

MC/19/2836

Date Received: 25 October 2019

Location: Land South Of View Road Cliffe Woods
Rochester Kent

Proposal: Application for approval of reserved matters being appearance, landscaping, layout and scale pursuant to planning permission MC/16/3742 (Allowed under appeal reference APP/A2280/W/18/3202264) - for construction of 50 retirement homes comprising a 2/3 storey block of apartments and single storey bungalows with ancillary meeting room, gymnasium, office, parking and garaging

Applicant SJP Group Ltd
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Ward: Strood Rural Ward

Case Officer: Doug Coleman

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Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 16th September 2020.

Recommendation - Refusal

1. The layout of the proposal is inappropriately urban in character. The inner site layout of street parking and service corridor unsympathetically encircles the development's central amenity focus for resident's daily community and social activities, resulting in the development being dominated by the appearance of roads and parking, which in turn results a poor quality of amenity space. In addition, the landscaping proposals which are considered fundamental to the

design of this rural edge application site are inadequate to achieve a transition from urban to rural, or an effective screen from visual receptor(s) to the south and south-west contrary to Policies BNE1 and BNE6 of the Medway Local Plan 2003 and Paragraphs 127 and 170 of the National Planning Policy Framework 2019.

2. The proposal offers limited amenity space between the proposed units and the perimeter boundaries, particularly for a rural site and the lack of boundary treatment to define individual garden areas would result in an adverse impact on future occupiers with regard to lack of privacy contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 127f of the National Planning Policy Framework 2019.
3. In absence of swept path analysis for large vehicles, the applicants have failed to demonstrate the internal highway network is safe and suitable for all vehicles. In addition, the provision of the mobility scooter parking is considered unsuitable accommodation in terms of its location. The application is, therefore considered to be contrary to Policies T1 and T22 of the Medway Local Plan 2003 and Paragraph 110 of the National Planning Policy Framework 2019.
4. Opportunities to secure sustainable drainage such as ponds and swales and enhance biodiversity have been missed. The site is large and located on clay geology which would increase SuDS options. As such the proposal would conflict with Paragraphs 164, 170(d) and 175 of the National Planning Policy Framework 2019.

MC/19/2836: Land South of View Road, Cliffe Woods

REFUSAL

For the reasons for this recommendation for refusal please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This is an application seeking approval of reserved matters (appearance, landscaping, layout and scale) following the grant of outline planning permission on appeal (MC/16/3742) for the construction of 50 retirement homes comprising a 2/3 storey block of apartments and single storey bungalows with ancillary meeting room, gymnasium, office, parking and garaging.

This application also seeks approval of details of materials (Condition 5), landscaping (Condition 6), reptile survey (Condition 8), ecological enhancements (Condition 9) and flood risk mitigation (Condition 16).

Since the scheme was first submitted, there have been several changes and

amendments in an attempt to address concerns. The latest set of drawings were submitted on 30 July 2020 following the presentation.

A new access and egress would be created from View Road, as approved under the outline planning permission, with a one-way road system around the site. Four individual blocks are shown and two dwellings are proposed to be attached to the clubhouse/gym. Three blocks would comprise terraces of chalet style bungalows (Blocks A, B and C). The fourth block would be a two/three storey 'L'-shaped block (Block D). The details of each block are as follows:

- Block A: A single storey block of 12 units (3 x Type 1 units and 9 x Type 3 units) located towards the southern end of the site and facing north towards the service road.
- Block B: A single storey block of 9 units (2 x Type 2 units and 7 x Type 3 units) located towards the eastern site of the site and facing west towards the service road.
- Block C: A single storey block of 3 units (3 x Type 1 units) located within the central part of the site facing north towards the service road.
- Block D: A two/three story block of 24 units (12 x Type 4 units and 12 x Type 5 units) located at the western end of the site, with a return along the southern part.
- Under the revised proposal 2 units (Type 6) are now shown attached to the clubhouse.

The house types are as follows:

- Type 1: (98 sq. m.) A central entrance door with a bedroom and study at front, and kitchen, living area and bathroom to rear and a second bedroom (en-suite) in the roof space. There would be a rooflight and a high level dormer to the front and a rooflight to the rear.
- Type 2: (77 sq. m.) A central entrance door with a two bedrooms at front, and kitchen, living area and bathroom to rear. There would be a high level dormer to the front to illuminate a void over living area.
- Type 3: (58 sq. m.) A side entrance door with a bedroom at front, and kitchen, living area and bathroom to rear. Two rooflights to the front would illuminate the void over the living area.
- Type 4: One bedroom flat (55 sq. m.) comprising a kitchen, living area, bedroom, bathroom and terrace.
- Type 5: Two bedroom flat (88 sq. m.) comprising a kitchen, living area, bedroom, bathroom and terrace, with an additional bedroom and bath room in roof space. There would be high level dormers on both elevations.
- Type 6: Bungalow (67 sq. m.) comprising living room/kitchen, two bedrooms and a bathroom.

In addition to the dwellings, there would also be a single storey office building, near the site entrance and a clubhouse/gym behind the office.

The latest drawing shows 47 parking spaces: 14 in front of Block B, 14 in front of Block A (2 with electric vehicle charging points), 10 in front of the southern section of Blocks D, 5 opposite Block C, 3 between Block C and the office building (2 with electric vehicle charging points), and 1 adjacent to the office building which would be a dedicated car club space with an electric charging point. 6 spaces would be for disabled persons' vehicles and 5 would have electric vehicle charging points.

Site Area/Density

Site Area: 1.2 hectares (2.9 acres)

Site Density: 41.6 dph (16.8 dpa)

Relevant Planning History

MC/16/3742	Outline application with some matters reserved (appearance, landscaping, layout and scale) for the construction of 50 retirement homes comprising a mix of 2/3 storey apartments and single storey bungalows with ancillary meeting room, gymnasium, office, parking and garaging with new vehicular access to View Road Refused 10 November 2017 Appeal allowed 27 December 2018
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Representations

The application has been advertised on site and in the press as a major development and as development not in accordance with the development plan, and by individual neighbour notification to the owners and occupiers of neighbouring properties. Cliffe and Cliffe Woods Parish Council, Natural England, Kent Wildlife Trust, RSPB, KCC's Biodiversity Officer, KCC Archaeology, Kent Police, Southern Water Services, Southern Gas Networks and EDF Energy have also been consulted.

72 letters from 64 households have been received raising the following objections:

- Greenfield site and development in wrong place. It should be in urban area.
- Loss of agricultural land.
- Overdevelopment.
- Three storeys out of character and inappropriate scale for small village.
- Design and materials out of character.
- Impact on existing facilities – doctor's surgery, transport, school, shops, water, drainage etc.
- Bus service already poor.
- Poor design.
- No buffer zone between development and neighbouring properties.
- Chain-linked fence to rear of Block B (recommended in ecology report) would be

unsightly.

- Untidy street furniture –wheelie bins, washing lines, satellite aerials etc.
- Overlooking/loss of privacy.
- Overshadowing/loss of light
- Additional traffic generated by proposed development and impact on View Road and Town Road.
- Access on dangerous bend with a nursery opposite.
- Inadequate parking.
- Inadequate disabled parking.
- Refuse areas will create smells.
- Loss of trees.
- Adverse impact on nightingales, local bird population, wildlife and SSSI.
- Increased risk of flooding.
- No need for retirement accommodation as retirement club has closed.
- A three storey building is not suitable for elderly.
- No lifts for disabled people.
- No need for a gym and club house.
- Disruption caused by building work.

Other matters raised are non-material

Two letters have been received making the following comments in support of the application:

- Proposal would be a welcome addition to Cliffe Woods enabling people to remain in the village when they wish to downsize.
- There is an urgent need for a retirement development in Cliffe Woods.

Cliffe and Cliffe Woods Parish Council has written objecting for the following reasons:

- The impact of the development on local medical facilities needs to be addressed. As sheltered housing/retirement homes there is likely to be above average additional medical needs.
- Car parking should be provided in accordance with the Council's Vehicle Parking Standards having regard to the rural location and low level of bus services.
- The site is on a tight bend with poor visibility and cars parked opposite force drivers to use the wrong side of the road.
- Access for local residents to the gym would increase on street parking.
- The three storey element would be out of character.
- The overall appearance as a fenced off development is not appropriate for this location.

The Dickens Country Protection Society has written making the following comments;

- Car parking appears to be inadequate for a development in this semi-rural location.
- The design could be improved if the development were to be restricted to two storeys.

Kelly Tolhurst MP has written on behalf of a constituent who has raised the following concerns:

- Impact of proposed development on already strained local infrastructure.
- How the new development will fit in with the existing area.
- The access is onto a busy road and the development could worsen the situation.

Natural England comments that due to the proximity of the site to Chattenden Woods and Lodge Hill SSSI details of the boundary treatment should be submitted in accordance with condition 6 of the outline planning permission to ensure that impacts from recreational disturbance and urbanising effects do not occur. NE have subsequently confirmed that as the proposal includes a 2m high fence around the site, no objection is raised.

Kent Police Crime Prevention Design Advisor has written advising that the applicant/agent should contact them regarding Secured by Design.

Southern Water has written raising no objection and advising that should the application receive approval, a formal connection to a public sewerage system is required in order to service the development. The design of the drainage should ensure that land drainage or ground water should enter the public sewers.

Southern Gas Networks have written with a plan showing gas works in the area.

UK Power Networks have written with a plan electrical lines/plant in the area.

KCC's Biodiversity Officer has advised that the plans in the reptile report do not match the site plan and that there is a need for a detailed landscaping plan to demonstrate how the landscape ecology buffer is to be designed. The buffer will have to be designed to minimise impact on the SSSI and provide a receptor site for reptiles. Details of additional ecological enhancements should also be submitted.

An updated ecological survey has been received, with a correct site plan, but this does not address the concerns.

First Reconsultation Responses

All consultees and objectors have been notified of the receipt of revised plans. A further **24 letters** have been received re-iterating previous comments.

KCC Archaeology has written advising that condition 12 requires the submission and approval of a scheme of archaeological work before any development takes place. To date this has not been submitted.

Kent Police Crime Prevention Design Advisor and **Southern Water** have written advising that they have no further comment to make.

KCC Biodiversity Officer has written advising that:

- The reptile survey and the recommendation to retain reptiles on site is satisfactory.
- There is a need for a detailed landscaping plan of the ecology area/buffer area with a demonstration that the design of the buffer area will minimise the impact from the development, particularly from an increase in lighting.
- There is a need for information confirming what additional ecological enhancements will be incorporated within the wider site. The proposed enhancements must be incorporated in the site plan.

Cllr Williams has written making the following comments:

- Loss of amenity to residents in Englefield Crescent.
- Overlooking of proposed bungalows in Block B from Englefield Crescent.
- 53 parking spaces inadequate.
- Development would be out of character.
- Access would be on a bend.

Second Reconsultation responses

All consultees and objectors were notified of the receipt of revised plans on 30 July.

7 letters have been received re-iterating previous objection and making following additional comments:

- Noise and disturbance from clubhouse.
- Latest proposal worse than previous scheme.
- Reduction in number of parking spaces not acceptable.
- Motability parking not acceptable.

KCC Biodiversity have written advising that:

- Satisfied that proposed reptile mitigation can be implemented.
- Heras fencing must be erected around mitigation area to ensure traffic cannot enter and this should be included in CEMP.
- Condition required requiring implantation of reptile mitigation.
- Ecology area acceptable but need to ensure this is managed as part of the

- Landscape Management Plan.
- Ecological enhancement measures acceptable.

Natural England has written stating that it's previous advice still applies.

Kent Police have no additional comment to make.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2019 and are generally considered to conform. Where there is non-conformity, this will be addressed in the relevant section below.

Planning Appraisal

Principle

The principle of the development was accepted with the grant of outline planning permission and no further matters of principle are raised by this application.

Design and appearance

The reserved matters, for which approval is sought, are scale, layout, appearance and landscaping which fall to be assessed under Policies BNE1 and BNE6 of the Local Plan and Paragraphs 127 and 170 of the NPPF. Paragraph 127 of the NPPF states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should also be sympathetic to the surrounding built environment and landscape setting, maintain a strong sense of place and optimise the potential of the site. Paragraph 170(b) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The quantum of development accords with the terms of the outline planning permission insofar as it comprises 50 retirement units, together with an ancillary building comprising a clubhouse/gym and meeting room, and a single storey office building. All buildings would be single storey in height and appearance apart from Block D, which is proposed to be two/three storeys high. Block D would be located at the western end of the site, furthest away from existing neighbouring dwellings. There is one point of entry and exit from View Road for both pedestrians and vehicles, as approved at outline stage. Barriers at the entrance and exit make this development a gated community, providing a feeling of security for the residents. The layout is such that there is one road within the development that is effectively a loop around a central island.

The location of the application site means that this proposal is an edge of rural settlement development and as such, the design should be landscape led. The establishment of effective landscape mitigation along the boundaries that are contextual and reflect locally distinct landscape elements should be established as a primary principle of the site layout. It would follow that the areas required for the landscape to grow and mature would indicate the remaining site area for built development. This application for reserved matters has been submitted without the benefit of seeking pre-application advice.

Upon reviewing the originally submitted drawings, concerns were raised by officers with regard to the layout and landscaping. As part of the application process, meetings have been held to discuss these issues with the applicant and planning agent in February 2020 and a site meeting held on 2 July 2020. In addition, the applicant presented the proposals to Members on 27 July 2020. The application has been amended again in an attempt to address officer's concerns. The revised drawings received on 30 July 2020 show the current version of the proposal to which this report relates.

The layout of the proposal is inappropriately urban in character, brought about by density more appropriately found in a town where space is at a premium and the maximization of sites can be more acceptable. An inner site layout of street parking and service corridor unsympathetically encircles the development's central amenity space which should be the focus for resident's daily community and social activities. This layout results in the development being dominated by the appearance of roads and parking, which in turn results in poor quality amenity space.

The Design and Access Statement (DAS) is usually a tool used to help explain the rationale and development of the design. Prior to the latest version, the DAS did not provide this information. However, at the July site meeting the applicant and planning agent were able to provide a brief explanation as to the rationale behind the layout. It was said that the proposal with the circular vehicular access route had been developed to ensure the maximum number of bungalows on the site and with the living spaces within all properties (with the exception of Block C) facing outwards to the surrounding countryside. The layout also attempted to provide a screen between the new development at Block B and the existing properties in Englefield Crescent. Officers were also advised at this time, that a 2m high chain link fence had been added between the development and the Chattenden Woods and Lodge Hill SSSI to satisfy Natural England. It was also said that the option of development along the View Road frontage was not explored as a result of comments from the existing community.

Revisions to the internal amenity space layout have not tackled the overall site layout which broadly has not changed. The plan remains based on an island containing the residential community social facilities, surrounded by a road that the majority of residents must cross to use. In terms of movement and views, the circulation route is a one-way traffic flow around the site. The edges of the loop road are dominated by surface car parking, secure cycle parking and refuse storage areas.

Accommodation is outward facing to engage with the landscape beyond the site, and this renders the facades overlooking the central amenity space as rears of buildings. The internal enclosure created by the siting of the buildings is effectively a car park and service area and this is not appropriate quality space for the concentration of the community social and leisure time.

The central island also appears dominated by three buildings – one containing the clubhouse/gym and two dwellings, the office and the three dwellings in Block C together with four parking spaces and some small pieces of left over land. The principle area of communal open space serving the proposed development, measures approx. 40m by approx. 20m and lies between the clubhouse to the west, the rear of Block C to the north and the service road to the east and south. Part would be occupied by two boules courts with a shaded seating area and the remainder grassed, although the grassed area would be divided by a birch boulevard crossing the site and widening towards the entrance to the clubhouse. It is considered that the amenity area is poor in both quality and function. Landscaped amenity spaces should provide for valuable passive activities for the wellbeing of residents. This limited amenity space within the layout would provide little opportunity for activities on offer to residents.

Previous revisions of the proposal showed no clearly defined pedestrian circulation within the development and often not separated from traffic. This latest revision attempts to address this with the DAS describing a separate pedestrian route providing footpaths crossing the site to the community buildings and providing links along desire lines for residents walking from home to these facilities. There is the provision of a birch boulevard and the clubhouse/gym entrance has moved to the east. It is noted that the footpaths providing the stated crossing points are mainly located next to refuse storage areas and it appears only two of these crossing points would link to the pedestrian routes within the central space. It is considered that the 'desire lines' between residences and clubhouse/gym still do not appear to have been fully incorporated into the current circulation network. This is of particular concern with regard to residents with limited mobility.

Boundaries and the proximity of structures to the site edges also remain a problem. Site planning issues that have forced the development close to the southern, western and eastern boundaries remain unresolved. This is primarily an issue of unit numbers in the current configuration. These issues can only be reduced by a fundamental change to the design and layout of the site, likely to involve an increase in building heights if 50 units are to be achieved. However, in terms of scale, the building blocks as currently shown do not respond sympathetically to their wider rural surroundings along the rural boundaries, and do not sit comfortably within their setting in terms of morphology and height.

Officers consider there to be insufficient buffer width along the southern and western boundaries for effective and contextual landscape mitigation measures. A landscape and visual appraisal (LVIA) for the proposal was sought but what has been submitted does not follow guidelines set out by GLVIA 3rd Edition or follow the Landscape Institute Technical Guidance Note 06/19 Visual Representation of Development Proposals.

Despite discussions with the applicant and agent and the submission of revised drawings with measures that include additional soft landscape to the southern boundary, the southern boundary planting remains too narrow to achieve a transition from urban to rural, or an effective screen from visual receptor to the south and south-west. From these views, the current site receptor is characterised by a farmland foreground and hedgerow backdrop. The hedgerow backdrop defines the present rural edge of Cliffe Woods and screens residential structures behind it. This relationship has not been adequately reformed in the proposals along the southern boundary. No technical images or planting plans supporting the applicant's verbal assurances that landscape proposals will effectively mitigate the development's impact have been produced and submitted.

The revisions to the landscaping proposals also includes measures within the site such as planting between the service road and the proposed dwellings, hedge planting of native and ornamental species, tree planting of native species, amenity grassland and nectar-rich wildflower grassland. The approach made to the design of the landscape appears as being largely incidental and offers very little in its contribution to supporting a wider place making narrative. No Landscape Management Plan has been submitted to date. The location of some species could give rise to concerns in the long term with regard to canopy sizes potentially impacting on the buildings and occupier amenity. Apart from the proposed chain-link fence along the southern boundary, requested by Natural England, no hard landscaping, lighting details or boundary information have been submitted. Given the countryside location and the outward facing dwellings, these should be designed in co-ordination with the landscaping as they are considered to be an integral part of the design process.

In terms of the architectural design of the buildings, the general style is considered acceptable, having regard to nearby residential buildings which offer little vernacular consistency. However, providing a 'new distinctive style', should take account of the rural edge location and the site's prominent position overlooking the rural countryside. There is scope for further improvements, particularly, breaking up Blocks A and B, which currently comprise relentless terraces of 12 and 9 units, respectively, along the southern and eastern edges.

In summary, the layout of the proposal is inappropriately urban in character. The inner site layout of street parking and service corridor unsympathetically encircles the development's central amenity focus for resident's daily community and social activities, resulting in the development being dominated by the appearance of roads and parking, which in turn results a poor quality of amenity space. In addition, the landscaping proposals which are considered fundamental to the design of this rural edge application site are inadequate to achieve a transition from urban to rural, or an effective screen from visual receptor(s) to the south and south-west contrary to Policies BNE1 and BNE6 of the Local Plan and Paragraphs 127 and 170 of the NPPF.

Amenity

There are two main amenity considerations, the impact on neighbouring occupiers in terms of sunlight, daylight, outlook and privacy, and the standard of amenity of which would be experienced by future residents of the site itself. Policy BNE2 of the Local Plan and paragraph 127f of the NPPF relates to the protection of these amenities.

Neighbours Amenity

The application site is surrounded to the west and south by farmland. To the east it is bound by the rear gardens of 6 -14 (even) Englefield Crescent. At the northern end, 4 Englefield Crescent has a rear garden of between approx. 14m and approx. 18m deep, and the end unit in Block B would be approx. 25m from the rear of that property. At the southern end, 14 Englefield Crescent has an approx. 4m deep west facing garden, but a large south facing garden. Block B would be approx. 29m from the rear of that property. The unit at the northern end of Block B would have an approx. 4m deep rear garden, but this would widen to approx. 6.5m to the south. However, there would be a buffer zone between the proposed development and Englefield Crescent, which widens to approx. 15m to south. Furthermore, this block is single storey along this part of the development site and the land level rises from west to east so Englefield Crescent is situated at a higher level than the application site. There would, therefore be no unacceptable overlooking, loss of light or loss of outlook from the proposed development to the properties in Englefield Crescent.

The only other property close enough to potentially be impacted by the proposal is 6 View Road. However, given the distance between the rear garden and the flank wall of this property with the single storey Block C, it is considered there would be no adverse impact in terms overlooking or light loss to that property.

As originally submitted, a refuse and recycling store was shown immediately adjacent to the boundary with 6 View Road. The owner of 6 View Road requested that the refuse and recycling store be relocated. The latest revisions show the refuse and recycling store to have been relocated elsewhere within the development and replaced by parking spaces and a secure cycle store.

It should be noted that the two/three storey Block D has been located at the western end of the site, away from any existing neighbouring properties.

No objection is therefore raised to the reserved matters in terms of neighbour amenity.

Occupier Amenity

With regard to the amenities of future occupiers of the development itself the proposed units have been assessed with regard to the technical housing standards – nationally described space standard 2015 (the national standard)

All units would meet the requirements of the national standard with regard to gross internal area and in relation to the widths and areas for single and double bedrooms.

As guidance, the Medway Housing Standards (interim) November 2011 (MHDS) states that gardens should be 10m in depth and 7m when constraints exist. The garden depth between Block A and the site boundary is approx. 8m. This includes the landscaping strip along the southern boundary which measures approx. 1m in depth, and the 2m high chain link fence, therefore in reality the garden depth is likely to be approx. 7m. At the northern end of Block B, the end unit would have a garden depth of approx. 4m to approx. 6.5m, however, this includes the ecology buffer, and therefore in reality the actual garden would only comprise a small triangle area. It is likely that the four northernmost units of Block B are unlikely to achieve a 10m garden depth exclusive of the ecology buffer. Apart from the southern western end unit, Block D does not offer garden depths greater than approx. 8m to approx. 8.6m for the western facing units and offers garden depths no greater than approx. 4.5m for the southern facing units of that block. The south facing units of Block D also includes the landscaping strip and the 2m high chain link fence. It is unfortunate that given the rural location a garden depth of 10m has not been achieved for the majority of units within the site.

In addition to insufficient garden depths, it is unclear as to whether there would be boundary treatment dividing garden spaces for each dwelling. At the site meeting, the applicant advised there would not be boundary treatment. Whilst this is likely to provide a more attractive, open environment, it also raises issues with regard to privacy for the occupiers of the units. This is particularly a concern given that residents of the development site would be able to access all garden areas which are of limited depth and therefore would result in anyone walking around the edges of site being in close proximity to habitable room windows of most units.

There is also concern with regard to the relationship of the siting of Block A and Block B, where the flank wall of the southern end unit (single storey) of Block B would be located within approx. 4.7m of the front elevation of the third unit (single storey) from the eastern end of Block A. Although, it is noted that as a result of the layout of accommodation within the units, being that the main daytime habitable accommodation is outward facing, the impact on outlook would be to the bedroom of this unit in Block A and on balance, is not considered detrimental to the amenity of this future occupier.

However, in summary, it is considered that the proposal offers limited amenity space between the proposed units and the perimeter boundaries, particularly for a rural site and the lack of boundary treatment to define individual garden areas would result in an adverse impact on future occupiers with regard to lack of privacy contrary to Policy BNE2 of the Local Plan and paragraph 127f of the NPPF.

Highways

The vehicular access to the site was approved on appeal at the outline stage and remains unchanged and no concerns were raised in terms of traffic generation.

With regards to the internal layout, a swept path analysis for large vehicles was requested but has not been provided. In the absence of this information to address concerns regarding the suitability of the internal service road, particularly near the exit point, the applicants have failed to demonstrate the internal highway network is safe and suitable for all vehicles.

Under the latest proposals, 47 car parking spaces are proposed, compared to 53 spaces proposed prior to the introduction of the car club to the scheme.

In relation to parking, the applicant has provided a Car Parking Assessment to address concerns previously raised. This includes a statement saying that a 'car club, is proposed with one vehicle available for hire by residents of the proposed development. The car club vehicle would have its own reserved space next to the office with an electric vehicle charging point. The applicant has offered to enter into a Section 106 agreement to secure provision of the car club. The application is also stating that a Parking Management Plan would be provided. In the event of planning permission being granted for the reserved matters, further details would be required in relation of the car club and the Parking Management Plan. These could be secured by additional planning conditions and a deed of variation to the Section 106 agreement.

In terms of mobility scooter parking, concerns were previously raised that this parking is located a significant distance away from the residential units and therefore its user ability is diminished. This has not been addressed in the latest submission.

In absence of swept path analysis for large vehicles, the applicants have failed to demonstrate the internal highway network is safe and suitable for all vehicles. In addition, the provision of the mobility scooter parking is considered unsuitable accommodation in terms of its location. The application is, therefore considered to be contrary to Policies T1 and T22 of the Local Plan and Paragraph 110 of the NPPF.

Flood Risk

The Environment Agency's Flood Map shows that a small section of the central part of the site is at a low risk (1 in 1,000) chance of flooding occurring in any one year. A Flood Risk Assessment was submitted with the outline application and was considered to be acceptable, subject to an appropriate condition requiring the submission and approval of details of flood risk mitigation measures. Details pursuant to that condition have been submitted as part of this application.

Whilst the drainage scheme is acceptable in principle, it is considered that opportunities to secure sustainable drainage such as ponds and swales and enhance biodiversity have been missed. The site is large and located on clay geology which would increase SuDS options. As such the proposal would conflict with Paragraph 164 of the NPPF.

Ecology

Conditions were attached to the outline planning permission relating to ecology, namely Condition 8 (Reptile survey), Condition 9 (Ecological enhancement measures) and Condition 10 (No Vegetation Clearance – Nesting Season).

Condition 8 - Reptile Survey

A reptile survey has been submitted confirming slow worms and common lizards are present on the site. The report makes recommendations to retain the reptiles on site which is considered acceptable. It is necessary to ensure the reptile mitigation area is protected by appropriate fencing during construction to ensure construction traffic cannot enter. This detail must be included with the Construction Environmental Management Plan (CEMP). The CEMP is required by condition 13 of the outline planning permission. Should this reserved matters application be approved, an informative should be included to ensure the developer is advised of this requirement. The requirement to implement the reptile mitigation proposed is already contained within the wording of condition 7 of the outline planning permission.

Condition 9 – Ecological Enhancement

Paragraph 170(d) of the NPPF states that planning decisions contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The landscaping plan indicates an ecology area/buffer area, four bird boxes along the western boundary, native species along the southern boundary, sparrow boxes on the eastern aspect of Block A and two house martin boxes and two sparrow boxes on the eastern aspect of Block B. This is in addition to the inclusion of log piles and hibernacula within the ecology area/buffer area.

The ecology area/buffer area has been required to minimise the impact of the development on the adjacent Chattenden Woods and Lodge Hill SSSI. The submitted information confirms that the ecology area/buffer area will be predominantly grassland meadow and woodland planting at the corner of the site. It is accepted that the ecology area/buffer area will reduce the impact on the adjacent SSSI and this approach is considered appropriate. However, to fully ensure the impact is minimised, it is necessary to consider the lighting proposals for the site which are yet to be submitted under condition 11 of the outline planning permission. Light spill on the ecology area/ buffer area should be minimised.

It is also essential that the ecology area/buffer area is appropriately managed in the long term. This detail has not yet been submitted but is required by condition 7 of the outline planning permission. The management of the landscape has a direct impact on the ecological areas and therefore it is necessary for the landscape management plan to ensure the ecology area/buffer area will be managed appropriately should planning permission be granted for this reserved matters application.

No objection is raised by the Council with regard to the proposed reptile mitigation however further ecological enhancement proposals could be secured through an improved SUDs design.

S106 Matters

The granting of planning permission at appeal included a Unilateral Undertaking which secured the following:

- 1) £23,397.50 to be used for improvements to the Parks Medical Practice, Parkside
- 2) £21,274.78 towards open space provision
- 3) £11,179.00 towards bird mitigation measures
- 4) To pay to the Council's reasonable costs in making the Traffic Regulation Order, the provision of yellow lines and signage for waiting restrictions on View Road, Cliffe Woods
- 5) To apply a 'No Pets Policy' that prevents occupiers of the proposed development from both acquiring new pets whilst in residence and also from bringing them with them when they move in, except caged pets, (e.g. birds) or fish.

Should this application for reserved matters be approved, it is recommended that the s106 be varied to include the provision of a car club and details of that car club including number of spaces, location of spaces and a review process.

Climate Change and Energy Efficiency

No specific details have been submitted as part of the application documentation. However, the DAS mentions that the orientation of the buildings is to provide the main habitable rooms with aspects to the east, south and west to maximise sunlight. The DAS also states that cycle storage will be provided along with electric charging points for vehicles and a car club. These all offer the opportunity for sustainable transport options. In addition to this, the development will be required to comply with Approved Document: Part L of the Building Regulations.

Conclusions

Whilst the principle of the development and the access off View Road are acceptable and have been allowed on appeal, it is considered that the layout of the proposal is inappropriately urban in character resulting in the development being dominated by the appearance of roads and parking, which in turn results in a poor quality of amenity space. The landscaping proposals are also considered inadequate to achieve a transition from urban to rural, or an effective screen from visual receptor(s) to the south and south-west. In addition, as a result of the limited amenity space between the proposed units and the perimeter boundaries and the lack of boundary treatment to define individual garden areas the proposal would result in an adverse impact on future occupiers with regard to

lack of privacy.

Furthermore, the proposal is considered to be unacceptable in highway terms due to the lack of a swept path analysis demonstrating that all vehicles could safely use the service road and that the accommodation proposed for mobility scooters for disabled persons is unsuitable. Finally, the proposal fails to secure an acceptable scheme of sustainable drainage. The development would, therefore be contrary to Policies BNE1, BNE2, BNE6, T1 and T22 of the Local Plan and Paragraphs 110, 127 and 164, 170 and 175 of the National Planning Policy Framework and the application is recommended for refusal.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the outline application being considered by Planning Committee.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection on Medway Council's website.