

MC/18/3442

Date Received: 28 November 2018

Location: Berengrave Nursery Berengrave Lane Rainham Gillingham

Proposal: Application for approval of reserved matters being appearance, landscaping, layout and scale pursuant to planning permission MC/17/3687 - Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing structures and construction of up to 121 residential dwellings including new vehicle access, internal roads, car parking, open spaces, sustainable urban drainage systems, earthwork's and associated landscaping and infrastructure

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Ward: Rainham North Ward

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 20th March 2019.

Recommendation - Approval with Conditions

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

6648 LOC site plan, 001 Rev V, 002 Rev H, 003 Rev C, 004 Rev B, 005 Rev B, 10 Rev C, 11 Rev C, 12 Rev D, 13 Rev D, 14 Rev D, 15 Rev D, 016 Rev D, 17 Rev D, 18 Rev C, 19 Rev C, 20 Rev C, 21 Rev C, 22 Rev D, 23 Rev D, 24 Rev D, 25 Rev C, 26 Rev C, 27 Rev C, 28 Rev D, 29 Rev C, 30 Rev D, 31 Rev D, 32 Rev D, 33, 34, 040 Rev B, 041 Rev B, 042 Rev B, 050 Rev B, 051 Rev D, play

area design(sheet 8 to 8) , Soft landscaping 3943d009 Rev d (sheets 1 to 8) , Hard landscaping 3943d010 Rev F, hard landscape drawings edp 3943-d012 Rev E Sheets 1of 8 Landscape Master Plan, (sheets 1 to 8)received 28/11/2018.

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

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 as amended all first floor windows serving bathroom or landing areas shall be non- openable a part from their top hung section and be obscure glazed.

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 Medway Local Plan 2003.

- 3 2-Prior to occupation of the development, a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the Sustainable Drainage System has been constructed as per the agreed scheme and plans. This should also include details of whom will be undertaking the management and maintenance of all SuDs features.

Reason: This condition is sought in accordance with paragraph 163 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 4 Prior to the installation of a LEAP children play area, details of play equipment 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 and satisfaction of the Local Planning Authority prior to the completion and full occupation of the first phase of the development. 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

- 5 No development above ground floor slab level of any part of the development hereby approved shall commence until details of the specification of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i. Provision of bat boxes within new buildings and/or on retained trees;
 - ii. Provision of bird boxes on new buildings and/or on retained trees;
 - iii. Provision of log piles;

The approved bird and bat boxes and logpiles shall be erected/installed before the occupation of the individual buildings/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.

- 6 No development above ground floor slab level of any part of the development hereby approved shall commence until details with respect to the followings have been submitted to and approved in writing by the Local Planning Authority.

Parking spaces to be provided with electric vehicle charging points at the following rates:

- a) 1 electric vehicle charging point per dwelling with dedicated parking
- b) 1 electric vehicle charging point per 10 unallocated parking spaces

The electric charging points shall be provided prior to the occupation of the respective dwelling and thereafter maintained, entirely in accordance with the measures set out in the approved details.

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 and paragraph 110 of the NPPF.

- 7 Car parking and garaging shown on drawings 003 Rev B received on 28/11/2018 shall be made available prior to the occupation of the individual dwelling and shall be maintained as such thereafter.

Reason: In the interests of highway safety and residential amenities and in compliance with Policies BNE2 and T13 of the Local Plan

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) all dwellinghouses herein approved shall remain in use as a dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use shall be carried out 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 Policy BNE2 of the Medway Local Plan 2003.

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

Proposal

Site Area/Density

Site Area: 5.83hectares (14.40 acres)

Site Density: 20.75 dph (8.4 dpa)

Relevant Planning History

- | | |
|------------|---|
| MC/19/0167 | Details pursuant to conditions 15, 16 and 22 of planning permission MC/17/3687 - Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing structures and construction of up to 121 residential dwellings including new vehicle access, internal roads, car parking, open spaces, sustainable urban drainage systems, earthwork's and associated landscaping and infrastructure.
To be determined |
| MC/18/3448 | Details pursuant to conditions 9, 11 and 13 of planning permission MC/17/3687 - Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing structures and construction of up to 121 residential dwellings including new vehicle access, internal roads, car parking, open spaces, sustainable urban drainage systems, earthwork's and associated landscaping and infrastructure.
To be determined |
| MC/18/3323 | Details pursuant to condition 26 of planning permission MC/17/3687 - Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing structures and construction of up to 121 residential dwellings including new vehicle access, internal roads, car parking, open spaces, sustainable urban drainage systems, earthwork's and associated landscaping and infrastructure.
To be determined |
| MC/18/3239 | Details pursuant to condition 19 of planning permission MC/17/3687 - Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing structures and construction of up to 121 residential dwellings including new vehicle access, internal roads, car parking, open |

spaces, sustainable urban drainage systems, earthwork's and associated landscaping and infrastructure.
To be determined

MC/18/3240 Details pursuant to condition 25 of planning permission MC/17/3687
- Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing structures and construction of up to 121 residential dwellings including new vehicle access, internal roads, car parking, open spaces, sustainable urban drainage systems, earthwork's and associated landscaping and infrastructure.
To be determined

MC/17/3687 Outline application is for a development of up to 121 dwelling (including 30 affordable dwellings), vehicular access, landscaping, open space and children's play space, surface water attenuation and ancillary works. The application is submitted in outline form with all matters apart from the means of access are reserved for consideration as part of a later application.
Granted 14/03/2018

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.

8 letters of representation have been received expressing concern about the following points.

- A lack of infrastructure makes this development wrong. It is a struggle to find a GP, schools, hospitals, nothing will ease the pressure on medical care, education or traffic management.
- A large number of additional cars accessing Berengrave Lane, Lower Rainham Road and A2 will add to the already congested roads, the traffic situation will be horrendous in Berengrave Lane
- This development together with others in the Rainham area will lead to a wilderness of concrete in what was once the last stronghold of greenery on the outskirts of the Medway Towns
- Loss of more green space with an adverse effect on wildlife

Cllr and local MP Rehman Chishti has objected to the application and stated that he reiterates the points raised in his letter with respect to the outline application for this site.

Southern Water has no comments to make in respect of the reserved matters application.

Southern Gas Network has no objection

UK Power Network has no objection

Highway England the application is in accordance with the outline application and encompasses only non-SRN related matters. We, therefore, consider that the development will not materially affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13, particularly para's 9 & 10, and DCLG NPPF, particularly para 109), in this location and its vicinity. Accordingly, we do not object to the application for approval of reserved matters in this case.

Natural England advises that this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal can be mitigated.

As part of the outline permission, a developer contribution towards Birds Disturbance Mitigation of £27,053.18 was secured.

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 2018 and are considered to conform.

Planning Appraisal

Background

An outline planning permission for the residential development on this site was granted under ref MC/17/3687 with all matters reserved except for the means of access.

Whilst the “reserved matters” are for approval as part of this application, the principle of the development has therefore already been approved and established.

The outline permission defined the upper limits of the number of dwellings on this site to 121 dwellings which include 25% affordable dwellings. A parameter plan was also approved at the outline stage. The parameter plan showed the following:

- Retention of the existing large green buffer along the southern western part of the site adjacent to the boundary with the railway embankment,
- Retention of a green buffer with the Bloors Community Woodland and retention of the triangular area of the land northeast of the site and between the two public rights of way GB5 and GB6 as wildlife habitat and surface water attenuation area.

- Retention and protection of the existing badger sett along the southwest corner of the site by the railway embankment.
- Development of all the 121 dwellings within the middle part of the application site.
- Keeping the houses along the frontage with Berengrave Lane back in order to either retain the existing trees or replace them with new trees and hedge to retain the green front aspect of the site.
- Provision of surface drainage scheme including a balancing pond along the northwest corner of the site and western boundary.
- Provision of children's play area and detention basin located within the central area of open space with internal planting to development frontage;
- On-site sewerage pumping station.

Following extensive pre-application discussion the original parameter plan has been very marginally modified in order to maximize the potential of the site and achieve an improved design development with minimum impact on the adjoining countryside and residential properties.

Properties in Berengrave Lane comprise a mix of bungalows, chalet bungalows and semi-detached two-storey houses. Most properties in Berengrave Lane have off road parking.

Appearance, Layout and Scale

The NPPF in paragraphs 124, 128 and 130 sets out the importance of design in the consideration of planning applications and in particular, paragraph 124 states that "Good design is a key aspect of sustainable development, creates better places in which to live and work and make the development acceptable to communities...".

Policies S4 and BNE1 of the Medway Local Plan 2003 emphasise the importance of achieving a high-quality design that results in safe and attractive environments.

The application site has an irregular shape measuring about 112m along its frontage with Berengrave Lane, a depth of about 256m along the railway line and about 340m along Bloors Community Woodland.

The Layout of the scheme broadly follows that of the parameter plan approved at the outline stage with vehicular and pedestrian access from Berengrave Lane adjacent to the existing access used by the nursery.

The layout would result in the creation of a clear hierarchy of streets and spaces with suitable differentiation between public and private spaces.

The proposal would create a strong linear route through the site with subservient links providing access to other areas of different character. The access road would run southeast to northwest and act as the highly legible spine road with extensive landscaping and tree planting which would give the road a semi boulevard and leafy appearance and

feel; this is then bound by an extensive green landscaped edge that surround the development and screens it from the wider countryside.

The siting of the houses and flat blocks would generally follow a perimeter block approach with the dwellings, where possible, fronting and overlooking these green spaces and internal street network.

The proposed flat blocks 1 and 2 are identical in design and appearance. They are 2.5 storey in height with room in the roof space involving dormers and roof lights. These flat blocks would create 6no 1bedroom and 3no 2 bedroom flatted dwellings in each. The 3rd flat block is two storey and has the appearance of a semi-detached house except for the number of front doors and associated canopy. The 4no flats in the 3rd block are all 2-bed units.

The flatted dwellings proposed would comprise 18% of the 121dwellings proposed on this site.

Although flat blocks are not characteristic of this part of Rainham, these are considered to be acceptable as they are less than 10m to the ridge and would not result in any significant visual detriment to the wider character of the area or street scene due to their scale, height, location and extensive buffer landscape areas around the site.

The proposed dwelling houses face onto the proposed road network, the green amenity area and play area and would encourage natural surveillance. Individual properties would have private gardens of a good size that would serve the future occupants.

The dwellings would include a mixture of 1, 2, 3, 4 and 5 bedroom units and incorporate a range of dwelling designs throughout the scheme. The variation in house design and use of external finish material would give variety and interest to the street scenes and local characters.

The affordable units would be spread out across the site.

The proposed housing mix is as follows which indicate that about 50% of the dwellings proposed are 4 and 5 bedroom houses:-

Market housing (75%)		Affordable housing (25%)	no dwellings
1- bed flat	0	12	12
2- bed flat	0	10	10
2-bed house	7	0	7
3-bed house	23	6	29
4-bed house	49	2	51
5-bed house	12	0	12
Total	91	30	121

The street pattern would include for residential cul-de-sacs with character areas defined by house types/design, external finished materials, landscaping and green areas.

A large percentage of the dwellings in this development are detached houses. They have been designed to incorporate a variety of external finish detailing and articulated elements that will help provide visual relief and ensure that attractive elevational treatments are achieved. A mix of roof heights and gables will also add variety to the roofscapes.

The buildings within the development would feature a mix of finish materials comprising brick, render, weatherboarding, roof tiles and slate. It is acknowledged that the use of appropriate materials would be of great importance. As such, condition 6 of the outline permission required submission of the external finish materials for approval by the Local Planning Authority.

It is considered that in terms of the layout, scale and appearance the development offers architectural character, adding quality and aesthetic enhancement to the immediate vicinity, whilst not adversely impacting on the wider environment.

Consequently, the development would conform well into its local context and re-enforce the local characteristics of the area in accordance with paragraphs 124, 128 and 130 of the NPPF and Policy BNE1 of the local plan.

Landscape

The application site falls within an Area of Local Landscape Importance (ALLI) as defined by the proposals map. The site displays some of the typical characteristics of the Lower Rainham Road Farmland Area as defined in the Medway Landscape Character Assessment 2011. To minimise the impact on the character of the local landscape and ecology, a significant tree belt together with the badger sett adjacent to the rail line would be retained and enhanced. A large triangular area measuring about 4000m² will be used as surface water attenuation pound and reptile protected area and new wildlife habitat.

The proposal has been landscape-led and seeks to satisfy the requirements of conditions no 7 and 9 of the outline permission relating to landscape issues and protection of existing trees/hedges on site and seeks to mitigate the visual impact of the development through various landscape features.

In addition, tree planting is proposed in various locations across the site including along the estate spine road. Buffer areas have been proposed along the application site's perimeters. This landscape buffer would screen the development and soften its impact on the countryside and provide a very leafy aspect along its frontage with Berengrave Lane particularly as the buildings would be set well back. Retention of the existing belt of trees along the railway line would ensure the development does not appear visually dominant when viewed from the passing trains.

A substantial number of new trees will be planted as part of the proposed landscaping and a semi-circular walkway is proposed within the landscaped area.

A children play area is proposed close to the south-western corner of the site. The

proposed landscape scheme seeks to incorporate swales/surface water attenuation basins associated with the management of surface water drainage for the development. These are to be designed as wet ponds in order to create natural features within the landscape parts of the development. These ponds would not be enclosed by fencing but will instead be surrounded by planting suited to wetland areas to enhance the landscape and create opportunities for new habitat and biodiversity.

The landscape areas, new habitat and play facilities will be managed and maintained by the applicant or their successor (management-company) and funded by the future residents of the development.

Overall, it is considered that the landscaping proposal would meet the objectives of local plan policy BNE34 by softening and minimising the impact of the development on the wider surroundings and by providing extensive landscape buffer area resulting in the creation of an attractive high quality amenity that would enhance the visual appearance of the site to the benefit of the development and amenities of the future residents as well as wider land and landscape in accordance with Policies BNE1, BNE2 and BNE6 BNE34 of the Medway Local Plan and NPPF 2018.

Impact on Amenity

Policy BNE2 states that all development should secure the amenities of the future occupiers and protect those amenities enjoyed by nearby and adjoining properties. The design of development should have regard to privacy, daylight and sunlight.

The proposed dwellings are all of a good size that complies with the Nationally Described Space Standards and provide for a good standard of natural light, outlook, privacy and private amenity spaces proportionate to the garden size of the houses on the east side of Berengrave Lane.

A noise assessment has been submitted which demonstrates that the dwellings would not be unduly impacted by noise or vibration from the nearby railway line or traffic along Berengrave Lane.

The condition 14 of the outline permission requires submission of an air quality mitigation statement to ensure that the development does not adversely impact on the local air quality and the amenities of the local residents.

To ensure that the flank windows serving bathrooms or landing areas do not cause overlooking and result in loss of privacy a condition is proposed requiring that all such windows be non- openable apart from their top hung section and be obscure glazed.

The proposal is considered to be acceptable and in compliance with Policy BNE2 of the Local Plan.

Highways and Parking

The acceptability of the access arrangement for the site has been established by the outline permission.

A total of 311 car parking spaces are proposed to serve this development. These comprise 225 allocated spaces, 51 allocated garages, 33 visitor spaces and 2 disabled car parking spaces. Given that Rainham Town Centre is within reasonable walking distance with access to a range of amenities and public transport (buses and railway) no objection would be raised.

In addition provision for cycle shelters/storage have been proposed to the rear of flat blocks for the residents of the flats and within the rear garden of the individual houses.

To facilitate safe crossing and access to the railway station, schools and other services in Rainham, pedestrian crossings, as shown in the drawing ITB2519 Rev D, were approved as part of the outline permission and will be installed in front of the application site prior to the first occupation of the dwellings.

Since the grant of the outline permission, the NPPF 2019 has come into effect and paragraph 110 (e) of the Frameworks requires that new development is designed to enable electric charging points to be provided in safe, accessible and convenient locations. The terms of the outline permission did not deal with this issue. It is therefore considered appropriate to impose a condition requiring the submission of the relevant details for approval by the Local Planning Authority and installation prior to the occupation of the respective dwelling.

The applicant has provided refuse vehicle swept path tracking around the proposed site. The tracking demonstrates the refuse vehicle can travel around the site with no significant issues.

There is no detrimental impact on highway safety and the development would be in accordance with Policies T3, T4 and T13 of the Medway Local Plan 2003 and paragraphs 102, 104, 110 and 111 of the NPPF.

Drainage

Details of the site surface water drainage system have been submitted pursuant to condition 22 of the outline permission which are being considered. The details submitted comprise permeable paving across the proposed driveways, parking bays, soakaways, rain water harvesting where appropriate and swells.

To deal with the foul water on this site a pumping station is proposed which will be constructed towards the northern end of the site well over 15m from any residential property. The Foul water system on this site will be connected to the sewerage system in Berengrave Lane. Southern Water has no comment to make on the reserved matters

application, however, the Developer will need to work with the Southern Water in order to deliver the required sewerage infrastructure.

The foul and surface water drainage system including infiltration basin will be maintained by a private company on this site.

Ecology

As required by conditions 24, 25, 26, 27 of the outline permission, details of ecological enhancements to the site have been provided. These include no trees felling, vegetation clearing during the birds nesting season, submission of reptiles translocation to the north west corner of the site, bats strategy for the site and installation of bird and bat boxes, retention and protection of the badger sett along the south west corner of the site next to the railway embankment and appropriate planting to encourage wildlife.

The details submitted separately pursuant to the above conditions are being considered by the KCC ecology officer.

Refuse Storage

The proposal comprises refuse storage buildings within the ground of the flat blocks to serve the individual flats. These are located in accessible locations for the residents of the flat blocks and municipal refuse Lorries. With regard to the houses, the layout has been designed to facilitate access to the rear of the property to allow refuse bins to be stored in the rear garden area and brought forward for collection.

It is considered that the proposed arrangement would not cause any amenity or highway issues and is considered to be acceptable.

Local Finance Considerations

None

Conclusions and Reasons for Approval

The details submitted in respect of this Reserved Matters submission largely follow the principles and the parameter plan set out on the outline planning permission. The scheme layout, scale, appearance and landscaping is 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 dwellings reflects the design and character of the locality, whilst the landscaping proposed satisfactorily retains the trees and hedges along the site boundaries with a large open space amenity area with a good play area and semi-circular walkway within the development.

The proposed pedestrian crossings will provide a satisfactory and safe means of connecting the application site to the rest of Rainham including its town centre, railway station and other facilities and services.

The application is therefore compliant with the matters secured under the outline planning permission and relevant policies of the Medway Local Plan and the NPPF as set out above and is recommended for approval subject to the conditions.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's 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://publicaccess1.medway.gov.uk/online-applications/>