

MC/17/1820

Date Received: 22 May, 2017

Location: Bakersfield, Land at Station Road, Rainham, Kent ME8 7QZ

Proposal: Approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to condition 1 of MC/14/0285 (APP/A2280/W/15/3002877) for outline planning permission with all matters reserved for future consideration, ref Outline application with all matters reserved for residential development comprising 90 dwellings

Applicant: McCulloch Homes

Agent: Mr Mineham Ubique Architects Ubique Architects 11 Ashford House Beaufort Court Sir Thomas Longley Road, Rochester me2 4fa

Ward Rainham Central

Case Officer Majid Harouni

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 27 September 2017.

Recommendation - Approval subject to;

- A. The applicant entering into a deed of variation to the S106 agreement signed as part of the outline approval to secure the following:
- i) £42,115.00 towards improvements to the closest surgery at Rainham Healthy Living Centre for the practices contained therein to manage the additional cohort of patients depending on patient needs of the local GP practice.
 - ii) A minimum of 25% (equal to 22) affordable dwelling houses. All the affordable units to be of shared ownership tenure type.
- B. And the following conditions:
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

666 NO-SL-01, 666-200 Rev A, 666-201 Rev B, 666-202 Rev B, 666-203 Rev B, 666-204 Rev B, 666-205 Rev A, 666-206 Rev A, 666-207 Rev A, 666-207 Rev A, 666-209 Rev A, 666-210 Rev A, 666-211 Rev A, 666-212 Rev A, 666-213 Rev B, 666-214 Rev A, 66 A6-215 Rev A, 666-216 Rev A, 666-217 Rev B, 666-218 Rev A, 666-219 Rev B, 666-220 Rev A, 666-221 Rev A, 666-222 Rev A, 666-223 Rev B, 666-224 Rev B, 666-225 Rev A, 666-226 Rev A, 666-230 Rev A, 666-231 Rev B, 666-232 Rev A, 666-233 Rev B, 666-234 Rev B, 666-235 Rev A, 666-240 (schedule of materials), 666-241(amenity landscape elevation), 600-242 (boundary treatments), 1671-1660 Rev B , 1671-1661 Rev B, 1671-1663 Rev E, 1671-TA1 Rev A, 666-011 Rev J, 666-012 (refuse plan), ASD11857 BR EX DWG P01(street lighting) and supporting lighting statement, 4082-LLB-SH-L001-S4P01 soft landscape 4082-LLB-ZZ-XX-DR-L-002 Planting Plan (1 to 5) and associate soft landscape specification and maintenance schedule (June 2017), - 1671-SK500, 241 P1, received 22/05/17, 18/08/17 and 31/08/17.

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

- 2 The dwelling houses shall not be occupied, until the areas shown on the submitted layout drawing 666-011 Rev J as vehicle parking space and garaging for each relevant dwelling house and visitors have been provided, surfaced and drained. Thereafter the parking spaces shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space and garaging.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and to accord with Policy T13.

- 3 Prior to the first occupation of each dwelling house or during the first planting season following the occupation, which ever is the earlier, all the soft and hard landscaping associated with each individual house shall be implemented in full in accordance with the submitted landscaping drawings 4082-LLB-ZZ-XX-DR-L-0002 to 006 -S4- P04_Planting Plan 1 to 5 and soft landscape specification produced by Lloydbore Landscape, Ecology and Arboriculture hereby approved. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Local Plan.

- 4 All the soft landscaped and public amenity areas shall be managed and maintained in accordance with the landscaped maintenance schedule and plan ref 4082-LLB-SH-L-0001-SO-P01 Rev P01produced by Lloyd Bore Ltd

dated 19/06/2017 hereby approved unless deviation from maintenance schedule and plan has been agreed in advance by the Local Planning Authority.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Local Plan.

- 5 No individual dwelling house, parking court areas or amenity area shall be occupied or brought in to use until the associated boundary treatment shown on the submitted drawings 666-241 and 666-242 have been provided in full. The implemented boundary treatment shall thereafter be maintained and kept in a sound condition.

Reason: In the interest of residential and visual amenities and in compliance with Policies BNE2 and BNE8 of the Local Plan.

- 6 No development above ground floor slab level of any part of the development hereby approved shall commence until details of the specification of bird boxes on the buildings and their precise locations have been submitted to and approved in writing by the Local Planning Authority. The approved bird boxes and position shall be erected/installed before individual dwelling houses are occupied and the boxes shall be retained in perpetuity.

Reason: In order to compensate for the present potential wild life and birds nest sites in accordance with Policy 37 of the Local Plan.

- 7 No development above ground floor slab level of any part of the development hereby approved shall commence until detail drawing(s) showing of ridge, eaves, verge, dormers, entrance, recess soffits and cill of window openings at a scale of 1:20 for the proposed houses have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to ensure satisfactory high quality external finished and appearance of the development and in accordance Policy BNE1 of the Local Plan.

- 8 No development above ground floor slab level of any part of the development hereby approved shall commence until details of traffic calming measures on the internal access roads have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be constructed prior to first occupation of the dwelling houses and thereafter retained.

Reason: in the interests of pedestrian safety and to accord with Policy T12 of the Medway Local Plan.

- 9 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including

details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include **(if applicable)**:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage surface water during and post construction and for the lifetime of the development.

- 10 Prior to first occupation of the development, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved in writing by the Local Planning Authority. If the SuDS system could pose a Health and Safety risk, the verification report should also include a Health and Safety audit to check that the local community, visitors and operation and maintenance operatives will not be put at risk. Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance with the National Planning Policy Framework (NPPF) & Planning Practice Guidance (PPG) plus the Local Planning Policies of the Planning Framework (2015).

Reason: To ensure that a satisfactory surface water network system for the lifetime of the development is in place and in compliance with NPPF.

- 11 No development shall commence until details of levels of the dwelling houses hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual and residential amenities and satisfactory implementation of the approved design details and in compliance with Policies BNE1 and BNE2 of the Local Plan.

- 12 No dwelling house shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans 1671-1663 Rev E, 1671-1660 Rev B.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies (T1) and T2 of the Local Plan.

- 13 The access shall not be used until the area of land within the vision splays shown on the approved plan 1671-1663 Rev E has been reduced in level as

necessary and cleared of any obstruction exceeding a height of 0.6 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T2 of Local plan.

- 14 Within 3 months from the commencement of development on site details of an external lighting scheme for the car park court areas, central green area and the play area, including its height, position, external appearance, any shielding, light intensity and spillage (such as light contour or lux level plans showing the existing and proposed levels), together with a report to demonstrate its effect on nearby residential properties and how this effect has been minimised shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to the first occupation of the dwelling houses associated with each car parking court area and shall thereafter be retained.

Reason: In the interests of the safety of the prospective residents and in order to limit the impact of the lighting on the nearby residents to accord with Policies BNE2 and BNE8 of the Local Plan.

- 15 The development hereby approved shall be constructed and managed in accordance with the Construction Management and Logistics Plan and Traffic Management and Welfare Layout plan 666-012 Rev C submitted on 03/07/17 and approved as part of this application.

Reason: In order to minimise the impact of the construction period on the amenities of local residents and with regard to Policies BNE2 and T12 of the Local Plan.

- 16 Prior to the first occupation of each individual dwelling house of the development hereby permitted details of the refuse storage arrangements for that building, including provision for the storage of recyclable materials, as shown in drawing 666-012 shall be submitted to and approved in writing by the Local Planning Authority. No building within the development shall be occupied until the approved refuse storage arrangements for each dwelling house are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Local Plan.

- 17 Prior to the first occupation of any of the dwelling houses, details of charging points for electric cars (one electric car charging point for 10 accessible parking spaces) including ensuring that the accessible parking spaces/garage have the wall mounted charging point, shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be provided in

accordance with the approved details and subsequently retained for that purposes.

Reason To ensure that provision is made for the parking and charging of battery powered cars in compliance with Policy BNE24 of the Local Plan.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Class (A, B, C and D) of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Local Plan.

- 19 Prior to first occupation of any dwelling details of play equipment within the open space area and a scheme of maintenance in perpetuity shall be submitted to and approved in writing by the Local Planning Authority. The details should include the arrangements for its implementation. The children play area shall be laid out, surfaced, fenced, landscaped and completed with items of play equipment installed in accordance with the approved details prior to the occupation of the 50th dwellings house. The respective play area shall be maintained in accordance with the approved details thereafter.

Reason: To ensure that adequate provision is made for children's recreation in the interests of the occupiers of the new houses and to comply with Policy L4 of the Local Plan.

- 20 Prior to occupation of the 20th dwelling housing unit as shown on approved drawing number 666-011 Rev J the estate loop road shown on the approved plan as providing vehicular access onto the Station Road shall be constructed. The access road shall be constructed in a manner that will allow it to be adopted; unless otherwise agreed in writing by the Local Planning Authority.

Reason To allow access to and development to the development and in accordance with Policy T2 of the Local Plan.

- 21 The dwelling houses hereby approved shall not be occupied until details of a scheme for the provision and maintenance in perpetuity of the children's play area as shown in drawing 4082-LLB-ZZ-XX-DR-L-003 P04(Planting Plan 2 of 5) have been submitted to and approved in writing by the Local Planning Authority. The details should include the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure that a play area is satisfactorily implemented and properly maintained in accordance with Policy L4 of the Local Plan.

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

Proposal

This application is for the approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to condition 1 of the outline planning permission granted under ref MC/14/0285 (APP/A2280/W/15/3002877) for residential development comprising 90 dwellings and associated car parking, estate road and open space.

In addition, the applicant is seeking a deed of variation to deal with the following:

- 1 To make developer contribution to satisfy the NHS request.
- 2 To change the percentage of mix of affordable housing units from (60- 40) rented and shared ownership to 100% shared ownership.

In this respect it should be noted that the outline approval secured the following S106 contributions:

- i) £58,073.00 towards nursery school places at Riverside Primary School, Thames Primary School or Mierscourt Primary School.
- ii) £103,721.00 towards primary school places at Riverside Primary School and Thames Primary School.
- iii) £104,351.00 towards the cost of providing secondary school places at one or more of Rainham Girl's School, The Howard School or Rainham Mark Grammar School.

Site Area/Density

Site Area: 2.76hectares (6 acres)

Site Density:30 dph (15 dpa)

Relevant Planning History

Case ref: MC/17/1106	Details pursuant to conditions 8 and 9 on planning permission MC/14/0285 for outline application with all matters reserved for residential development comprising approx. 90 dwellings Decision Decided
Case ref: MC/16/5098	Details pursuant to condition 7 on appeal reference APP/A2280/W/15/3002877 for outline application with all matters reserved for residential development comprising approx. 90 dwellings Decision Discharge of Conditions Decided 13/02/2017

Case ref: MC/16/2336	Details pursuant to condition 12 of planning permission MC/14/0285 Outline application with all matters reserved for residential development comprising approx. 90 dwellings Decision Discharge of Conditions Decided 01/07/2016
Case ref: MC/14/0285	Outline application with all matters reserved for residential development comprising approx 90 dwellings Decision Refusal Decided 18/07/2014 Appeal Allowed with Conditions Decided 07/12/2015
Case ref: MC/13/3069	Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether EIA is necessary for residential development Decision EIA not required Decided 19/12/2013

Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

35 letters have been received raising the following objections:

- Highway safety and visibility concerns for traffic using Station Road and exiting / entering the site.
- Station Road is too narrow to cater for larger vehicles to pass.
- Increase traffic using Lower Rainham Road
- Limited pedestrian connections on Station Road.
- Insufficient infrastructure to support the development, including power, drainage, health facilities, schools, fire service, police.
- Potential flooding for properties on the northern end of Station Road
- Access to Finwell Road would cause traffic problems for surrounding streets which could include the construction period.
- Loss of privacy to dwellings in Angel Cottages and Finwell Road
- Archaeology associated with the site should be looked at.
- The design of the proposed houses is not in keeping with properties in the area.
- The three-storey building will block the current sky line and over look some existing properties
- Increased noise and light pollution.
- Boundary treatment details are not provided.

The Environment Agency has no comment to make.

KCC Ecology advises that they have no particular comments to make on the

proposed site layout.

The ecological surveys submitted with the outline planning application identified exceptional populations of slow worms and common lizards and 20 species of birds. As a result, a reptile mitigation strategy was submitted and approved in 2016 and the reptile translocation was completed last year.

The applicant should be encouraged to install bird boxes within the site (both houses and boundaries) to provide nesting opportunities within the development site for breeding birds.

Southern Water advise that there is insufficient capacity within the existing foul sewerage system to accommodate the proposed development flows. Relevant infrastructure is to be provided to service the development. An approval for the connection to the public sewer should be submitted under Section 106 of the Water Industry Act.

Kent Police has asked for an informative to be added to any decision so that the applicant can be advised of steps that can be introduced to reduce potential crimes in this development.

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 2012 and are considered to conform.

Planning Appraisal

Background

Members will recall that following the refusal in July 2014 of the outline application for the residential development of this site, planning permission was granted on appeal in December 2015 following a public inquiry.

The permission was subject to a number of planning conditions and two unilateral undertakings. One of the undertakings related to the mitigation measure with regard to slow worms and common lizards on site and their translocation to an appropriate location and the other unilateral undertaking related to what the planning inspector considered appropriate developer's contributions for this development, which in this instance were contributions towards education and the provision of 25% affordable housings.

The outline permission also confirmed the following:

- Vehicular access to the site to be from Station Road.
- No more than 90 dwellings to be built at this site.
- At least 0.531 hectares of open space and play space to be provided.
- The number of affordable housing units and the ratio of the rented and shared

ownership to be (60-40) in accordance with the Council's developer's contribution guide.

All the other matters comprising, means of access, landscaping, layout, appearance and design were reserved for future consideration as part of a reserved matters application.

Principle

In light of the above outline permission granted on appeal the principle of residential development on this site has already been established and this application therefore only seeks approval of reserved matters and these comprise means of access, landscaping, scale, appearance and layout and are discussed below.

Layout, scale and appearance

The proposed layout has changed considerably from the indicative plan presented at the outline stage. That layout was a rather linear regimented geometry embedding a more modest public amenity space and was submitted for information purposes as part of the outline application. That illustrative layout generated significant concerns from local residents.

The layout proposed as part of this reserved matters application comprises of streets arranged around a rather large and specifically shaped central amenity space. The proposed layout is also one of a more suburban typology, better related for the semi rural suburban location through the emphasis on soft landscaping offering as green a development as possible for this volume of development. This extends the fabric of Rainham creating a new suburban edge.

The layout comprises a ring road linked to a single access to Station Road.

The architecture of the design is fairly contemporary in character offering a welcome contribution to the locality providing suburban elements with contemporary form. Being something of a self-contained enclave with no through access for vehicles and nested within the planting, it would be a neighbourhood of distinctive character.

A terrace of 5 houses are proposed at the southern end of the site to front onto Station Road. These properties will follow a similar building line to the existing terrace to the south. The properties would have no direct vehicular access from Station Road and car parking would be provided in a parking court to the rear. 3 detached properties are proposed to the northern end fronting Station Road. These would have individual vehicular accesses from Station Road. Again these properties would follow a similar building line to the existing properties to the north. Between these two groups of properties would be two landscaped areas either side of the vehicular access to the site providing an attractive gateway to the development. Approximately 30 metres into the development the access road meets a roundabout which splits the road south and north to start the circular road serving the site. There is then proposed a central landscaped park area running west to east, which provides a really attractive entrance and setting for the development. This will include play areas for the children residing within the development. Housing will be provided along the Northern, Southern and

Eastern boundaries served by the circular access road and further housing will be provided inside the access road backing onto the central park area.

The housing along Station Road will respect the scale of the street and would be a positive contribution to the street scene, incorporating landscaping to the front.

In terms of scale, the proposed dwelling houses are primarily two storeys in height except for plots 3, 4, 18 to 23, 87 and 88 that are 3 storey with flat roof and plots 10 to 17 with pitched roof with rooms in the roof space and front dormer. The proposed house types comprise 10 different architectural house designs. These house types are mixed in different combination to create a variety of elevations. The houses take the form of detached, semi and terrace with a roof form that is made of, of either flat, mono pitch or full pitched with some involving dormers or combination in a form of semi or terrace with different fenestration and external finished materials.

The design of the houses has a distinct combination of pitched and flat roofs and has been designed to provide a contemporary feel but of a scale and proportion in keeping with the area. Subject to careful consideration of external materials and detailing, the development will provide a really attractive and modern addition to the character of the area. In order to control the detailing a condition is recommended to require typical details of ridge, eaves, verge, dormers, entrance, recess soffits, etc., at scale 1:20.

The development proposes a mix of houses as set out below:

Dwelling size/bedroom	No of units proposed
2 bed houses	10
3 bed houses	56
4 bed houses	24

The submitted application provides details of 1.8m boundary fencing between the gardens of individual houses and a solid brick wall where it fronts a Cul-De-Sac and parking court areas. Low/retaining brick walls with close boarded fence above to 2m in height are proposed along the northern, southern and eastern boundaries. Boundaries of properties abutting the central green would be low-level brick wall with railing above and softened by planting in front.

Car parking is arranged within 5 parking court areas as well as in front or to the side of houses with accesses from the estate ring road. Landscaping is used, where possible to soften the visual impact of cars in the street scene. Lighting would be provided within the parking court areas and the ring road.

It is considered that the proposed layout, design and scale of the houses not only complements the character of the area and ensures this housing development relates well with its surroundings and helps to create a community around a communal central green with children play area, but will provide a high quality contemporary but sensitive development that will be a very attractive addition to the area.

The proposal is considered to be in compliance with Policies S4, BNE1 of the local plan and paragraphs 50, 58, 61 of the NPPF.

House Mix and affordable housing units

The application proposes a mix of 2, 3 and 4 bed houses. 18 of the 90 dwellings would be 3 storey and the remaining 72 would be two storeys units. The following table provides details of the house mix and sizes and compares the proposed houses with the 2015 National Standards.

No of dwellings	House size/bedroom	No of persons /dwelling	No of storey	Proposed internal floor area/dwelling m2	National internal standard m2
4	2b	4p	2	90	79
18	3b	5p	2	109	93
10	4b	5p	3	121	103
21	3b	4p	2	99 with garage	84
5	3b	4p	2	98	98
7	4b	5p	2	132 with garage	103
3	4b	5p	2	132 with garage	103
6	2b	4p	2	88	79
8	3b	4p	2	87	84
8	3b	5p	3	102	93

The above table shows that all the proposed houses would have floor area above national standards and just over a 1/3 of the houses will have garage space.

The outline permission secured a provision of 25% affordable housing on this site as part of the section 106 agreement and table below shows the proposed affordable house mix.

No of units proposed	Affordable dwelling size
6	2 bed house
16	3 bed house

The identified affordable units would be at plots 10 to 17 and 71 to 84 inclusive. Units 10 to 17 would be 3 storey and provide 3 bed 5 person accommodation, plots 71 to 75 and 79 to 80 inclusive and plot no 84 would provide 3 bed 4 person dwelling houses and plots 76 to 78 and 81 to 83 inclusive would provide 2 bed 4 person houses.

With regard to the affordable units, the applicant is requesting a deed of variation to the terms of the outline legal agreement so that no rented units are provided in this development with only shared ownership units to be provided.

In addition, Moat housing, who would be the social landlord on this site, propose to increase the number of shared ownership units by a further 10 houses, providing a total of 32 units, equal to 35.5% affordable dwellings (all shared ownership type) on this site. This aspect of the proposal and the applicant's request for a deed of variation are discussed in more details below in the S106 part of the report.

It is considered that the percentage of the proposed affordable houses and the mix of housing across the development accords with Policies, H10 and H3 of the Local

Plan.

Residential amenity

Policy BNE2 of the Local Plan advises that developments should respect the amenities of prospective occupiers and occupiers of neighbouring properties including in terms of overlooking and visual intrusion. The built form should not result in an unacceptable loss of privacy or light. Also, paragraph 17 of the NPPF core principles include a requirement to seek “a good standard of amenity for all existing and future occupants of land and buildings”

The above section on housing mix, sets out the internal space standards for the proposed dwellings clearly demonstrating that every unit exceeds the space standards providing for exceptionally good internal amenity. Externally garden sizes vary but all provide a good level of amenity for prospective residents.

Existing residential properties to the south and north of the site would have minimum 20m of back to front or 15m back to side separation distance. None of the 3 storey units would be located where there are dwellings beyond the boundaries. This would ensure that the amenities of the existing occupiers and the future residents of the development would not be harmed by the proposal by reason of over-looking or loss of sunlight or day light. To ensure that future development under permitted development does not undermine the amenities of the occupiers and alter the architecture of the development it is recommended that a condition be imposed to remove permitted development rights.

To ensure that air quality is protected and this residential development is well equipped to deal with future demand with regard to electric cars a condition is recommended seeking submission of details of electric charging points.

In summary, the proposed development would respect the amenities of occupiers of neighbouring properties. The development is acceptable in relation to issues of privacy, overlooking, visual intrusion, daylight and sunlight. The proposed development is acceptable in relation to scale, design and internal layout and would provide dwellings in sizable plots with good gardens and a good standard of accommodation for future residents. The proposal is therefore considered to be in compliance with Policies BNE2 and BNE24 of the Local Plan.

Landscape

The potential impact of developing this site on the landscape value and character of the area was considered by the planning inspector in the appeal and he made the following comments in paragraphs 32 to 34 of his report.

32. Development of the site would erode the buffer between Rainham and the housing development further to the north and would result in the extension of the town up to Lower Rainham Road. The collection of houses around the Lower Rainham Road junction would be subsumed within the town and the present gap between town and country would be lost.

33. It would also impinge on the continuity of the open spaces at Woolleys Orchard to the east and the paddocks and scrub land to the west. The coherence of the open spaces to the north of Rainham has already been disrupted by the development to the north-west of Otterham Quay Lane, on the opposite side of Woolley's Orchard, as described within the LCA10. The appeal proposal would have a similar effect and would effectively leave Woolleys Orchard as an isolated pocket of open space, in between housing developments, in contrast to the current situation where a continuous run of undeveloped land stretches from east to west, providing a rural setting to the north of the town. Thus, despite its relatively small scale, the appeal site plays an important function in maintaining the landscape character of the local area.

34. I recognise that it would be possible to incorporate landscaping along the frontage of the site as part of the detailed design and that would mitigate the effects of the proposal to some extent but would not ameliorate the full extent of the change from undeveloped land to a substantial residential estate. In landscape terms, the loss of continuity in the open belt of land to the north of the settlement would remain harmful.

In preparation of landscaping scheme for the development, regard was had to the inspector's comments at the start of paragraph 34 and the houses along the frontage with the Station Road are set back in order to create a sufficient buffer for extensive landscaping to provide a green and semi rural appearance to the development. In addition the introduction of a single estate access road together with the introduction of grass verge on the eastern side of the Station Road would help to give the development's frontage a softer and semi rural character and appearance.

The introduction of an extensive central green together with a tree planting along the estate ring road and within the parking court areas would cumulatively help to give the development a lush green appearance with a sense of space around.

A detailed landscape strategy has been submitted with a landscape plan. The strategy outlines the soft and hard landscaping that is proposed, and this includes the tree species, quantity and size, ecological enhancements; sustainable urban drainage features; play area specification, public open space and hard surfacing. These details are considered acceptable.

The proposed landscaped area together with the SUDS would be managed by a management company that would be funded by the developer and the future residents.

The NPPF in paragraph 118 and Local Plan seek to protect and enhance the natural environment. The aim is to conserve and enhance biodiversity when determining planning applications and take opportunities to incorporate biodiversity in and around developments. KCC ecology officer has recommended a condition be imposed to introduce measures like bird boxes to encourage wildlife and an appropriate condition is recommended in this regard.

The proposal is considered to comply with Policy BNE6 of the Local Plan and the NPPF.

Access and Highways

The principle of the development as a generator of additional trips and its impact on the highway network was established with the granting of outline consent. It is estimated that there will be up to 58 two-way vehicle movements on to Station Road during each peak period, with each dwelling predicted to generate around 5.4 vehicle movements per day. The peak hour movements would represent a peak hour increase on Station Road of up to 2%.

Access

The outline application put forward an access from Station Road and this has been carried forward to the current application. The access design comprises a simple priority junction with Station Road. A vehicle leaving the access would have sight lines of 70 metres in each direction, which exceeds the recommended distance for the speed limit in place on Station Road. The sightlines pass over the footway and a proposed verge, both of which are within the control of the local Highway Authority.

Vehicle tracking diagrams submitted with the application demonstrate that a large vehicle leaving the site would cross the centre line of the main road. This is a common occurrence in residential areas, where it is often inappropriate to design large bellmouth junctions that dominate the street scene. It should be noted that the number of large vehicle movements each day would be low, and visibility would be good. Existing traffic calming on Station Road on the south-bound approach and the narrower carriageway to the north constrain vehicle speeds. On this basis, the egress of large vehicles from the development is very unlikely to generate significant harm to highway safety.

Parking and internal layout

The Council's Parking Standards indicate that the development should provide 180 spaces for residents and 22 spaces for visitor and casual use. The application proposes 202 spaces through a mixture of on-plot and courtyard provision. Furthermore, the width of the internal roads, at 5.5 metres, would allow some kerb side parking. The proposed internal layout has been tested to make sure that a large vehicle would be able to manoeuvre within the site. With the exception of the first section of the access, a shared surface layout is proposed. This would promote low vehicle speeds and is generally acceptable in residential areas with no through traffic. The streets are straight in alignment, however, and it is possible that some additional traffic calming features would be required. To this end, rumble strips are proposed at various locations. It is recommended that details in respect of their design be submitted for approval, to ensure that they have an acceptable impact on vehicle speeds, visual amenity, noise and pedestrian movement within the site and an appropriate condition is recommended..

The proposal makes provision for car parking spaces in compliance with the adopted parking standards and the development is in compliance with Policy T13 of the Local Plan.

The development would also involve a 3m set back along its frontage with the Station

Road in order to provide a 1.8 m grass verge area and 1.2m wide pavement. The purpose of the grass verge is to facilitate future highway improvement/road widening of this section of the Station Road should traffic generation resulting from the future developments demand.

Drainage and surface water issues

Medway Lead Local Flood Authority was initially consulted on the outline application for this development under reference MC/14/0285. At this juncture, the LLFA advised against the use of modular storage units and further advised '*It would be prudent to undertake some estimate of the volume requirements required for the site, even at outline stage to ensure that the principal of providing the required attenuation is acceptable. This should also include an analysis of the runoff rates at the site to ensure that there is no increase*'. The outline application was allowed on appeal notwithstanding this.

The LLFA were again consulted on the Reserved Matters application MC/17/1820. The LLFA initially objected to the application due to insufficient evidence to demonstrate the suitability of the proposed design, which comprised the use of soakaways and modular storage systems. Soakage tests have been undertaken in accordance with Building Research Establishment Digest 365 (BRE 365) has confirmed that some areas of the site would permit infiltration. Permeable paving has been proposed around the site, and initial calculations submitted indicate that storage will be appropriate to satisfy the non-statutory national sustainable drainage standards. An area of exceedance flow has been provided within the centre of the development where infiltration will be possible at the play area.

This approach, though not ideal in the context of a sustainable drainage management train, is acceptable in principle, subject to further modelling work using the latest Flood Estimation Handbook (2013) data to confirm exact storage requirements. The design of the scheme will rely on regular maintenance of the proposed permeable paving, inlet features, and soakaways. A management and maintenance plan will need to be submitted at a detailed design stage. Thus a condition to deal with this issue is recommended.

It is understood that Medway Council Highways team will be adopting and maintaining some of the permeable paving, so any detail submitted at a detailed design should be in the context of that.

Southern Water has identified that local infrastructure will require improvement to avoid flooding and capacity risks. An informative is recommended to advise the applicant to contact Southern Water prior to the commencement of the development.

Subject to the above recommended condition regarding surface water and an informative regarding separate southern water approval the proposal is considered to be acceptable.

Refuse and recycling

The state road is designed and audited to allow refuse vehicles to access the estate and individual properties will have adequate refuse storage within the individual back or front garden area.

Lighting

A lighting scheme in consultation with the Council's highway lighting officer has been submitted for the development. The lighting scheme would ensure a secure and safe environment for the future residents without causing unacceptable light spillage harmful to the amenities of existing neighbouring residents or future residents of the development. However, the submitted lighting scheme is not comprehensive and does not cover car park courts. A condition requiring submission of a lighting scheme that covers the public areas of the development is therefore recommended.

It is considered that subject to the above condition the proposal would be in compliance with Policies BNE5 and BNE8 of the Local Plan.

S106 Matters

At the outline application, stage planning inspector accepted that the applicant has to make financial contributions towards education for Nursery school, Primary school and secondary school provision and in addition, to provide 25% affordable housing.

The consultation response from the NHS was not received during the outline application and as a result was not considered by the inspector. However, NHS has now responded to the reserved matters application and is seeking a contribution of £42,115 towards improvements to the closest surgery at Rainham Healthy Living Centre to manage the additional cohort of patients resulting from the development.

The planning obligation was considered at the outline application stage and the number of dwellings has not increased while there has been a relatively short time period since the permission granted. As such; normally it would not be possible to consider NHS request. However, in this instance, it is considered that there are mitigating circumstances that justify considering the NHS request and these are as follows:

- i) According to the local residents, the existing NHS infrastructure in this part of Rainham is under increasing pressure and additional resources would be needed to respond to the increase in demand that would result from the proposed development.

The applicant has stated that he would be agreeable to make the developer's contribution requested by the NHS provided point (ii) below is accepted by the Local Planning Authority.

- ii) The applicant together with MOAT homes and the Council's housing section have reached an agreement to provide total of 32 shared ownership affordable type units (22 units to comply with the terms of Policy H3 of the

Local Plan plus 10 additional shared ownership units to be purchased by Moat homes. All to be added to the pool of affordable units) provided Medway Council's Planning Committee agree to a deed of variation to the terms of the Unilateral Undertaking submitted at the outline application stage so that no rented tenure type affordable units be required to be provided as part of this development.

It is considered that in light of the fact that the Council's housing section is in support of the proposal to provide all shared ownership housing in this development, 10 additional much needed affordable units, (albeit share ownership type) would be provided and also NHS would receive the contribution asked for to offset the impact of the development on the existing local doctor surgery, it is considered that a deed of variation is acceptable.

Conclusions and Reasons for Approval

The scheme of layout, scale, appearance, landscaping and means of access are considered acceptable having regard to the context of the site and would make an efficient, effective and sustainable use of the site.

The design of the estate layout and design of the dwelling houses follows a more imaginative, modern designs and form which would enhance and complement the existing surrounding dwelling in the locality.

The development is acceptable in relation to the mix of dwelling houses, impact on local residential amenity including daylight, sunlight, outlook and privacy. The proposal will provide a good standard of residential accommodation for the future occupiers.

The proposed landscaping details would ensure the Station Road frontage to be well screened by planting and the central green gives the estate an attractive living environment for the future residents.

The proposal is acceptable in relation to its access to the Station Road and the estate road. Furthermore flooding and drainage of the surface water management would mitigate the impact of the proposal without adverse harm to the local highway network.

The application is therefore compliant with Policies S4, BNE1, BNE2, BNE5, BNE6, BNE8, H13, H10 and T13 of the Medway Local Plan and NPPF as set out above.

The application would normally fall under officer delegated powers for determination, but is being reported to Committee due to the number of representations received expressing a view contrary to the recommendation.

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 in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>