

**MC/21/3045**

**Date Received:** 19 October 2021  
**Location:** Land South Of Buckland Road Cliffe Woods  
Rochester Medway  
**Proposal:** Change of use of land for the provision of allotments, associated landscaping, open space and access.  
**Applicant** Redrow Homes South East  
Ms Josephine Baker  
**Agent** DHA Planning  
Ms Emily Hadden  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
ME14 3EN  
**Ward:** Strood Rural Ward  
**Case Officer:** Oliver Ansell  
**Contact Number:** 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 9th February 2022.**

**Recommendation - Approval**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Received 19 Oct 2021;

2695-CON-00-XX-DR-C-1882 P01 - VISIBILITY SPLAY - ALLOTMENT ACCESS

2695-CON-00-XX-DR-C-522-P01 - DRAINAGE LAYOUT SHEET 13 OF 16

2695-CON-00-XX-DR-C-523-P01 - DRAINAGE LAYOUT SHEET 14 OF 16

2695-CON-00-XX-DR-C-524-P01 - DRAINAGE LAYOUT SHEET 15 OF 16

2695-CON-00-XX-DR-C-525-P01 - DRAINAGE LAYOUT SHEET 16 OF 16

2695-CON-00-XX-DR-C-530-P01 - DRAINAGE DETAILS

2695-CON-00-XX-DR-C-531-P01 - DRAINAGE DETAILS

2968-LA-06 P4 - GENERAL ARRANGEMENT PLANS FOR PUBLIC OPEN SPACE

2968-LA-07 P4 - GENERAL ARRANGEMENT PLANS FOR PUBLIC OPEN SPACE

2968-LA-08 GMP P3 - LANDSCAPE MASTERPLAN

2968-PP-06 P2 - PLANTING PLANS FOR PUBLIC OPEN SPACE - SHEET 01

2968-PP-07 P2 - PLANTING PLANS FOR PUBLIC OPEN SPACE - SHEET 02

A937-63 - PLANNING LAYOUT ALLOTMENT AREA

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

- 3 The use of the land hereby permitted shall not commence until the area shown on the submitted plan as a turning area has been provided, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway and in accordance with Policy T1 of the Medway Local Plan 2003.

- 4 Prior to works commencing on site a detailed ecological mitigation strategy must be submitted to the LPA for written approval. It must include the following:
- Updated preliminary ecological appraisal and recommended species surveys – if existing data is over two years old.
  - Overview of mitigation required.
  - Detailed methodology to implement mitigation
  - Plans demonstrating that the mitigation can be implemented and will not be impacted during the construction period.
  - Management requirements to maintain habitats.
  - The plan must be implemented as approved.

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework

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

## **Proposal**

The proposed development is for the change of use of land for the provision of allotments, associated landscaping, open space and access to be considered alongside the application for the Reserved Matters application for residential development at Town Road, under ref MC/21/1287 and also for consideration on this Committee agenda.

The site is 1.48Ha and comprises an allotment scheme of 0.9Ha with a new access onto Buckland Road to the north. 14 Allotments are proposed with eight parking spaces and a communal storage area.

Eight of the allotments are 250sqm (10m x 25m) and six are 125sqm (10m x 12.5m). Pathed access is to be provided to all the plots approximately 2m in width to allow for wheelchair users.

It is anticipated that the allotments will be run and managed eventually by the Parish Council.

## **Relevant Planning History**

**MC/19/0287** Outline planning permission with some matters reserved (appearance landscaping layout and scale) for up to 225 residential dwellings including up to 25% affordable housing, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Town Road and associated ancillary works.

Approved February 24 2021

**MC/16/3669** Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for up to 225 residential dwellings (including up to 25% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Town Road and associated ancillary works.  
Refused 5 May 2017  
Dismissed at appeal 8 November 2018

## **Representations**

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

**2 letters** have been received expressing comments about the following issues:

- Loss of agricultural buffer between the housing development (MC/21/1287) and Buckland Road
- Impact on highway safety

**KCC Ecology** have reviewed the ecological information and are satisfied that sufficient ecological surveys have been carried out to understand the ecological impacts of the proposed development.

The proposed development will require the removal of a section of the northern hedgerow and a reptile translocation/displacement. A detailed mitigation strategy to implement these works has not been provided. However, as a result of reviewing the ecological surveys and the proposed landscaping plans it is considered that there is no requirement for a mitigation strategy to be updated prior to determination and instead it can be submitted as a condition of planning permission. This view has been taken because allotments can provide good habitat for biodiversity, the submitted ecological information has confirmed that no trees with potential bat roosts will be impacted, it's unlikely that dormouse are present within the hedgerows and the landscaping plans have confirmed that habitats to support reptiles will be created within the site. An appropriate condition is recommended

## **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 2021 and are considered to conform.

## **Planning Appraisal**

### *Background*

Outline planning approval MC/19/0287 for residential development of the adjacent site included a requirement, secured via a S106 agreement, for the provision of allotments and amenity land on this application site. The current application is therefore submitted pursuant to the requirement of that agreement.

### *Principle*

By virtue of the above permission and S106 requirement, the principle of the proposed allotments and open space has been agreed.

### *Character and appearance*

NPPF Chapter 12 states 'Achieving well-designed places' reinforces that design is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 12 also confirms that high-quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development responds to the local character and history and reflects the identity of local surroundings and materials, to create distinctive places, with a consistent and high-quality standard of design.

However, the level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified.

Fourteen allotments are proposed in total with eight parking spaces. The allotments are accessed by an access path circa 2m in width and there is a communal storage area. The allotments are bounded by a 1.8m fence as required by the S106 agreement but have pedestrian connections through to the PROW to the south.

The landscaping has been designed in conjunction with the adjoining residential scheme to ensure a cohesive development. The scheme retains vegetation where possible and additional planting is secured around the allotment scheme and within the amenity area to the south.

The proposed development responds to the outline application providing a high-quality community facility and amenity area. It is considered that the development would accord with Policies BNE1, BNE6, BNE8 and BNE22 of the Local Plan.

#### *Neighbouring Residential Amenity*

The nearest residential properties to the site are along the eastern boundary within the new Esquire development. With regards to privacy, outlook, sunlight and daylight the scheme, by reason of its nature would not result in an unacceptable loss of privacy, overlooking, loss of light or general disturbance to neighbouring occupiers.

#### *Access, parking and servicing*

Vehicular access is taken from Buckland Road where the access would achieve 43m visibility splays. Gates are proposed for the access, however these would be set back approximately 20m into the site so as to not cause any issues in terms of vehicles stopping on the highway to open them.

The applicants have provided swept path analysis for larger vehicles, demonstrating that these can track through the site with no identify issues.

The application is considered to be acceptable in respect of the transport and parking policies T1, T2 and T13 of the Medway Local Plan 2003 and paragraph 109 of National Planning Policy Framework 2018.

#### *Ecology*

The application is supported by a review of the ecological baseline and survey scope and an ecological mitigation and enhancement strategy. These are considered sufficient to assess the impact of the application. The proposed development will require the removal of a section of the northern hedgerow and a reptile translocation/displacement. A detailed mitigation strategy to implement these works have not been provided and an appropriate condition is recommended. Subject to that

condition no objection is raised under Policy BNE37 of the Local Plan and paragraph 175 of the NPPF.

### *Climate Change*

It is considered that the provision of allotments to serve local people and operated by the parish council would in a small part assist with climate change, provide much needed facility to meet local need and assist in meeting the Council's healthy living agenda.

### **Conclusions and Reasons for Approval**

The proposed scheme for allotments and open space accords with the outline approval requirements and would complement the residential scheme while creating an attractive development. The proposal would not result in a detrimental impact to neighbouring residential amenities or highways safety. The proposal is in accordance with Policies BNE1, BNE2, T1, T2 and T13 of the Medway Local Plan 2003 and paragraphs 111, 112(e), 126, 130, 130(f) of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to its relationship to application MC/21/1287 also on this agenda.

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### **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/>