the fencing would consist of 1.2m high post and rail fencing. The Landscape Officer has been consulted and has no objection to the soft landscaping proposed. Further landscaping details are required under condition 2 of the outline permission and this is to be address under application reference 19/501163/SUB, which is pending consideration.
- 6.20 The outline consent requires details of an ecological design strategy addressing ecological enhancements for the site to be submitted prior to development taking place. With regard to this reserved matters application, KCC Ecology comment that the main area of created habitat is situated in the north-eastern corner around the proposed SUDS ponds, but with roads to the east and west of this area, there is limited habitat connectivity. In KCC Ecology's opinion, greater biodiversity benefits could be realised with changes to the layout and consider that it is also disappointing that roads encircle the mature oak tree. However, as outlined above, the layout of the development has been approved under the outline planning permission, and there is no scope to redesign the layout under this reserved matters application and there is very limited space in which SUDS, required by condition 14, can be located on site. Enhanced boundary treatment has been provided around the eastern boundary and KCC Ecology is satisfied that this now provides some biodiversity connectivity. Condition 3 of the outline consent requires details of ecological enhancements to be submitted, including for

bat roost provision and a further condition would be added to this decision requiring details of bird and bat boxes.

Highways Issues Relating to the Layout

- 6.21 The impacts of traffic on the local area were considered under the outline application as a principle matter and cannot be re-visited under this application. Access to the site and layout were also considered under the outline consent and cannot be revisited. Condition 13 of the outline permission requires details of traffic calming measures at the mouth of the new junction.

Other Matters

Surface Water Drainage

- 6.22 Surface water from the development will drain to soakaways with the SUDS area located on the north eastern corner of the site. KCC SUDS has been consulted and has offered only minor advice to increase the separation distance between 4 soakaways to improve their capacity. Conditions 14 and 16 of the outline consent secures the fine details and management of the surface drainage for the development.

Electric Charging and Renewables

- 6.23 No details were requested under the outline consent for electric charging points and these details will be requested under a condition for this application in accordance with policy DM23 of the Maidstone Borough Local Plan. The applicant has agreed that 10% of dwellings will be provided with renewable energy (i.e. solar panels) on the affordable units and these details will also be secured by condition.

Representations

- 6.24 Infrastructure provision was considered under the outline application and deemed to be acceptable. This matter cannot be re-visited and have already been decided.

Conditions on Outline Consent

- 6.25 Some of the information provided covers some of the conditions of the outline consent and are considered acceptable as discussed above. This includes conditions 12 (Slab levels) and 15 (Leap).

Sewerage

- 6.26 With regard to sewerage, Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location. Southern Water has a legal obligation to provide capacity and an informative will be added to the

decision notice advising the developer to contact SW. It is, however, not a relevant consideration, to this Reserved Matters application.

Conclusions

- 6.27 Having considered all representations received on the application and the subsequent amendments for the above reasons the application is considered to be acceptable and provides a high quality development in accordance with site policy H1(24), the outline consent, and other relevant policies within the Local Plan. Permission is therefore recommended subject to the following conditions.

7.0 RECOMMENDATION –

GRANT PLANNING PERMISSION subject to the following conditions with delegated powers for the Head of Planning to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Conditions

1. The development hereby permitted shall be carried out in accordance with the following plans:

Drawing No. 5543-001 - Location and Block Plans
Drawing No. 5543-003 Rev A – Apartment Floor Plans
Drawing No. 5543-004 Rev A – Apartment Elevations and Sections
Drawing No. 5543-005 Rev A – Plots 16-19, 22-29, 32-33, 57-60 Elevations
Drawing No. 5543-006 - Plots 20,21,34,35 Proposed Plans and Elevations
Drawing No. 5543-007 Rev A – Plots 55,56 Proposed Plans and Elevations
Drawing No. 5543-008 Rev A – Plots 30-31 Proposed Plans and Elevations
Drawing No. 5543-009 Rev B – Plot 36 Proposed Plans and Elevations
Drawing No. 5543-010 Rev A – Plots 37, 38, 40, 41 Proposed Plans and Elevations
Drawing No. 5543-011 Rev A – Plots 42, 39 Proposed Plans and Elevations
Drawing No. 5543-012 Rev B – Plots 43-46, 62 Elevations
Drawing No. 5543-013 Rev B – Plot 47 Proposed Plans and Elevations
Drawing No. 5543-014 - Plots 48,49,50 Proposed Plans and Elevations
Drawing No. 5543-015 – Plots 51,52,53,54 Proposed Plans and Elevations
Drawing No. 5543-016- Plots 61
Drawing No. 5543-017 – Plots 36,40,42,55,61 Proposed Plan and Elevations
Drawing No. 7880-POS-L-001-1 Rev A – Proposed Landscaping Sheet 1 of 5
Drawing No. 7880-POS-L-001-2 Rev A – Proposed Landscaping Sheet 2 of 5
Drawing No. 7880-POS-L-001-3 Rev A – Proposed Landscaping Sheet 3 of 5
Drawing No. 7880-POS-L-001-4 Rev A – Proposed Landscaping Sheet 4 of 5
Drawing No. 7880-POS-L-001-5 Rev A – Proposed Landscaping Sheet 5 of 5
Schedule of External Materials and Finished – Received on 11/12/2019
Drawing No. WG1164/sk.203 Rev P1 – Building Finished Floor Levels

Reason: To clarify which plans have been approved.

2. No development above slab level shall take place until details of any external meter cupboards, vents, or flues have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Such features shall be installed to limit their visibility from public view points.

Reason: To secure a high standard of design.

3. No development above slab level shall take place until a sample panel of the ragstone for the walling has been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: To ensure a high quality design.

4. No development above slab level shall take place until details of plots where electric vehicle charging points are to be installed have been submitted to and approved in writing by the Local Planning Authority. The charging points shall be installed prior to occupation of that dwelling and shall be carried out in accordance with the approved details and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO₂ emissions through the use of low emissions vehicles.

5. No development above slab level shall take place until details of the location of solar panels for at least 10% of the development have been submitted to and approved in writing by the Local Planning Authority. Priority shall be given to installation upon the affordable housing units and the development shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable development.

6. No development above slab level shall take place until details of the provision and location of the bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site where placed on buildings, prior to the occupation of that dwelling.

Reason: In the interests of biodiversity enhancement.

7. The children's play area shall be carried out in accordance with drawing no. 57233-001 Rev 001 (Leap Play Equipment) and shall be implemented prior to the first occupation of the development.

Reason: To ensure satisfactory public open space

8. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England)

Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

INFORMATIVES

1. The applicant's attention is drawn to condition 24 of the outline consent (application reference: 13/2038) which requires the development to be carried out in accordance with layout and shown in drawing no. 1366/C101B (site layout plan) and 1366/SK07B), notwithstanding the Leap and SUDS areas which are considered under the reserved matter of landscape.
2. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

Case Officer: Adam Reynolds

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