

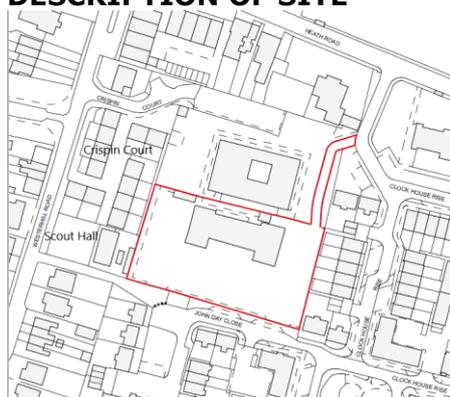
**REPORT SUMMARY**

<b>REFERENCE NO:</b> 22/500597/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of 9(no) residential units with associated landscaping, ecological enhancements and parking in existing office parking area.		
<b>ADDRESS:</b> Land at South-East Coast Ambulance Service, Heath Road, Coxheath, ME17 4BG		
<b>RECOMMENDATION:</b> GRANT PLANNING PERMISSION subject to planning conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> The development is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Councillor Parfitt-Reid has requested application is considered by Planning Committee if Officers are minded to approve application. This request is made for the reasons outlined in the consultation section below.		
<b>WARD:</b> Coxheath & Hunton Ward	<b>PARISH:</b> Coxheath	<b>AGENT:</b> Savills
<b>CASE OFFICER:</b> Kate Altieri	<b>VALIDATION DATE:</b> 16.02.22	<b>DECISION DUE DATE:</b> 28.10.22
<b>ADVERTISED AS A DEPARTURE:</b> NO		

**RELEVANT PLANNING HISTORY**

- 21/505166 – Pre-app: 9 dwellings – Officer view: LPA could support proposal subject to suggested amendments/comments and full assessment of any future application.
- 20/502405 – Pre-app: 12 new dwellings – Officer view: Subject to suggested changes and details being of high quality, LPA is likely to support redevelopment of site.

**1.0 DESCRIPTION OF SITE**



- 1.01 The application site (some 0.38ha in area), relates to the southern half of the current South East Coast Ambulance Service (SECAS) campus, and it includes an existing building (to be retained) and associated car parking that largely covers the site. The existing building is 3-storey in height with 2-storey wings either side, and it is considered to be a non-designated heritage asset given its association with the work house and infirmary that has long since been demolished. Vehicle access to and from the site is found to the north-east of the site from Clockhouse Rise, which is shared by Coxheath Community Clinic to the north of the site; and the site is mostly enclosed by 2m high close boarded fencing. It is understood that SECAS will be vacating the site in June 2023.
- 1.02 In general terms the application site is bounded by residential development on its eastern, southern and western boundaries. Properties on Clockhouse Rise back onto the site’s eastern boundary; John Day Close runs along the site’s southern boundary, with properties facing the site (on the southern side of the road); and there are flats in Crispin Court that back onto the site’s western boundary. There is also a single storey scouts hall adjacent to the south-western corner of the application site; and pedestrian access from John Day Close through to Westerhill Road (to the west of the site). Holy Trinity Church, to the north-east of the application site is Grade II listed. For the purposes of the Local Plan, the site is within the defined larger village of Coxheath. The site is also within Flood Zone 1.

## 2.0 PROPOSAL

2.01 The proposal is described as: *Erection of 9 residential units with associated landscaping, ecological enhancements and parking in existing office parking area.*

2.02 The proposed layout shows three terraces with three (3/4-bed) properties in each. Two of the terraces would run in a general north/south direction, with the other terrace being perpendicular to these properties, (located in the south-eastern corner of the site). Each property would benefit from private garden space and roof terraces; and bicycle (3 bikes per unit) and refuse storage would be found in the rear gardens. The proposed layout also shows communal areas of open space in the north-western and south-eastern corners of the site (some 230m<sup>2</sup> and 85m<sup>2</sup> in area respectively). The proposal also shows separate covered bicycle and refuse storage for the office building (located close to northern boundary of site).

2.03 In terms of external materials, the submission stipulates the following (in summary):

- Elevations: Red brick with tumbled finish and brickwork parapets
- Roofs: Standing seam zinc roofing (Grey black in colour)
- Fenestration: PPC aluminium surrounds
- Recessed rainwater pipes: PPC aluminium (grey black in colour)
- Gutters: To be hidden
- Garden walls: Red brick with tumbled finish
- Shared surface: To be textured stone setts and parking areas would be of concrete 'pig slats'

2.04 The proposal shows 16 unallocated parking spaces for the nine dwellings; and the retained parking for the office building (21 spaces) is allocated to the north of the proposed housing scheme.

2.05 This report will make reference to blocks A, B and C. For reference, the drawing below identifies where these blocks are:



## 3.0 POLICY AND OTHER CONSIDERATIONS

- Local Plan (2017): SS1, SP11, SP13, SP18, SP19, DM1, DM2, DM4, DM5, DM6, DM8, DM12, DM21, DM23
- National Planning Policy Framework (2021)
- National Planning Practice Guidance
- Landscape Character Assessment (2013) & Supplement (2012)
- Landscape Capacity Study: Sensitivity Assessment (2015)
- Building for Life 12 (2018)
- MHCLG National Design Guide (2021)
- Regulation 22 of emerging Local Plan
- KCC SPG4: Kent Vehicle Parking Standards document (2006)

### **Local Plan**

- 3.01 Minor residential development can be supported in such a location, provided the development is of a high quality design and (inter alia): it positively responds to, and where possible enhances, the local and natural character of the area; it respects the amenity of local residents; it is safe in highway safety, heritage and flood risk terms; it provides adequate onsite vehicle parking; and it protects and enhances any on-site biodiversity features where appropriate or provides sufficient mitigation measures.

### **NPPF**

- 3.02 The NPPF (July 2021) is also clear that good design is a key aspect of sustainable development; and section 12 of the NPPF refers to achieving well-designed places. Section 16 of the NPPF relates to conserving and enhancing the historic environment.

### **Maidstone Landscape Character Assessment and Capacity Study**

- 3.03 The Maidstone Landscape Character Assessment identifies the application site as falling within the Greensand Orchards and Mixed Farmlands (Coxheath Plateau) Landscape Character Area (area 28-3). The landscape guidelines for this area are to 'IMPROVE & REINFORCE'. Within the Council's *Landscape Capacity Study: Sensitivity Assessment (Jan 2015)*, the overall landscape sensitivity of the Greensand Orchards and Mixed Farmlands (Coxheath Plateau) Landscape Character Area is 'MODERATE' and therefore has scope for change with certain constraints.

### **Regulation 22 Local Plan**

- 3.04 This is a material consideration, but limited weight is attached to the document because of the stage it has reached, having not yet been the subject of a public examination. This said, the proposal site is a draft allocation site within the emerging Plan for approximately ten dwellings (policy ref: LPRSA364); and Coxheath village is also shown to be a Rural Service Centre.

## **4.0 LOCAL REPRESENTATIONS**

- 4.01 **Local Residents:** 4 representations received raising following (summarised) concerns over: Highway safety/parking provision; inadequate facilities/services in Coxheath; residential amenity (inc. loss of privacy and light; being overbearing development; and noise); impacts during construction (including noise, dust, and parking); proposed garden area will attract anti-social behaviour; and inadequate ecology/landscape enhancements.

## **5.0 CONSULTATIONS**

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

- 5.01 **Cllr Parfitt-Reid:** Wishes to see application called to Planning Committee because of the size and density of the site; it is poor design; and access is through existing car park.
- 5.02 **Coxheath Parish Council:** Concur with Cllr Parfitt-Reid, raising concerns regarding size and density of site; issue of poor design; and concerned access is through existing car park.
- 5.03 **KCC Highways:** Raise no objection to proposal (see main report).
- 5.04 **MBC Landscape Officer:** Raises no objection in landscaping terms (see main report).
- 5.05 **Environmental Protection Team:** Raise no objection (see main report).
- 5.06 **Conservation Officer:** Raises no objection on heritage grounds (see main report).
- 5.07 **KCC Archaeology:** Raises no objection on archaeology terms (see main report).

## 6.0 APPRAISAL

6.01 The key issues are:

- Impact upon character and appearance of area;
- Heritage/archaeology matters;
- Transport, highways, access and parking;
- Residential amenity;
- Biodiversity/ecology matters;
- Environmental health matters; and
- Other matters.

### **Impact upon character and appearance of area**

#### Introduction

6.02 The application site is brownfield land and is currently occupied by a large (2/3 storey) building (set close to the northern boundary), and a large car parking area. The site is some 0.38ha in area and of little landscape value, but it does provide a sense of space in what is quite a densely populated area. Please note that the existing building on the site (to be retained) is considered to be a NDHA and that heritage impacts will be dealt with separately, further on in the report.

6.03 The proposal would introduce nine dwellings (each with their own garden) that would have three levels of accommodation, with the top level within the pitched roof form. The dwellings would be laid out in three terraces located along the southern boundary. Blocks A and B would face each other with parking and access in between; and block C would be sited perpendicular to blocks A and B, located in the south-eastern corner of the site.

#### Layout

6.04 The surrounding area is a mix of differently sized residential plots; development in the locality is varied, with cul-de-sacs and through-roads and detached, semi-detached, terraced housing and maisonettes; and there are commercial plots/buildings of various sizes. The introduction of the proposed terraced housing with the plot sizes shown, in this location, is not considered to harmfully go against this existing pattern and grain of development in the area. For reference, the application site is some 0.38ha in area and this would equate to less than 24 dwellings per hectare in terms of density. The Avante development that surrounds the eastern and southern boundaries of the site equates to almost 39 dwellings per hectare.

6.05 The proposal would also provide communal areas of open space in the north-western and south-eastern corners of the site; and the gardens for blocks A and C would take the associated buildings away from the western and southern boundaries respectively. Furthermore, boundary hedgerows are shown along the eastern, southern and western boundaries; blocks A and B are pulled away from the site's southern boundary; there is reasonable distances between the three terraces; and there is acceptable separation between the new dwellings and the existing office building that is to be retained. It is also evident that the proposal would reduce the level of hardstanding on the site and in part improve the quality of the hardsurfacing, through the introduction of textured stone setts with concrete 'pig slat' parking areas. With this all considered, the view is taken that the proposed layout would not represent overdevelopment of the site and the loss of some of the openness of the site is not thought to be objectionable.

#### Scale

6.06 Given the topography of the site, the heights of the new dwellings would vary, but in general terms the properties would stand between 10m and 10.7m in height (from ground level to ridge level), with the third floor living accommodation within the pitched roof. Each unit would have a footprint of some 40m<sup>2</sup>; and the gardens would measure between 8m and 10m in length.

6.07 The new dwellings would be taller than surrounding dwellings. However, the new scheme would be seen against the back drop of the taller retained office building on the site, that stands some 13.5m in height at its tallest point; and the design of the neighbouring Avante scheme includes projecting elements from the roof that gives some impression of 3-storey elements (see below).



6.08 Furthermore, as can be seen from the plan extracts below, there is a variety of building heights in the locality, and the eaves heights of the proposal would largely sit below the height of the existing surrounding houses, ensuring that the bulk of the new buildings would be read in the context of surrounding development.



6.09 Please also note that the proposed dwellings would be set back some 90m from Heath Road (to the north), by more than 20m from Clockhouse Rise (to the east) and by some 40m from Westerhill Road (to the west of the site). These separation distances would help reduce the prominence of the scheme; and views of the development from these public vantage points would be broken up by existing development. Views of the scheme from the immediate south of the site (from John Day Close) would be broken up though appropriate boundary treatments and landscaping; and to reiterate again, the scheme would have the backdrop of the large office building to be retained on the site. With everything considered, it is believed that the general scale of the proposal would not appear unacceptably out of keeping with that of existing surrounding development.

#### Appearance

6.10 The development surrounding the site is of mixed design and appearance. The modern Avante development mostly surrounds the eastern and southern boundaries and is a predominantly red brick and white rendered development; to the north is the single storey and flat roofed medical centre, a building with pale brick and timber weatherboarding; and to the west is Crispin Court, a 2-storey group of brick built (largely yellow stock) maisonettes with pitched roofs, and the non-descript and modest Scout hut building. Other properties along Heath Road, to the north of the site and Westerhill Road (to the west), also vary in age, design and appearance.

6.11 The three proposed terraces are of similar design and appearance, taking on a geometric, clean and modern design that nods to the agricultural past of Kent through its use of steep pitched roofs that resemble the pitch of an oast's roundel; and the use of standing seam dark zinc roofs hinting towards the appearance of black timber barns. The vertical emphasis of the buildings is accentuated by the recessed rainwater pipes and the height of the windows on the upper floors; and the brick roof parapets provide a simple yet attractive finish. The elevations are also considered to be well articulated, given the level and proportions of the fenestration detail, including the use of metal Juliet balconies and oriel windows; and given the use of red tumbled bricks (with deep struck mortar) to create a distressed and textured look. The erection of tumbled brick garden walls and aluminium framed openings provides further quality to the scheme.

6.12 To further ensure the quality of the development, conditions are recommended for the submission of details relating to external finishes; and boundary treatments. In addition to this, conditions are recommended to control external lighting and to remove permitted development rights for extensions to the properties, outbuildings, and future boundary treatments; and to secure the shown finished floor levels.

#### Access

6.13 In terms of access, the submission confirms that it is not possible to gain vehicle access in and out of the site from John Day Close. This is because, except for a currently gated opening onto an access road that runs through to Westerhill Road, there is a strip of planting on the outside of the site (not in the ownership of the applicant). Furthermore, the existing access gate is in such a position that the tight turning angle for vehicles would be unfeasible; and vehicle access here is also likely to result in conflict as it would see cars using what is currently a pedestrian access for residents. Notwithstanding this, the submission does show the provision of a ramped pedestrian access connecting the application site with the Avante development to the south and the existing vehicle access to the north would serve the scheme. This arrangement is still considered to provide connectivity/permeability with surrounding development, rather than creating an inward-looking development, and it can be secured by way of condition.

#### Landscaping

6.14 Indicative landscaping details have been submitted as part of this application, extracts of which can be found at Appendix A. Each property would have a rear garden and a planting area to the front; the parking areas would be interspersed with softly landscaped areas and tree planting; there would be communal areas of open space/planting in the north-western and south-eastern corners of the site (some 230m<sup>2</sup> and 85m<sup>2</sup> in area respectively); and native

hedgerows will be planted around the outer boundaries of the site. Furthermore, the bicycle and refuse stores associated to the office building would have green roofs; and parking spaces would be of 'pig slats' with planting in between, with stone setts laid for the shared surfaces and pathways.

6.15 The Council's Landscape Officer has reviewed the landscaping details, and has commented: *The proposed plans are largely in accordance with the Landscape Character Assessment suggested planting; and the scheme is of good quality with enough sensitivity to the local vernacular whilst adding ornamental interest nearer the dwellings.*

6.16 This said, the Landscape Officer also comments as follows:

- *Details do not show locations of herbaceous perennials and shrubs i.e. location in planting border.*
- *Prunus spinosa has been specified in boundary hedgerows, which suckers vigorously. Due to proximity to parking spaces and access points it is worth looking at replacing with suitable alternative.*
- *There are some native species comprised in planting near dwellings and pedestrian access points, but planting species location in borders are not shown.*
- *No details of planting mix details for green roofs on bicycle & refuse stores associated to office building.*
- *No details of planting in between ('pig-slats') parking areas; and no details of stone setts for shared surfaces and pathways.*
- *No details of landscape scheme's long-term management plan*

6.17 In short, the Council's Landscape Officer is satisfied with the overall quality of the submitted landscaping scheme; and given the omission of some details, a suitable condition will be imposed to safeguard character and appearance of the proposed development.

#### Summary

6.18 In summary, it is considered that the proposal would be of high quality and it would positively integrate with surrounding development. On this basis, the proposal would not cause unacceptable adverse harm to the character and appearance of the area hereabouts.

#### **Heritage/archaeology matters**

6.19 It is understood that the office building within the application site is of local heritage interest and was a health workers house or former Nurses' Home for Linton Hospital which in turn was formerly part of 19<sup>th</sup> century Maidstone Union Workhouse. The building is found on Historic England's Historic Environment Records (HER) and is considered to be a non-designated heritage asset (NDHA). The KCC Archaeological Officer also suggests that the upstanding Nurses Home is of significance, being one of two surviving visible elements of the workhouse and hospital complex; and it reflects development arising from civil needs of WWI and WWII for this area of Kent.

6.20 Paragraph 203 of the NPPF states: *The effect of an application on the significance of a NDHA should be taken into account in determining the application. In weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

6.21 The Council's Conservation Officer has considered the proposal and has commented as follows:

*The office building is from the 1930's and is very utilitarian and has been substantially altered since its original construction. It is a NDHA because of its association with the workhouse and infirmary long since demolished. It has no heritage features in itself. However it is recorded in the HER as a NDHA so must be treated so as the only surviving above ground structure of the former complex of buildings. It is being retained and it would be wise to ask, as a condition, for a schedule of proposed works to this building, if any, under this application.*

*The design of the proposed houses is well considered and sophisticated and will improve quality of local environment in my view. The approach along Clock House Rise is well planned and will produce a strong streetscape and a good experience as development is approached. Due to the layout of Clock House Rise, the proposal will not impact harmfully on setting of Holy Trinity church but will bring an improvement to environment close to this historic asset. I have no objection to proposal.*

- 6.22 The NDHA building is to be retained and no works are proposed to this building. On this basis, it would be unreasonable and unnecessary to seek a schedule of works to this building. Furthermore, the Conservation Officer views the scheme as well considered and an improvement to the quality of the local environment; and it is noted that the NDHA is closely surrounded by modern development and car parking. On this basis, it is considered that the proposal would cause (at the lower end) less than substantial harm to the significance of the building; and the public benefits of securing quality housing stock within a sustainable location would outweigh this modest harm.
- 6.23 The Holy Trinity Church, to the east of the site is Grade II listed, would be more than 40m to the north-east of the proposal site, with existing modern development in between. On this basis and in accordance with the heritage guidance within the NPPF, it is considered that the proposal would cause no harm to the significance and setting of this heritage asset. It is also noted that the Council's Conservation Officer has raised no objection in this respect.
- 6.24 In terms of archaeology, the site does not fall within an area of archaeological potential. Notwithstanding this, the KCC Archaeological Officer has commented as follows:

*Site lies in area of multi-period potential associated with use of prehistoric and historic routeway across heathland. There is evidence of prehistoric activity, especially associated with Boughton Iron Age Camp Scheduled Monument, and with Post Medieval travel. 1<sup>st</sup> Ed OS map indicates site is located in small 19<sup>th</sup> century hamlet which may have Post Medieval or earlier origins.....and former Nurses Home and Holy Trinity church are only surviving upstanding remains of workhouse and hospital, and are both part of group of historically and archaeologically significant complex constructed for specific medical and health functions in 19<sup>th</sup> century and early 20<sup>th</sup> century.*

- 6.25 The KCC Archaeological Officer has recommended a pre-commencement condition seeking details of archaeological field evaluation works. To ensure features of archaeological interest are properly examined, recorded, reported and disseminated, this condition is considered reasonable and shall be duly imposed.
- 6.26 The KCC Archaeological Officer has also recommended a pre-commencement condition seeking details of a phased programme of archaeological building recording and archaeological field evaluation works. This condition relates the existing office building that is to be retained as part of this proposal. The proposal does not include any works to this building and the recommended condition is therefore considered unreasonable and unnecessary to make the submission acceptable in planning terms.

### **Transport, highways, access and parking**

- 6.27 The submission is accompanied by the following:
- Transport Statement (by Mayer Brown: Feb 2022);
  - Technical Note (by Mayer Brown: Received June 2022);
  - Further Mayer Brown letter (received 1<sup>st</sup> July 2022);
  - E-mail from Mayer Brown with results of 24hr traffic survey (dated: 3<sup>rd</sup> August 2022); and
  - E-mail from Mayer Brown with ATC radar survey (capturing traffic speeds along Clockhouse (dated: 9<sup>th</sup> Sept 2022).
- 6.28 The Highways Authority have reviewed the submission and have raised no objection to the proposal in highway safety terms. Their comments are summarised as follows:

#### Access

- 6.29 Vehicular: Access to the development is proposed via the existing access onto Clockhouse Rise. This access currently serves the existing office (to be retained) and medical centre. As highlighted within the applicant's Transport Statement (TS), the access benefits from sufficient width to allow the 2-way flow of traffic. In this respect, the access is considered acceptable to KCC Highways.

- 6.30 Whilst the access connects onto a residential street that is conducive to lower vehicle speeds given the presence of contrasting surface treatments, narrowings and a varying horizontal alignment, details of the visibility characteristics from the access at not provided. Given how the development is anticipated to lead to an intensification in the accesses use these are required.
- 6.31 In terms of the access connecting onto a residential street, the submission confirms that visibility sight lines of 2.4m by 5.6m to the right, and 2.4m by 12m to the left, are proposed. A speed survey was undertaken by the applicant (taken over a 7-day period between 26<sup>th</sup> of July and 2<sup>nd</sup> Aug 2022). Importantly, the results of the speed survey confirm that the observed speeds are commensurate with the visibility sight lines proposed. Given that visibility sight lines complaint with observed speeds can be achieved, KCC consider the use of the existing access to serve the development is acceptable.
- 6.32 Pedestrian: There are no amendments to the existing pedestrian access arrangements for the site; and the proposal would enable pedestrian access via internal footways and shared service areas that the site currently benefits from. KCC Highways consider this to be commensurate with the scale of the development.
- 6.33 It is also noted that KCC have raised no specific highway safety objection to the proposal making use of the existing access through the adjacent medical site, as opposed from John Day Close.

#### Sustainability

- 6.34 The TS identifies that a range of local facilities can be accessed via the existing pedestrian infrastructure surrounding the site, including places of worship, local shops and schools; and that these facilities would, to some degree, cater for residents' day to day needs. KCC Highways also comment that there are limited opportunities for cycling and that sustainable transport would have a limited role in meeting development's travel demands.
- 6.35 In response to this, Coxheath is a larger village, as defined in the Local Plan, and policy SS1 allows for limited housing development consistent with the scale and role of the villages. Furthermore, policy SP11 allows for minor infilling development in larger villages that is of a size appropriate to the role, character and scape of the larger village. It is also noted that Coxheath is shown to be as a Rural Service Centre within the Council's emerging Local plan (albeit this carries little weight at this time). On this basis, the proposal site is not considered to be unsustainable in terms of its location and its access to basic amenities and services.

#### Car parking, trip generation and traffic impact

- 6.36 37 car parking spaces are proposed for the development, with 16 car parking spaces allocated for the residential element and the remaining 21 spaces allocated to the existing office. The existing car park has capacity of 88 car parking spaces and consequently, as a result of development, 67 car spaces will be lost (76% reduction in capacity).
- 6.37 In terms of Local Plan parking standards (policy DM23), these are minimum standards with 18 independently accessible spaces required for nine dwellings of this size, and 0.2 visitor spaces per dwelling (1.8 spaces). The proposed residential development would fall short of these standards by 4 spaces. The KCC SPG4: Kent Vehicle Parking Standards document, sets out that 48 car parking spaces should be provided for the retained office building (of some 1210m<sup>2</sup> floor area).
- 6.38 Through separate discussions, the agent and the Highways Authority agreed that to provide a robust way of assessing the likely highway impacts of the proposal, traffic surveys would be undertaken of the existing car park, to determine the amount of traffic that the existing office facility generates.

- 6.39 The survey was completed on 26<sup>th</sup> July 2022, and as this is a non-neutral period (when traffic levels are generally not considered to be 'typical' owing to the summer holiday period), KCC consider it reasonable to assume that the survey may underestimate the amount of traffic that is typically generated. Notwithstanding this, KCC have accepted the results.
- 6.40 In order to estimate how much traffic the residential proposal may generate, the applicant has used comparable sites from the TRICS database. The applicant anticipates that because of the proposal, the site could generate an additional 39 more traffic movements (both office and proposed residential uses), 28 of which would be departures, when compared to the site's existing lawful use.
- 6.41 Using the agreed trip generation forecasts, KCC have also undertaken their own parking accumulation exercise to determine the extent of any overflow parking on the public highway. Based on a shown provision of 21 car parking spaces for the office element of the development, demand for up to 21 additional vehicles would be displaced onto the public highway.
- 6.42 Whilst KCC remain mindful of how any displaced parking may add to any existing parking pressures, as many of the dwellings on nearby streets already benefit from their own dedicated off-road parking facilities, in addition to the non-competing nature of the proposed use, a parking-based objection is not considered reasonable in this instance. Furthermore, the presence of existing on-street parking controls such as double yellow lines, including those on Heath Road near to the site, enable KCC to conclude the probability of parking that could be hazardous to the safe or free flow of traffic is low. As such, a safety-based objection is not considered sustainable by the Highways Authority.
- 6.43 Please note that although the applicant has undertaken a traffic survey of the existing car park to demonstrate the likely difference in traffic movements because of the proposal, this information has not been used to revise their parking accumulation assessment. The existing use as a SECAS call-centre is considered to generate more traffic movements than a more typical office use. Consequently the level of displaced parking, if SECAS were to remain onsite and the existing car parking was reduced as proposed, is unknown. On this basis, it is considered reasonable and necessary to impose a condition that the dwellings shall not be occupied until the existing SECAS operations have ceased on the site, to avoid any unassessed impacts occurring on the public highway. The applicant has agreed to the imposition of such a condition. To be clear, the impact of another business occupying the retained building has been assessed via the applicant's transport evidence. A situation where the car park is reduced to make way for the proposed dwellings and SECAS retain their call centre operations on site in the existing office building has not.

Bicycle parking

- 6.44 The submission shows each dwelling to have secure bicycle parking in the garden area (3 spaces), as well as a communal cycle storage area for the office element of the development (11 spaces). This would be policy compliant and KCC consider this approach to be acceptable. The shown bicycle provision will be secured by way of appropriate conditions.

Turning and servicing

- 6.45 A swept path analysis for a 9.22m long refuse vehicle has been provided and it demonstrates that such sized vehicles can enter the site, manoeuvre and egress onto the public highway in a forward motion. This length is commensurate with refuse vehicles used by Maidstone Council and KCC find this acceptable.

PIC data

- 6.46 PIC data has been provided. This analysis confirms that in the assessment area, seven collisions were recorded, one of which was serious in severity. A significant proportion of these collisions involved a right turning vehicle colliding with an oncoming vehicle. Of the seven recorded PIC's, one occurred at the Clockhouse Rise junction with the B2163, although none occurred at the site access junction with Clockhouse Rise. The Highways Authority have not raised a specific objection on this matter.

## **Residential amenity**

### Local residents

- 6.47 The proposal is well separated from the properties in John Day Close, to the south of the site; and the separation distance of block C from the eastern boundary of the site would be some 5m. These distances, together with the orientation of the proposed dwellings, would ensure the amenity of the occupants in Clockhouse Rise are protected, in terms of light, outlook and not being overbearing. Furthermore, the upper floor flank openings at the eastern end of block C would be conditioned to be obscure glazed and fixed shut to safeguard the privacy of the occupants of 98 Clockhouse Rise.
- 6.48 Block A would be far enough away from the properties in Crispin Court, and at such an angle, as to not cause unacceptable harm to the living conditions of the occupants of these properties. Furthermore, the proposal would see the reduction of car parking spaces along the shared boundary of the proposal site and Crispin Court, which is considered to improve these neighbours living conditions.
- 6.49 In summary, it is considered that the proposal would not have an adverse impact upon the amenity of any local resident, when trying to enjoy their own property, in terms of privacy, light and outlook, nor in terms of being overbearing development.
- 6.50 Furthermore, when compared to the existing use and layout of the site, the comings and goings of people and vehicles associated with the proposal would not adversely harm the amenity of any neighbour in terms of general noise and disturbance. The proposed communal gardens are also not considered to be objectionable in residential amenity terms.
- 6.51 There is a scout hall immediately backing onto the rear gardens of block A (western boundary); and the building immediately to the north of the site is in office use, and so there are no residential amenity issues in these terms.

### Future occupants

- 6.52 The separation distance between block A and block B would be approximately 21m and as such, there would be no residential amenity conflict between the two blocks.
- 6.53 Block B is centrally located within the plot, with block C sited perpendicular to it (to the east). The separation distance between the blocks is some 10m and whilst there would be some overlooking from block B into the gardens of block C, this is not considered to be unacceptable in residential amenity terms and there is an element of 'buyer-beware'.
- 6.54 The first floor western flank window in block C serving a bedroom is secondary and would be conditioned to be obscure glazed and fixed shut (except for a fanlight), to respect the privacy of those in block B. Furthermore, the second floor bedroom that has access on to an outdoor terrace in the western flank of block C will not overlook the gardens to block B given that the parapet wall (standing 1.8m in height) will be continued across this terrace area. Each dwelling would benefit from terraces on the upper floors, as well as adjacent garden space that is mostly equal or more than the ground floor footprint of the associated dwelling. Each garden would also benefit from an external access to it.
- 6.55 It is also considered that future occupants of the site, when trying to enjoy their own property, would not be adversely impacted upon by any existing surrounding property (including the retained office building to the north of the site), in terms of privacy, light, outlook, and general noise and disturbance. Again, there is also the element of buyer-beware.

### Summary

- 6.56 With all of the above considered, there is no objection to the proposal in residential amenity terms and the proposal is considered to be compliant with Local Plan policy DM1 in this respect.

### **Biodiversity/ecology matters**

- 6.57 The submission is accompanied by a Preliminary Ecological Appraisal (PEA). On review of the report, it is accepted that the site is a habitat of low ecological value, as it is largely of hardstanding and boundary planting that is predominantly of non-native ornamental species; that there is no perceived risk of impacts to protected species; and that no further ecology work is considered necessary prior to the determination of this planning application.
- 6.58 Notwithstanding this, one of the principles of the revised NPPF (para 180) is that: *Opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.* It is also important to demonstrate a net biodiversity gain, and the submitted PEA confirms this to be the case. On this basis, suitable conditions are recommended to ensure the development incorporates ecological enhancements. Such enhancements shall include integrated methods into the design and fabric of each dwelling hereby approved, such as swift bricks, bat tubes/bricks and bee bricks. Furthermore, other enhancements will be made across the site, including native landscaping and the creation of a biodiversity garden.

### **Other matters**

- 6.59 The submitted Design and Access Statement confirms that electric vehicle charging points will be distributed across the site (for use by both residential and office users), with a plan within this statement showing the total provision of 14 such charging points. Furthermore, the submission shows the office bicycle store and office refuse store to have green roofs, with the bicycle store also having solar panels to generate energy for office; and it shows each new dwelling to have solar panels in the roof. In accordance with Local Plan policy and in the interests of sustainability, to ensure an energy efficient form of development and air quality, suitable conditions are also recommended for the provision of sixteen operational electric vehicle charging points for low-emission plug-in vehicles (as shown on the submitted plans); and for details of renewable energies to be incorporated into the development.
- 6.60 The Environmental Protection Team has reviewed the application and has raised no objection to it in terms of air quality; and contamination. This is subject to a contamination condition and given that the proposal is for a more sensitive end use, the imposition of this condition is considered reasonable in the interests of public health. Furthermore, the submission is accompanied by a Noise Assessment and a further Noise Technical Note. On review of this information, the Environmental Protection Team has confirmed that the internal sound levels for the dwellings would be acceptable provided the recommendations of the combined acoustic reports are implemented. This can be secured by way of appropriate condition and is considered reasonable to safeguard the amenity of future occupants of the proposal.
- 6.61 An Outline Drainage Strategy has been submitted as part of this application. In short, this report confirms that both foul waste and surface water for the proposal will be disposed of via mains sewer; and also that a Sustainable Drainage System can be implemented on the site in order to reduce the rate of surface water run-off and to manage flood risk on and off site. Whilst no further details regarding this are required at this stage, an appropriate condition is recommended to secure the detailed design of the drainage strategy/SuDS prior to the commencement of the development.
- 6.62 There are two pre-commencement conditions recommended (relating to archaeology and contamination), and the agent has confirmed their acceptance of these conditions.
- 6.63 Due regard has also been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010; and it is considered that the development would not undermine the objectives of the Duty.

6.64 The development is CIL liable. The Council adopted a Community Infrastructure Levy in October 2017 and began charging on all CIL liable applications approved on and from 1<sup>st</sup> 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 if planning permission is granted or shortly after.

## **7.0 CONCLUSION**

7.01 For the reasons set out above, the application is considered to be acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval is therefore made on this basis.

## **8.0 RECOMMENDATION**

8.01 **GRANT PLANNING PERMISSION** subject to the following conditions with delegated powers to the Head of Planning and Development 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.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

- Received 1<sup>st</sup> July (Appendix A to Mayer Brown letter) MBSK220623-01 Rev P1.
- Received 1<sup>st</sup> Aug 2022: 0202 Rev P2; 0203 Rev P2; 0270 Rev P2; 0300 Rev P2; and 0470 Rev P2.
- Received 11<sup>th</sup> Feb 2022: 001 Rev P1; 0010 Rev P1; 0015 Rev P1; 0020 Rev P1; 0021 Rev P1; 0022 Rev P1; 0023 Rev P1; 0025 Rev P1; 0030 Rev P1; 0040 Rev P1; 0200 Rev P1; 0201 Rev P1; 0205 Rev P1; 0220 Rev P1; 0250 Rev P1; 0260 Rev P1; 0350 Rev P1; 0360 Rev P1; 0370 Rev P1; 0450 Rev P1; and 0460 Rev P1.
- Received 29<sup>th</sup> Sept 2022: 1050-X-0490-GA-Rev P3; and 1050-X-0491-GA-Rev P3.
- Received 7<sup>th</sup> Oct 2022: LN00701 Rev P02 and Landscape Plan document (by 'outerspace' and dated: 7<sup>th</sup> Oct 2022).

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

3. Prior to the commencement of development the applicant, or their agents or successors in title, will secure:

- (i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- (ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority;
- (iii) programme of post excavation assessment and publication.

Reason: These details are required prior to the commencement of the development to ensure features of archaeological interest are properly examined, recorded, reported and disseminated.

4. The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
- (1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - (2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: These details are required prior to the commencement of the development in the interests of public health.

5. Prior to the first occupation of the development hereby approved, on completion of the works a Closure Report shall be submitted and approved by the local planning authority. The closure report shall include full verification details as set out in the remediation method statement, and this should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean.

Reason: In the interests of public health.

6. The development hereby approved shall not commence, except for the removal of existing hardstanding on site and no other ground works, 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 submitted Outline Drainage Strategy Report (Feb 2022: Ref-147091-FAH-ZZ-XX-RP-C-0001), 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 also demonstrate (with reference to published guidance):
- (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
  - (ii) appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

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.

7. In accordance with the submitted plans and prior to the commencement of development above damp-proof course level, written details of the materials to be used in the construction of the external surfaces of the buildings hereby approved, shall be submitted to and approved in writing by the local planning authority. These details shall be:

- (i) A sample panel of the tumbled finish red brick and mortar;
- (ii) Standing seam zinc roofing (Grey black in colour); and
- (iii) PPC lined aluminium framed windows.

The development shall be constructed using the approved materials and shall be maintained as such thereafter.

Reason: To safeguard the character and appearance of the area.

8. Prior to the commencement of development above damp-proof course level, details of all fencing, walling and other boundary treatments, shall be submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Tumbled finish red brick walling to the northern boundary of the gardens for blocks A and B, to match the elevations of the new dwellings on the site.

The development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason: To safeguard the character and appearance of the area; and to safeguard the enjoyment of their properties by existing and prospective occupiers.

9. Prior to the commencement of development above damp-proof course level, and in accordance with submitted drawing reference: LN00701 Rev P02 and Landscape Plan document (by 'outerspace' and dated: 7<sup>th</sup> Oct 2022), details of a scheme of hard and soft landscaping, using indigenous species, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with a programme for the approved scheme's implementation and long-term management, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment (2012) and shall show:

- (i) Location, species, number and size of all new trees, perennials and shrubs to be planted within site;
- (ii) Provision of new 100% mixed native species hedgerow planting along eastern, southern and western boundaries of site (to exclude prunus spinosa);
- (iii) Provision of 100% native species tree planting (minimum of Select Standard size);
- (iv) Details of native species planting along the approaches to the front doors of the dwellings, alongside the pedestrian access routes;
- (v) Details of 100% native species planting for biodiversity garden in south-eastern corner of site (to include wildflower areas);
- (vi) Details of native species planting for communal garden in north-western corner of site;
- (vii) Planting mix details for the green roofs on the bicycle and refuse stores associated to the office building;
- (viii) Provision of 'Pig slats' for all vehicle parking areas, as shown in submitted Design and Access Statement, and details of the planting to be used for these parking areas; and
- (ix) Details of the stone setts for the shared surfaces and pathways within the site.

Only non-plastic guards shall be used for the new trees and hedgerows and no Sycamore trees shall be planted. The implementation and long term management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area; and in the interests of biodiversity net gain.

10. The approved landscaping associated with the individual dwellings shall be in place at the end of the first planting and seeding season following completion of the relevant individual dwelling. Any other communal, shared or street landscaping shall be in place at the end of the first planting and seeding season following completion of the final unit. Any trees or plants, 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: To safeguard the character and appearance of the area; and in the interests of biodiversity net gain.

11. Prior to the commencement of the development above damp-proof course level, details of ecological enhancements integrated into the design and fabric of each dwelling hereby approved, such as swift bricks, bat tubes/bricks and bee bricks, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to the first occupation of each relevant dwelling and all features shall be maintained as such thereafter.

Reason: To enhance biodiversity on the site and to achieve a net biodiversity gain.

12. Prior to the commencement of the development above damp-proof course level, details of ecological enhancements and their delivery shall be submitted to and approved in writing by the local planning authority, and the details shall include the following:

- (i) integrated enhancements into the design and fabric of each dwelling, such as swift bricks, bat tubes/bricks and bee bricks;
- (ii) Measures to allow hedgehogs to move through the development;
- (iii) Log piles; and
- (iv) Integrated insect bricks into planters sited in 'biodiversity garden' (south-east corner of site).

The development shall be implemented in accordance with the approved details prior to the first occupation of the site and shall be maintained as such thereafter.

Reason: To enhance biodiversity on the site and to achieve a net biodiversity gain.

13. Prior to the commencement of the development above damp-proof course level, details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the dwellings hereby permitted shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed and operational prior to the first occupation of the relevant dwelling and shall be maintained as such thereafter.

Reason: To ensure an energy efficient form of development.

14. Prior to the first occupation of the development hereby approved, the site entrance visibility splays (as shown on submitted drawing refs: MBSK220623-01 Rev P1), shall be provided with no obstructions over 1.05 metres above carriageway level within the splays, and this shall be maintained as such thereafter.

Reason: In the interests of highway safety.

15. Prior to the first occupation of the eastern-most property in block C hereby approved (as shown on the submitted drawings), the first floor and second floor windows in the eastern flank of this property shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and these windows shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such thereafter.

Reason: In the interests of residential amenity.

16. Prior to the first occupation of the western-most property in block C hereby approved (as shown on the submitted drawings), the first floor window in the western flank of this property shall be obscure glazed to not less than the equivalent of Pilkington Glass Privacy Level 3, and this window shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such thereafter.

Reason: In the interests of residential amenity.

17. The solar panels on the new bicycle storage for the office building, as shown on the submitted plans, shall be installed and operational prior to first occupation of any dwelling hereby approved and shall be maintained as such thereafter.

Reason: To ensure an energy efficient form of development.

18. The recommendations set out in the submitted Noise Assessment (Mayer Brown: Feb 2022) and the Technical Note (Mayer Brown: 17<sup>th</sup> May 2022) shall be fully implemented prior to the occupation of each relevant dwelling hereby approved and shall be maintained as such thereafter.

Reason: In the interests of residential amenity.

19. No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of residential amenity.

20. The vehicle parking spaces within the application site, as shown on the submitted plans, shall be provided prior to occupation of any dwelling hereby approved and shall be permanently retained for parking thereafter and not used for any other purpose.

Reason: In the interest of highway safety and parking provision.

21. The development hereby approved shall provide a minimum of 14 operational electric vehicle charging points for low-emission plug-in vehicles, of which nine of these charging points shall be installed for the allocated residential car parking spaces. All 14 charging points shall be installed and operational, prior to the first occupation of any dwelling hereby approved and shall be maintained as such thereafter.

Reason: To promote reduction of CO<sub>2</sub> emissions through use of low emissions vehicles.

22. The communal bicycle parking spaces for the retained office building (a minimum of 11 spaces), as shown on the submitted plans, shall be provided and useable prior to the first occupation of any approved dwelling and shall then be permanently retained as such thereafter.

Reason: In the interest of sustainability.

23. The bicycle parking spaces (3 spaces for each dwelling), as shown on the submitted plans, shall be provided and useable prior to the occupation of the relevant dwelling they are associated with and shall then be permanently retained as such thereafter.

Reason: In the interest of sustainability.

24. The development hereby permitted shall be carried out in accordance with the slab levels/finished floor levels as shown on the submitted plans.

Reason: In order to secure a satisfactory form of development having regard to the topography of the site.

25. The dwellings hereby approved shall not be occupied until the current South East Coast Ambulance Service (SECAS) operations on the site have ceased and the building has been vacated by SECAS.

Reason: To avoid any unassessed impacts occurring on the public highway.

26. Prior to the first occupation of any dwelling hereby approved, the public pedestrian access from the southern boundary of the site and as shown on submitted drawing references: 0220 Rev P1 and 0450 Rev P1 (and as confirmed in an e-mail from the agent received 11<sup>th</sup> August 2022), shall be provided and freely useable, and shall be maintained as such thereafter.

Reason: In the interests of permeability.

27. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), and except for what is shown on the approved plans and the details to be approved pursuant to condition 3 of this decision, no development within Schedule 2, Part 1 Classes A, AA, B, D, and E; and Schedule 2, Part 2, Class A, shall be carried out.

Reason: To safeguard the character of the area and in the interests of residential amenity.

Informatives:

1. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25<sup>th</sup> October 2017 and began charging on all CIL liable applications approved on and from 1<sup>st</sup> 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.
2. It is the responsibility of applicant to ensure, before development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by Highway Authority. Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181