

MC/19/1300

Date Received: 17 May 2019

Location: Land West Of Elm Avenue And South Of Broadwood Road
Chattenden Rochester

Proposal: Application for approval of reserved matters being access, appearance, landscaping, layout and scale pursuant to planning permission MC/18/0620 - Outline application with all matters reserved for construction of up to 63 dwellings alongside associated parking, access, infrastructure, engineering, landscaping works and creation of publicly accessible open space

Applicant Esquire Developments Ltd,

Agent DHA Planning
Mr John Collins Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
ME14 3EN

Ward: Strood Rural 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 21st August 2019.

Recommendation - Approval with Conditions

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

23709B/01 Rev A, 23709B/02 Rev A, 23709B/10, 23709B/11, 23709B/12, 23709B/13, 23709B/14, 23709B/15, 23709B/16 Rev A, 23709B/17, 23709B/30, 23709B/31, 23709B/32, 23709B/33, 23709B/34, 23709B/35, 23709B/36, 23709B/37, 23709B/38, 23709B/39, 23709B/40 Rev A, 23709B/41, 23709B/42, 23709B/43, 23709B/44, 23709B/45, 23709B/46, 23709B/47, 23709B/48, IDL/955/05/100 Rev P2, IDL/955/06/100 Rev P4, IDL/955/07/100 Rev P3, IDL/955/09/100 Rev P1, 13457 H01 Rev P2, 13457 H02 Rev P1, 13457 T01 Rev P2, 13457 T02 Rev P2, 13457 T03 Rev P2, 13457 T04 Rev P1, 13457 T05 Rev P1, 0201/19/B/2 Rev A, 0201/19/B/3 Rev A,

0201/19/B/4 Rev A, 0201/19/B/5 Rev A, 0201/19/B/6 Rev A, received 30/05/2019, 26/07/2019.

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

- 2 Prior to the 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 the 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 not to increase flooding risk on site or elsewhere.

- 3 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.

- 4 The first floor flank landing and bathroom windows shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room or landing area it serves, shall be non-opening. This work shall be completed before the relevant dwelling or flat is first occupied and shall be retained thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, 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

This is an application for approval of reserved matters being, appearance, landscaping, layout and scale pursuant to planning permission MC/18/0620 for construction of up to 63 dwellings alongside associated parking, access, infrastructure, engineering, landscaping works and creation of publicly accessible open space. Means of Access was approved as part of the outline approval.

Site Area/Density

Site Area: 2.4hectares (6. acres)

Site Density: 26dph (10.3dpa)

Relevant Planning History

MC/19/1287 Details pursuant to conditions 6 (Materials), 8 (Site and Slab Levels), 9 (Tree Protection), 11 (Landscape Management Plan), 13 (Cycle Parking), 14 (Refuse), 15 (Air Quality), 16 (CEMP), 18 (Archaeological), 21 (Surface Water), 25 (Ecological Mitigation), 26 (LEMP), 27 (Biodiversity) for planning permission MC/18/0620
To be decided

MC/19/1299 Demolition of the existing pavilion building on-site and construction of 6 no dwellings houses, associated access, infrastructure, parking and landscaping.
Also on this agenda

MC/18/0620 Outline application for the erection of up to 63 dwellings with all matters reserved except for the means of access
Approved 04/03/2019

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.

Ten letters of representation have been received expressing concern about the following

- This is a greenfield site which has been used as a local amenity space providing sports facilities for 80 years. It is surrounded by a wide range of types of landscape and is close to an SSSI. Any development on the site would have an adverse effect on the environment, on the birds and wildlife. It would also add to the existing pollution problems emanating from the close proximity to the A228.
- Elm Avenue is a narrow residential road which was built in the days before mass car ownership. It is barely adequate for existing traffic and would not be suitable as an access route for large vehicles for a building site. It could not cope with the additional traffic which would be created by the proposed development. Vehicles parked in Elm Avenue would create a hazard for emergency vehicles accessing the proposed site.
- There is already considerable traffic congestion at A228 Four Elms Hill /A289 roundabout which roads back up at rush hour times and whenever there are road works or traffic emergencies. These problems would be exacerbated by the increased traffic which would be created by the proposed development.

- Chattenden/Upnor lacks any indoor community space to the south of the A289.
- The development is detrimental to the area. Walks I will be disadvantaged by the loss of this open space.
- The building process will adversely affect the local environment by increasing pollutants in the area. By increased traffic used by the occupiers, once the homes are built, will also damage the climate.
- Medway has some of the worst atmospheric conditions in the South East. This proposal will add to those problems.
- Whilst people need homes there are better places, in the more urbanised areas where they could be built.

Hoo Saint Werburgh Parish Council have made the following comments:

When the original plans were submitted for this site there were 91 objections including objections from the local MP, Police, Sport England and Hoo Parish Council. These views must be taken into account when considering this proposal.

The ongoing problems at Four Elms Hill and traffic pollution will only be made worse by this development, the loss of playing fields are also of major concern. Medway Councils own view to "make it easy for people to walk cycle and exercise" would seem at odds with closing sports fields. This development is on a Green Field site and therefore should not be considered for development.

The Parish Council objects to this application and requests that this is refused, should Medway Council Planning Officers be minded to approve the application, we would request that this is determined by the Planning Committee.

Southern Water comment that there is a rising risk of flooding unless network enhancement is undertaken. This enhancement will be provided through the New Infrastructure charge, however,

Southern Water will need to work with and understand the development program and to review if the delivery of network enhancement aligns with the occupation of the development. This is a matter for the Southern Water and applicant to resolve.

Southern Water has also stated that there is a rising main along the eastern and northern boundaries of the site and any surface water pond should be at least 5 m away from this pipe.

Natural England has advised that this application will result in a net increase in residential accommodation and that 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 will mitigated.

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 considered to conform.

Planning Appraisal

Background

An outline planning permission for the residential development on this site was granted under ref MC/18/0620 with all matters reserved except for the means of access. The means of access was approved as part of the outline approval.

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

The outline permission defined the upper limits of the number of dwellings on this site to 63 dwellings which includes 25% affordable dwellings.

As the planning history of the site shows permission has been sought for the erection of 6 detached houses on adjacent land and this will bring the total number of dwellings on the larger site to 69 dwellings. That application is also on the agenda for this Committee.

The application site is semi trapezium in shape measuring 3.3 hectares. It has a smaller eastern boundary and thus frontage with Elm Avenue and PROWs run along the northern, eastern and western boundaries of the site. It is enclosed by trees and tall hedges all around. There are residential properties beyond the northern and eastern boundaries and countryside beyond land to the south.

Principle

Outline planning permission has already been granted for the erection of 63 dwellings under reference MC/18/0620. The principle of development has already been found to be acceptable.

To that end, consideration should now be given to the impact of the development in specific regard to all of the reserved matters for which approval is now being sought namely, appearance, landscaping, layout and scale.

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...”

The local plan, 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 proposed layout plan is to some extent different to the indicative layout drawing submitted at the outline stage. Nonetheless the development comprises a mix of two-storey dwellings houses and flat blocks that continue the rhythm of the nearby houses in Elm Avenue and Broadwood Road in terms of scale and height. The proposed development is considered to be in keeping and complimentary with the area and wider Chattenden.

The proposed layout sites the houses back from the frontage with Elm Avenue and behind a substantial landscaped area and a pond associated with the surface water management area (40m to 70m). As such the proposed development would not impact unacceptably on the street frontage with Elm Avenue.

The proposed estate layout comprises a single vehicle access with pavement from the northeast corner to the west with a second road forking south and westward to serve the residential units along the southern half of the site.

To provide better connectivity and access to the nearby public rights of way (PROW), pedestrian links are to be provided. These new linkage to the PROW and Elm Avenue will also improve pedestrian and cycle access to the wider members of the community.

The street pattern includes residential cul-de-sacs representing elements of place making and the creation of attractive places with character areas defined by house types/design, external finished materials, window type, landscaping and street lighting.

The layout divides the whole site into distinct character areas and provides separate, residential character areas achieved through the use of different approaches to landscaping, hard surfacing, building form, materials and elevational treatment.

The proposed buildings facing onto the proposed road network, the green amenity area and play area would encourage natural surveillance. Properties would have private gardens of a good size that would serve the future occupants. Areas of communal space are proposed to serve the flatted units.

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. This would help in providing variety to the street scenes.

The application site is relatively small and the affordable units would be spread out across the northern part of the site. Both market and affordable units would incorporate a range of dwelling designs and types. The table below shows the mix of both market and affordable dwelling units across the whole site, including the proposal for 6 detached houses ref MC/19/1299.

Housing mix proposed for the whole site is as follows:

Market housing (75%)	Affordable housing (25%)	no dwellings
1 bed flat	0	5
2 bed flat	0	3
2bed house	6	8
3 bed	26	33
4 bed	17	17
5bed	3	3
Total	52	69

A mixture of single and double garages would be provided on-site to serve some of the proposed dwellings. The proposed garage buildings would be proportionate in scale to the dwellings they serve.

The buildings have been designed to incorporate a variety of finishes, detailing and articulated elements including bay windows, front canopies, front gables, variety of roofscapes and this will help to provide a visual relief and ensure that attractive elevational treatments are achieved.

Boundary treatment will be 1.8m high brick wall where they meet the street frontage and 1.8m close boarded fence elsewhere including back gardens.

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 Policy BNE1 and the NPPF.

Landscaping

The proposed landscaping has sought to satisfy the requirements of conditions no 7 and 9 of the outline permission relating to landscape issues as well as ecological matters and the protection of existing trees/hedges on-site and seeks to mitigate the visual impact of the development through the use of various landscape features.

Tree planting is proposed in different locations across the site including within the amenity areas, road frontages, southern part of the site and on the perimeter landscape buffers that would screen the development from Elm Avenue.

The proposed landscaping would include the planting of a substantial number of new trees (over 113 new trees). The trees proposed will include a large number of feathered trees. Although this will give a slightly less impressive first impression when planted up, smaller trees tend to grow much faster than larger trees and will have a much higher chance of successfully establishing when they are properly irrigated and managed

A Children's play area is also proposed within the south-west amenity green open space. In addition, the proposed landscape scheme seeks to incorporate a swale/surface water attenuation basin associated with the management of surface water drainage for the development. This is designed as a wet pond into the landscaping scheme in order to create natural features within the landscape parts of the development. The pond would be surrounded by planting suited to a wetland area to enhance the landscape and create opportunities for new habitat and biodiversity.

The landscape areas and play facilities will be managed and maintained by the applicant or their successor and funded by the future residents of the development.

Overall, it is considered that the landscaping proposal would meet the objectives of the local plan policies BNE6 and BNE34 by softening and minimising the impact of the development on the wider surroundings. This will result in the creation of an attractive high quality amenity value 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 landscape and townscape in accordance with Policies S4 and BNE6 and BNE34 of the Medway Local Plan and NPPF 2019.

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 in terms of their floor sizes and the habitable areas they provide are all of sizes that satisfy the Nationally Described Space Standards and provide for a good habitable environment standard with respect to natural light, outlook, privacy and private amenity spaces proportionate to that prevalent in the immediate area.

With respect to outdoor garden space, the nationally described standard does not provide any guidance. However, the Medway Housing Design Standards 2011 document does provide guidance in this regard and recommends a garden depth of 10m. Each of the dwelling houses proposed would have a rear private garden depth of 10m or more. With regard to the flatted developments communal garden /amenity spaces are provided.

The proposal also makes provision for refuse storage within the curtilage of each dwelling house to allow refuse bins to be stored in the rear garden area and brought forward for collection. With regard to the flatted developments a refuse storage facility for each flat block is provided. This refuse storage arrangement is considered to be acceptable.

The proposed development would not cause any adverse impact on the amenities of the other dwellings within or adjacent to the site and no objection is raised in this regard and the proposal is considered acceptable and in compliance with Policy BNE2 of the Medway Local Plan 2003.

Highways and parking

The acceptability of the access arrangement for the site has been established by the outline permission, being from Elm Avenue.

A total of 202 car parking spaces including 17 visitors are proposed to serve the dwellings within the entire development (including 6 additional houses to the south of the site). This would represent 1.0 parking space for 1 bedroom dwelling, 2 parking space for 2 bedroom dwelling and 2.0 car parking spaces for 3bed houses and 3 or parking spaces for 4 and 5-bed houses. This comprises both garage spaces and driveway parking.

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

It is considered that the development would be self-sufficient with regard to parking and cycle storage provision and there would not be any 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 the NPPF2019.

Drainage

Details of proposed site surface water management which comprise a pond along the eastern boundary of the site and porous surfacing of the roads, pavement and car park/ drive areas have been submitted and are considered to be satisfactory; no objection is raised to the surface water management and drainage scheme proposed for the development.

With regard to the sewerage issue, Southern Water and the developer will need to work together in order to lay the necessary sewerage infrastructure to provide sewerage for the development.

Southern Water has also stated that there is a rising main along the eastern and northern boundaries of the site and any surface water pond should be at least 5 m away from this pipe.

The applicant is aware of the location of the rising main and has stated that the location of the SUDs pond is designed more than 5m away from the pipe. As such therefore Southern water comments have been addressed by the applicant.

Ecology

Climate Change and energy efficiency

In response to the Planning Committee desire to have information on all residential new build applications on matters of climate change and energy efficiency, the applicants have made the following submissions:

“All dwellings will be designed in accordance with the latest building regulations and in particular to Part L (Energy Use). We have also carried out our SAP and EPC

assessments of the properties and adhered to the improved Part G water use calculations so again reducing the amount of waste water per property per day.

As part of the application we have also submitted our proposals for our SuDS design. At Elm Avenue, we have carefully designed a fully sustainable surface water strategy, which requires no point of connection to any mains drainage and therefore allowing the site to be self-sufficient. The use of a balancing pond to the front of the site, not only providing the volume for water storage that we need, but also creating a habitat for potential ecology.

Lastly, we have submitted a report from our Air Quality assessors which states our proposal to implement 1 electrical vehicle charging point to all dwellings and a further 1 per 10 visitor spaces, in addition, we have included garden sheds for cycle storage to all dwellings without garages and finally all our boilers will have a minimum standard of <40mgNOx/kwh.

In terms of our construction process and site wide landscaping we have proposed a comprehensive landscaping planting schedule, with trees planted along the main spine roads within the development to assist in dust pollution. As part of the Esquire ethos we aim to source all materials from our Kent suppliers where possible, with our labour also locally employed. “

Local Finance Considerations

None

Conclusions and Reasons for Approval

The details submitted in respect of this Reserved Matters submission largely has a fairly simple, traditional design with some modern additions that is sympathetic to the character and appearance of the surrounding area and is appropriate in terms of layout, scale and appearance. The design is well considered and the proposal would result in an attractive housing development having regard to the context of the site, and would result in an efficient, effective and sustainable development 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 some open space amenity area with a good play area and provision for walkway linkages through the site to the adjoining PROWs.

The proposed development would not have a detrimental impact on the amenity of the occupiers of the current neighbouring properties or future occupiers in terms of impact on daylight, sunlight, outlook and privacy. The proposed development would also not have a detrimental impact on flood risk and surface water management, crime prevention, waste and refuse, biodiversity, air quality, noise or highways safety.

The details submitted with this reserved matters application in relation to layout, scale, appearance and landscaping pursuant to the outline planning permission MC/18/0620 are in accordance with Policies S4, BNE1, BNE2, BNE3, BNE6, BNE8, BNE24, BNE34, H3, H10, T1, T2, T3, T4 and T13 of the Medway Local Plan 2003 and the

NPPF 2019 and are acceptable 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/>