

## **MC/25/0811**

**Date Received:** 16 April 2025  
**Location:** Land at East Hill, Chatham Kent  
**Proposal:** Reserved Matters application for Phase 2 (for the construction of 36 residential units together with associated access, parking, landscaping, open space, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.  
**Applicant Agent:** Taylor Wimpey (UK) Ltd  
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**Ward:** Lordswood & Walderslade  
**Case Officer:** Hannah Gunner  
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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 19 November 2025.**

### **Recommendation - Approval with Conditions**

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

Drawing numbers.

Received 10 Sept 2025

P24-2329\_DE\_02\_H\_03 Site Layout

P24-2329\_DE\_02\_B\_04 Materials Plan

P24-2329\_DE\_02\_B\_24 Parking Strategy Plan

P24-2329\_DE\_02\_B\_25 Building Heights Plan

P24-2329\_DE\_02\_B\_29 Refuse Strategy Plan

P24-2329\_DE\_02\_B\_33 Sustainability Plan

P24-2329\_DE\_004\_B\_08 EMA35 Floorplans and Elevations

P24-2329\_DE\_004\_B\_38 EMT31 Floorplans and Elevations

P24-2329\_DE\_004\_B\_19 EMA43 Floorplans and Elevations  
 P24-2329\_DE\_005\_B\_02 Street scenes  
 2400422-ACE-XX-XX-DR-C-2002 P2 Proposed Levels Strategy  
 3365-APA-P2-XX-MP-L-4310 P02 Landscape Management Plan  
 3363-APA-P2-XX-LA-L-1010 P02 General Arrangement Plans Key Plan and Legend  
 3363-APA-P2-XX-LA-L-1011 P02 General Arrangement Plans  
 3363-APA-P2-XX-LA-L-1012 P02 General Arrangement Plans  
 3363-APA-P2-XX-LA-L-1013 P02 General Arrangement Plans  
 3363-APA-P2-XX-LA-L-1014 P02 Landscape Masterplan  
 3363-APA-P2-XX-PP-L-2010 P02 Planting Proposal Key Plan and Legend  
 3363-APA-P2-XX-PP-L-2011 P02 Planting Proposal  
 3363-APA-P2-XX-PP-L-2012 P02 Planting Proposal  
 3363-APA-P2-XX-PP-L-2013 P02 Planting Proposal  
 3363-APA-P2-XX-PS-L-4211 P02 Plant Schedule  
 3363-APA-ZZ-XX-DT-L-3006 P02 Typical Detail Timber Bench and Informal Play in Open Space  
 3363-APA-ZZ-XX-DT-L-3007 P01 Typical Detail Section through meadow, scrub planting & existing vegetation.

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P24-2329\_DE\_02\_A\_30 Site Location Plan  
 P24-2329\_DE\_004\_A\_11 EMT31 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_22 EMT41 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_24 EMT42 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_27 EMB41 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_29 EMA48 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_33 EMA51 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_37 EMB51 Elevations  
 P24-2329\_DE\_004\_A\_55 EMB51 Floorplans  
 P24-2329\_DE\_004\_B\_48 Garage 1 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_49 Garage 2 Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_50 Garage 2A Floorplans and Elevations  
 P24-2329\_DE\_004\_A\_51 Car Bran Floorplans and Elevations  
 2400422-ACE-XX-XX-DR-C-1205 P1 Proposed Drainage Strategy  
 2400422-ACE-XX-XX-DR-C-1210 P1 Proposed Levels Strategy  
 3363-APA-ZZ-XX-DT-L-3001 P01 Typical Detail Tree Pit in Open Space  
 3363-APA-ZZ-XX-DT-L-3002 P01 Typical Detail Tree Pit in Sloping Ground  
 3363-APA-ZZ-XX-DT-L-3003 P01 Tree Pit between parking bays pot sizes & soil profiles  
 3363-APA-ZZ-XX-DT-L-3004 P01 Tree Pit between parking bays pot sizes & soil profiles  
 3363-APA-ZZ-XX-DT-L-3005 P01 Typical Detail interface between front garden & public realm

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

- 2 The development shall be implemented in accordance with the measures to address energy efficiency and climate change set out within Sections 11 and 12 of the Design and Access Statement submitted on 16 May 2025. Prior to

first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures have been undertaken and will thereafter be maintained on site.

Reason: In the interests of sustainability and to positively address concerns regarding Climate Change in accordance with the NPPF.

- 3 The residential units herein approved shall not be occupied until the area shown on the submitted layout as vehicle parking/garaging to serve the relevant dwelling has been provided, surfaced and drained. 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 the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 4 The proposed residential units shall not be first occupied, until details of the provision of the electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of National Planning Policy Framework 2019.

- 5 Prior to the commencement of development, the developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance.

Reason: In order to protect public apparatus, in accordance with Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers".

- 6 Notwithstanding the details to be submitted pursuant to condition 45 (Landscape and Ecology Mitigation Management Plan) of appeal decision MC/19/0765 (APP/A2280/W/21/3280915), prior to any handover of the maintenance of the public landscape areas to a management company, there must be a site visit involving the Local Planning Authority, the proposed landscape management company and the developer. The site visit will include a review of the site area proposed to be transferred to the management company and will assess whether the approved landscape plans have been implemented as approved, the condition and maintenance of all planting and what measures are necessary prior to a handover to the

management company. The results of the site visit/walk over shall be submitted to and approved in writing by the Local Planning Authority and the agreed requirements in terms of re-planting/maintenance shall be undertaken prior to any hand over to the management company.

Reason: In the interests of the visual amenity of the area and to ensure that the important landscaping necessary to make the development acceptable is undertaken and maintained.

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

## **Proposal**

This proposal follows approval of an Outline Permission for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility. This is **Phase 2** of the scheme, which will consist of 6 phases and a separate school phase.

The scheme the subject of this application is a Reserved Matters application for Phase 2 for the construction of 36 residential units together with associated access, parking, landscaping, open space, infrastructure and earthworks pursuant to Outline application MC/19/0765.

This application has been submitted alongside two separate applications for Phases 3 and 4.

Phase 3: Reserved Matters application for Phase 3 for the construction of 263 dwellings including houses, apartments, convenience store together with associated access, parking, landscaping, open space, infrastructure and earthworks pursuant to Outline application MC/19/0765.

Phase 4: Reserved Matters application for Phase 4 for the construction of 198 residential units including affordable housing together with associated access, parking, landscaping, open space, infrastructure and earthworks pursuant to Outline application MC/19/0765.

The current proposal builds upon the principles established as part of the outline approval, design development and review of the wider context. The proposals accord with the principles established by the approved parameter plans.

As part of the design process placemaking has been an integral part of the discussion, building on the established parameter plans from the outline stage. This has resulted in the various phases displaying distinct character areas which will be more detailed within the main assessment section of this report.

The proposal is to be a low-density Character Area of circa 20-30dph and will consist of predominantly detached houses, either 2 or 2.5 storey in height. This is to be known as the Hale area.

Due to the elevated position, the use of retaining features have been incorporated to create more efficient parcels.

In terms of the urban grain, two distinct parcels with similar architecture are proposed but with a very different relationship to the spine road. To the north a linear parcel will act as a focal feature upon entry to the site. To the south an enclave development will sit within the existing woodland with a semi-private appearance.

Phase 2 is located to the northeastern corner of the Site and is c. 4.21ha.

### **Relevant Planning History**

**MC/25/0830** Reserved Matters application for Phase 3 (For the construction of 263 dwellings including houses, apartments, convenience store together with associated access, parking, landscaping, open space, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

**Decision** Pending.

**MC/25/0812** Reserved Matters application for Phase 4 (for the construction of 198 residential units including affordable housing together with associated access, parking, landscaping, open space, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

**Decision** Pending.

**MC/23/0187** Reserved matters application for Phase 1 (For the construction of 91 residential units including affordable housing together with associated access, parking, landscaping, open space, equipped play, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

**Decision** Approved with conditions.

**Date** 16 May 2024

**MC/23/0033** Application for non-material amendment to planning permission MC/19/0765. Amendment to condition 8.

**Decision** Approved with conditions.

**Date** 07 February 2023

**MC/22/2346** Application for non-material amendment to planning permission - Appeal ref APP/A2280/W/21/3280915 (MC/19/0765). Amendment to planning conditions.

**Decision** Approved with conditions.

**Date** 25 November 2022

**MC/19/0765** Outline planning application with some matters reserved (appearance, layout, scale and landscaping) for construction of up to 800 dwellings, primary school, supporting retail space of up to 150sqm and GP surgery with associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

**Decision** Allowed at Appeal.

**Date** 07 February 2022

It should be noted that there have been a number of Discharge of Conditions applications in relation to this site (mainly Phase 1), however, they are not considered relevant to this application so have not been included here.

## **Representations**

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

The Environment Agency, Kent police, KCC Archaeology, KCC Biodiversity, SGN, UKPN and Sothorn Water Services have also been consulted.

**3 letters** of representation have been received from neighbouring residents with the following concerns:

- Increased traffic – already busy area.
- Lack of GP and Dentist.
- Loss of green space.
- Habitats for wildlife being lost.
- Need to protect woodland.
- Changing area beyond recognition.

**The Environment Agency** have stated that they do not provide comment at Reserved Matters stage but will, however, comment on the discharge of conditions going forward.

**Kent Police** have requested that the developers consult the Designing out Crime Officers to address CPTED and incorporate Secured by Design as appropriate. Site security is required for the construction phase. There is a duty for the principal contractor “to take reasonable steps to prevent access by unauthorised persons to the construction site” under the Construction (Design and Management) Regulations

2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

**UKPN** sent a copy of records that confirm no electrical lines or plant are currently on site. They have also stated that should excavation affect their Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), they would like to be contacted so the applicants are able to obtain a copy of the primary route drawings and associated cross sections.

**SGN** have sent extracts demonstrating that the site is a no gas area. There is, therefore, no concern that works will affect SGN pipelines.

**Southern Water** note that the applicant is proposing to abandon/divert a Southern Water asset (Water Main or Sewer). Any public diversion proposals shall be approved by Southern Water under Section 185 of the Water Industry Act. It has also been stated that if it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance. No Soakaways should be connected to the public surface water sewer.

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Details to be set out in an informative.

There are also restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains. For this reason, a condition is recommended.

**KCC Ecology** have compared the proposed layout in conjunction with the illustrative layout submitted with the original application and note that the layout has resulted in an increase area of open space in the east of the site which will benefit biodiversity. The submitted planting plans have confirmed native species planting will be incorporated into the open space. The submitted ecological information has confirmed that the site has not change significantly since the original surveys were carried out and, therefore, it is agreed that no further surveys are required as part of this application.

## **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 2024 (the NPPF) and are generally considered to conform. Where non-conformity exists, this will be highlighted and addressed in the appraisal section below. The Medway Landscape Character Assessment, 2011 (the MLCA) is also applicable.

The Emerging Local Plan has been agreed by Full Council for Reg 19 publication, consultation and, following any changes required as a result of the consultation exercise, submission to the Inspectorate for examination. The policies within this version of the emerging plan have weight in the determination of planning (and associated) applications. However, due to the nature of this proposal, the stage of

the emerging Local Plan, the existence of relevant adopted Policies in the Medway Local Plan (2003) and guidance in the NPPF it is considered that the proposal falls to be considered with regard to the adopted policies and guidance in the NPPF.

## **Planning Appraisal**

### *Background*

The outline application for the construction of up to 800 dwellings, primary school, supporting retail space of up to 150sqm and GP surgery with associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping was originally refused by Medway Council in March 2021 on the following grounds:

- 1) The proposal constitutes a large-scale urban development within the countryside and located on greenfield land, which is not allocated for the proposed use. The application site is located within the rural area but does not essentially require a rural location. The proposal would result in an inappropriate form of development within a locally valued landscape that would harm the character, function and appearance of the countryside, Area of Local Landscape Importance, setting of Capstone Farm Country Park and the rural footpath network. The proposal would result in irreversible loss of important and valued open and green space within this part of Medway. The proposal is contrary to Policies S1, S2, BNE1, BNE2, BNE25, BNE34, L9 and L10 of the Medway Local Plan 2003 and paragraph 127 and 170 of the NPPF.
- 2) The proposed quantum of development is considered to be inappropriate for this rural location. The overall scale and layout is an overdevelopment of the site that would result in an intrusive and dominant form of development and visual erosion of this important landscape character setting and countryside location, giving rise to substantial harm to the much valued landscape character of the countryside, Area of Local Landscape Importance, setting of Capstone Farm Country Park and public rights of way. The density and building heights of over 2 storeys set out in the parameter plans would be considered incongruous and out of keeping with the countryside setting. The proposal is contrary to Policies S1, S2, BNE1, BNE2, BNE25, BNE34, L9 and L10 of the Medway Local Plan 2003 and paragraph 127 and 170 of the NPPF.
- 3) The proposal would result in a significant impact on residential amenity of properties adjacent to the site, particularly to the occupants of Carlton Crescent. Due to the topography of the land rising sharply from Carlton Crescent to the site any development in this part of the site has the potential to have a significant impact on these residents. The proposal is contrary to Policies S1, S2, BNE1 and BNE2 of the Medway Local Plan 2003 and paragraph 127 and 170 of the NPPF.



This decision was then appealed through the Public Inquiry process and was overturned and approved in February 2022 on the following grounds:

- The local planning authority cannot demonstrate a deliverable five-year supply of housing sites in the area.
- The proposal would not conflict with policy BNE34 relating to the ALLI, I also find that the proposal would not, therefore, conflict with Policy S2 of the LP. In addition, I have found that the proposal would not conflict with policy L10 of the LP.
- The site is in a sustainable location.
- Landscape harm would diminish over time such that after 15 years, and when the landscaping reached a more mature stage, the level of landscape and visual harm would be minor.
- In principle the proposal would result in the provision of sustainable form of development. Furthermore, access details are acceptable subject to the imposition of conditions, and no unacceptable harm would be caused to matters of highway safety and the residual cumulative impacts on the road network would not be severe.

### *Principle*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The development plan consists of the relevant saved policies of the Medway Local Plan 2003. The scheme should also be assessed against the Government's National Planning Policy Framework (The Framework), and The Government's National Planning Practice Guidance (NPPG), both of which are important material considerations.

The principle of this application was considered in full at the outline application stage at Public Inquiry and it was concluded that this application was acceptable.

Overall, it was considered that the development of the site is in principle acceptable in sustainability terms given the definition in the NPPF, the lack of a 5 year housing land supply and the balance of the relevant issues taking into account recent appeal decisions in Medway and the location of this site in this urban area.

It was also considered that the development can be accommodated within the local landscape with limited adverse impact upon the wider landscape character and visual resources.

In relation to the objections raised by neighbouring residents, it should be noted that the issues relating to the impact to the area, loss of open space and pressures on infrastructure were all considered at this outline stage and were felt to be acceptable subject to the agreed S106 and conditions.

This application for reserved matters for **Phase 2 only** and deals with the design, scale, landscaping and layout. These are dealt with accordingly below.

### *Site and Surroundings*

This Phase lies immediately west of Capstone Road, and the Capstone Road/Pear Tree Lane roundabout junction, which is to be upgraded as part of the proposed Spine Road design (secured via Condition 35 of the outline). To the north of this Phase lies existing residential properties along Capstone Road and the southern boundary is formed by Capstone Country Park. The Site's western boundary borders future Phases 5 and 6, to be subject to future RM applications.

Phase 2 is split into two parcels, bisected by the new link road. It is one of the steepest areas of the Site steadily rising east to west. PROW RC32 runs along the northern boundary of the phase connecting Capstone Road (east) with North Dane Way (west).

Flood mapping indicates that a small area of Phase 2 lies within Flood Zone 3.

### *Design and Appearance*

Given the steep topography of Phase 2, a linear layout approach has been taken to work with the levels in this location. The detailed layout has also been designed to avoid the area of flood zone in the east of this parcel.

Towards the north of the Spine Road, two rows of development are provided, each accessed directly from the Spine Road via Green Lanes leading on to shared surfaces towards the north. Due to the levels changes between the two rows, it is not possible to connect the two via a road of a suitable gradient. A pedestrian access is, however, provided to connect the two areas echoing the design principles from Phase 1.

A third area of development is provided to the south of the Spine Road comprising a shared surface arrangement, leading towards a shared courtyard to the south.

Residential development runs parallel with the roads providing direct access to the majority of homes which in turn provide surveillance over the streets. To the south, homes have been orientated to back onto the tree belts at the east, west and southern boundaries.

The materials to be used incorporates red brick complimented with light grey weatherboarding to provide variation to this unique character area. The use of brown roof tile also gives this area a unique identity to the wider development. Brown roof tiles to the northern parcel and a mix of brown and red roof tiles to the southern parcel.

Chimneys are used to provide variety in the roofscape and add to the characters identity.

Areas of open space are provided within this Phase, however, more formal areas of open space (including kickabout areas and play areas) will be provided on future phases (in accordance with the approved Phasing Plan), located more centrally to the Site, on the flatter areas. These are all accessible from Phase 2 on foot via both

PROW RC32 or the unregistered paths, and the new footway which will run adjacent to the link road.

The Housing mix here is as set out below.

<b>Number of Bedrooms</b>	<b>Number of units</b>
3	9
4	18
5	9
<b>Total</b>	<b>36</b>

A total of 10.4ha of open space is provided across the three phases comprising 2.8ha on Phase 2.

Overall, the design here is considered to be suited to the location and topographical constraints on the site and will provide adequate housing at this point of the development. This is a low-density phase so will form a rural edge and consists of predominantly detached homes. Given the overall scale of this phase, this development is considered acceptable and is compliant with Policies BNE1 and BNE2 of the Local Plan as well as paragraphs 131,135 and 138 of the NPPF.

### *Landscaping and Open Spaces*

Open space makes up a significant proportion of the Site, accounting for c.45% (10.4ha) of the Site area across phases 2, 3 and 4. Phase 2 is located next to the northeastern entrance to the Site from Hale.

Following the outline consent, the landscape proposals have continued to develop alongside the site layout as part of the preparations for a Reserved Matters Application.

Key development has been in the detail of the landscape design including the open space to the East of the residential units, integrating attenuation basins and informal open space for residents and visitors.

The detailed landscape masterplan proposes the following:

- Provide an attractive setting for the residential areas with ornamental planting within the streetscape offering seasonal interest and cohesion through the scheme,
- Provide new varied habitats and enhancement of existing features with an increase in ecological connectivity,
- Encourage outdoor activity with playable features offering a play experience to young children with informal play spaces,
- Encourage interaction with the landscape and education of local biodiversity with varied routes through the open space's connections with the existing Public Rights of Way (PRoW) network, providing opportunities to enjoy views over the landscape and informal seating/picnic points.

The majority of roads are shared surfaces and consist of block paving to soften the development on the surrounding landscape. Landscape features will reinforce the identity of this entry point into the development. A structured but organic arrangement of trees and planting will soften retaining features and amalgamate the development into the surrounding woodland.

Topography plays a key part in how landscaping is delivered. For phase 2 the relationship between the land levels of the road and the housing have had to play a primary role.

Landscaping within Phase 2 mainly follows a pink and white colour palette, with the majority of trees comprising magnolias. Planting species comprising a mix of ornamental, shrub and herbaceous planting.

A pocket park is provided centrally to the northern parcel of Phase 2 and will provide play opportunities as well as seating. A larger area of open space is provided to the east of the northern parcel which will be seeded with a wildflower meadow mix. This area will be accessible for future users through grass mown paths. Informal resting areas will also be provided in this location.

### *Amenity*

Policy BNE2 relates to the protection of the amenities of future occupiers of the development and of neighbours in terms of privacy, daylight, sunlight, noise, vibration, heat, smell, airborne emissions. Paragraph 135 of the National Planning Policy Framework requires that development functions well over its lifetime and provides a high standard of amenity for neighbours.

### Neighbouring residents

In terms of the proximity of this scheme to the existing neighbours in the surrounding area, it is acknowledged that this varies across the site. The closest properties to any parts(s) of Phase 2 of the development appears to be either properties on the southern side of Capstone Road, or those in Carlton Crescent and Darland Farm. Toward the southern boundary of the site also lies a lone detached property (274 Capstone Road). All of these properties mentioned lie a minimum distance of approx.+70m to the nearest rear part of properties on this phase of the development.

Due to the positioning of the houses, the proposed units do not directly face the existing houses and are screened heavily with vegetation and landscaping. The result of this is that there is no direct overlooking or impact to existing properties and no loss of privacy to the occupants of the nearest homes.

Overall, given that the proposed units are some distance from the existing dwellings on the other side of dense vegetation it is considered that there will be no overlooking and no loss of light to the existing neighbours. The visual impact of these units is also negligible from these properties and is not considered to be of detrimental harm. The impact on neighbouring residents is, therefore, acceptable.

No objection is, therefore, raised in terms of neighbour amenity under Policy BNE2 of the Local Plan.

### Future Residents

In terms of the amenity of future occupants the proposals meet the Nationally Described Space Standard for internal floorspace, and the garden depths meet the Medway Housing Design Standards (MHDS) where applicable. The proposal will provide internal and external amenity for its prospective residents.

The proposal is considered acceptable with regard to the residential development element of the proposal both in considering the impact on existing and future occupiers. The proposal is in accordance with Policy BNE2 of the Local Plan and paragraph 135 of the NPPF.

### *Affordable Housing*

It is proposed that all dwellings on Phase 2 are to be open market. Phase 2 is detached from the rest of the development, to the north-east of the wider site where there are existing woodland and a challenging topography, which lends itself better to detached dwellings to absorb the land level changes. Due to these constraints no affordable dwellings are proposed in this location. However, in line with the S106 25% of total dwellings across the wider site will be affordable.

More information in relation to phases 3 and 4 and affordable provision within them is set out within the report relating to that phase. What should be noted, however, is the overprovision of affordable units within these phases, which more than compensates for the non-provision within this smaller phase and demonstrates the fact that the overall percentage of affordable provision sitewide will exceed the Councils requirement of 25%.

### *Archaeology*

As was recognised at the outline stage of this application, there are relatively few known archaeological remains in the immediate vicinity of the site. However, this is likely to reflect the limited amount of archaeological investigation within this part of Medway rather than a true reflection of the site's potential. There is potential for buried archaeological remains at the site. Geological mapping suggests the site is partly underlain by head deposits, which have potential to contain Palaeolithic remains. Palaeolithic remains have been found to the north and east of the site. Bronze Age and medieval remains have been found to the south of the site. Romano British burials have been recorded to the north of the site in the vicinity of Hale Farm. Roman buildings have been found 600m to the west of the site.

An Environmental Statement that includes an archaeological desk-based assessment was submitted as part of the outline application. The assessment established that there is potential for the presence of buried archaeological remains dating to the Romano-British period which could be of medium significance.

For these reasons conditions were placed on the outline permission to secure field evaluations to take place prior to each phase of the development. This condition was discharged (sitewide) under ref: MC/22/2781 in January 2023.

### *Highways and parking*

Site access was considered in detail at the outline application stage. This being the case, the roundabout access being created on North Dane Way and Capstone Road already has permission and access to the site is not a matter for consideration within this application. Details of the spine road are also subject to a separate application (ref no: MC/25/0013).

The street layout and parking arrangements within the development scheme are, therefore, the main consideration here.

In terms of parking standards, and what is required for this phase, this works out as:

- 36 x 3, 4 and 5 bed units @ 2 spaces per dwelling

This totals a NEED of 72 spaces.

In total there are 66 residential allocated spaces provided and an additional 36 residential allocated garage spaces. (Totalling 102 residential spaces.)

Allocated parking will mainly be provided on plot, within the curtilage, either to the front or side of dwellings, with individual bays/and or garages set back from the building line, to allow ease of access to dwellings.

To meet the required parking standards, 9 visitor spaces would usually be required, however, due to the level constraints within this parcel a more pragmatic approach will need to be taken. Currently 6 visitor spaces are proposed, however, the majority of street types are 6m wide shared surfaces which will provide informal opportunities for visitor parking throughout.

All dwellings will be provided with EV charging points, located either on the side of dwellings or garages or through free standing columns.

36 allocated garages spaces have been provided within this phase, with most dwellings having a garage to the side of the property. The garages provided are 6x3m internal length and width.

Cycle Parking – it is considered that cycle parking can be accommodated within the provided garages. Where garages are not provided for properties, sheds will be available within rear garden spaces, which are sufficient for cycle storage.

Refuse - a refuse storage strategy has been provided for this scheme. The majority of roads will be designed to an adoptable standard to allow refuse vehicles to access the vast majority of the site. Where dwellings are not accessible bin collection points are located in convenient locations within 25m of the adoptable extent.

## *Flood and Drainage*

Flood risk and drainage were identified as key considerations during the early stages of the planning process. Following a detailed site assessment and consultation with the Lead Local Flood Authority (LLFA), a comprehensive strategy was developed to mitigate potential flood risks. This includes the implementation of a sustainable drainage system (SuDS) designed to manage surface water runoff effectively, incorporating features such as attenuation basins, permeable paving.

Ardent Consulting Engineers prepared the surface water drainage strategy in accordance with the CIRIA C753 SuDS Manual and Medway Council LLFA guidance. Infiltration testing confirmed that infiltration is viable across the site, and two infiltration basins (A and B) have been designed to accommodate runoff from separate catchments. These basins are sized to manage a 1 in 100-year storm event with a 40% climate change allowance and include sufficient freeboard and half-drain times. The strategy also incorporates permeable paving, swales, and bio-retention features where feasible, with no attenuation tanks proposed due to adequate above-ground capacity.

Water quality is addressed using the CIRIA Simple Index Approach, with infiltration basins and a 300mm soil layer providing sufficient treatment. Exceedance flows are directed to low points and managed within the basin freeboard. Foul water drainage will connect to a diverted Southern Water sewer, with potential upsizing to accommodate peak flows. The drainage infrastructure will be completed prior to parcel development, and a maintenance plan has been prepared in accordance with CIRIA guidance.

The LLFA has confirmed that the proposed strategy appropriately addresses flood risk within the development site and does not increase flood risk elsewhere.

## *Ecology and Biodiversity*

The Site is a managed arable field of limited ecological value due to the monoculture and management processes. However, a range of habitats, including Ancient Woodland, woodland, hedgerows and tree lines are present on and surrounding the Site. All are of ecological value.

The proposals have been designed to retain the habitats of higher ecological value and new landscape features have been included to offset any losses, enhance habitat linkages, and provide new habitats such as wetlands. These created habitats have been designed specifically to provide new opportunities for a range of species which have been recorded, including dormice and bats which utilise the woodland edges and tree lines for foraging and commuting. Reptiles are present within Phases 2, 3 and 4 and so translocation to an offsite receptor will be required prior to commencement. The area for translocation has previously been agreed under discharge of Condition 23, which set out the site wide ecological strategy for the Site.

The woodland and scrub habitat has been designed to provide habitat for dormice as well as a range of wildlife. Management of the proposed grassland will encourage wildflowers, to provide enhanced opportunities for insects and other species. The

wetland will offer a new habitat not currently present within the Site and will increase its biodiversity value.

Other enhancements are also incorporated including bird, bat and insect boxes, hedgehog highways and other features such as log pile homes and hibernacula.

The outline consent further required the submission of a number of ecology conditions prior to commencement of development on each phase. These are as follows:

- Condition 18: Biodiversity CEMP
- Condition 24: Ecological Mitigation Strategy
- Condition 25: Biodiversity Net Gain
- Condition 44: Landscape and Ecological Mitigation Management

The applicants have stipulated that submissions to discharge these conditions for each phase will follow under a separate cover and will provide full details on management and mitigation measures to be implemented. These will build upon the details approved as part of the Site-wide Ecological Mitigation Strategy under condition 23 (ref. MC/24/0773) demonstrating how the proposals will achieve the required 20% biodiversity net gain (BNG) (as required as part of the original outline permission).

The proposals satisfy the requirements of MLP Policies BNE37 and BNE38 and will deliver BNG as required by the NPPF (para 187) and the outline consent.

### *Air Quality*

An Air Quality Assessment was submitted as part of the Environmental Statement with the outline application. A subsequent Technical Note was also produced following an objection from Environmental Protection. The original assessment used emission factors from 2030 to assess the 'without development' and 'with development' scenarios. In the absence of any other official stance, it was assumed that the vehicle fleet will improve in line with predictions made by Defra and Department for Transport (DfT) guidance. However, to account for uncertainty in the emission factors and future vehicle composition, a sensitivity test was then undertaken.

Environmental Protection were satisfied with the information submitted in the technical note to supplement the Air Quality Assessment. The technical note included a sensitivity analysis of future air quality using emissions factors, which represents a more reasonable worst-case scenario, subject to approval of the transport modelling that has been carried out which underpins the air quality assessment.

The worst-case scenario was presented and was not predicting exceedance of the air quality objectives at modelled receptors. Environmental Protection, therefore, had no objection to the granting of permission and secured an appropriate level of air quality mitigation. A condition for an Air Quality Emissions Mitigation Statement to mitigate the impacts identified in the Air Quality Assessment was placed on the



outline decision and is required prior to the commencement of any phase. It was, therefore, considered that the development is in accordance in this regard with Policy BNE24 of the Medway Local Plan 2003 and paragraph 187 and 199 of the NPPF.

### *Noise*

Noise is again another aspect of the proposal that was fundamentally dealt with at the outline planning application stage.

A Noise and Vibration Assessment was provided as part of the Environmental Statement with the outline application. The report concluded that mitigation measures, including a glazing specification and the use of appropriate ventilation should be sufficient to mitigate against construction noise, achieve recommended internal and external noise levels in accordance with BS guidelines. It was, therefore, predicted that there will be no significant effects from any increase in road traffic noise.

Policy BNE3 of the Medway Local Plan 2003 sets out noise exposure categories for new dwellings. In terms of existing noise levels at the site, it has been considered that acceptable internal and external noise levels should be achievable with relatively minor mitigation measures.

The development was considered to be in accordance with Policy BNE2 and BNE3 of the Medway Local Plan 2003 and paragraph 187 and 199 of the NPPF. A condition is in place that requires a scheme of acoustic protection to be submitted prior to the commencement of development within the relevant phase.

### *Contamination*

The site comprises approximately 48 hectares of agricultural land with part of the site adjacent to a historical landfill site. As such there is potential for the land to be contaminated. The site is also over a Source Protection Zone 1 and 2. A Desk Study and Site Investigation Report has been submitted as part of this application. The report concludes that there is evidence of soil contamination and potential land gas contamination on the site. There is a need for further investigations and potential remediation on site. Conditions were secured with the outline application to ensure the required investigation and risk assessment, and remediation is carried out in line with the preliminary proposals.

The proposed development is considered acceptable in terms of its impact on human health and watercourses in terms of contamination and as such is in accordance with Policy BNE23 of the Local Plan and paragraph 197 and 198 of the NPPF.

### *Climate change and Energy Efficiency*

The NPPF identifies that good design “is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities” (paragraph 131). Paragraph 139 in particular refers to

great weight being given to outstanding or innovative designs which promote high levels of sustainability.

In planning for climate change, plans should take a proactive approach to mitigate and adapt to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures; in line with the objectives of the Climate Change Act 2008. In order to support this, paragraph 164 of the Framework states that new development should be planned for in ways that:

- a) Avoid increased vulnerability to the range of impacts arising from climate change; and
- b) Can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

The Government are introducing significant changes to Building Regulations as part of its commitment to reducing the UK's carbon consumption to net zero by 2050.

Carbon reduction in house building is to be achieved through a staged approach in order to allow the industry time to adapt to what are considerable changes and challenges. This will be achieved in two stages:

Parts L & F – All 36 homes on Phase 2 and all homes across the wider East Hill site are designed to comply with Parts L and F. These changes require a 31% reduction in CO<sub>2</sub> beyond the 2013 Building Regulations.

The second stage is the introduction of Future Homes Standards (FHS), which requires 75-80% reduction on CO<sub>2</sub> beyond the 2013 Building Regs.

All homes on Phase 2 will be designed to comply with parts L & F and include the following:

- Photovoltaic Panels (PV) to all roofs – quantum to vary per house type and orientation, however, these will reduce homeowners take from the grid with any surplus electricity either being stored or returned to the grid.
- Triple glazing to all windows and French doors.
- Hi-therm lintels (to replace steel lintels), which will deliver much improved thermal performance at the window and door heads.
- Wastewater Heat Recovery (WWHR) to recover heat from the warm shower wastewater before going into the drainage system.
- 100mm cavity between brick and blockwork filled with high quality blown fibre insulation. This maximises the fabric first approach, which provides a very comfortable living and working environment, significantly reduces fuel bills and does not require behavioural change of occupants.
- Low energy lighting used throughout.
- Installation of energy efficient appliances.
- Electric vehicle charging point to on curtilage parking – this is also a requirement of condition 16 of the outline planning permission that also requires one EVCP per 10% parking spaces within communal areas.

In addition to the measures to secure compliance with L & F, the following measures will be accommodated to accord with FHS:

- No gas will be connected to site.
- Alternative heating system to gas – options include electric boilers or air source heat pumps.
- Potential cavity width increases to further increase insulation.
- Underfloor heating.
- EVCPs to every home.

Also of note, approximately half of the homes will be built using timber frame construction that has a significantly lower carbon footprint than traditional forms of construction that relies on concrete and steel.

Both Taylor Wimpey and Vistry Homes are trialling a number of solutions to achieve FHS. The final measures to be used in the homes on phases 2-4 will depend on the final FHS and the timescales for its implementation, technology, reliability, availability and cost to the consumer. However, the homes will be significantly more sustainable than homes built even within the last few years and will save occupiers a considerable amount compared to average heating bills as well as significantly reducing the impact on the environment.

#### *Bird Mitigation and S106*

Both the bird mitigation and Section 106 payments in relation to this development were agreed within the outline application stage. These aspects do not, therefore, form part of the consideration at this stage.

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

It is considered that the proposed Phase 2 reserved matters application forms part of a wider development that has a significant impact on the wider area of Medway. The proposed building of 36 homes with associated car parking, open space and landscaping and infrastructure within this phase will be a suitable development within this area and will result in a development that will sit comfortably within the wider residential area and have an acceptable impact on landscape when looked at over a longer period. The provision of open space and play space is considered to be acceptable and will maximise the potential use of the proposed recreation area to the north, being available for use by a wider community.

The principle of the proposal has been considered against Policy and the proposal has been considered in relation to impact on neighbours, landscape and access and the more general area and it is concluded that the provision of these residential units here and associated open space are acceptable in relation to Policies BNE1, BNE2, BNE6, BNE7, H1, H3, H4, H10, T1, T3 and T4 of the Medway Local Plan (2003) and relevant paragraphs of the National Planning Policy Framework (2023). The application is accordingly recommended for approval.

The application would normally be determined under delegated powers but is being referred to Planning Committee for determination at the request of Cllr Curry,

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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/>