

**MC/25/0830**

**Date Received:** 17 April 2025

**Location:** Land at East Hill, Chatham, Kent

**Proposal:** 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.

**Applicant** Vistry Kent

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**Ward:** Lordswood & Walderslade

**Case Officer:** Hannah Gunner

**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 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 30 Sept 2025

P24-2329\_DE\_02\_J\_11 Site Layout

P24-2329\_DE\_02\_B\_16 Parking Strategy Plan

P24-2329\_DE\_02\_B\_17 Building Heights Plan

P24-2329\_DE\_02\_B\_27 Refuse Strategy Plan

P24-2329\_DE\_02\_C\_18 Tenure Plan

P24-2329\_DE\_02\_D\_14 Materials Plan  
P24-2330\_DE\_001\_C\_7 471 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_20 122 (Affordable) Elevations & Floor Plans  
3365-APA-P3-00-PP-L-2000 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2001 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2002 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2003 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2004 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2005 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2006 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2007 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2008 P02 Planting Proposal  
3365-APA-P3-00-PP-L-2009 P02 Planting Proposal  
3365-APA-P3-00-LA-L-1000 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1001 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1002 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1003 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1004 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1005 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1006 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1007 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1008 P02 General Arrangement Plans  
3365-APA-P3-00-LA-L-1009 P02 General Arrangement Plans  
3365-APA-P3-XX-PS-L-4201 P02 Plant Schedule

Received 17 April 2025

P24-2329\_DE\_02\_A\_31 Site Location Plan  
P24-2330\_DE\_001\_B\_6.1 464 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_16.1 356 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_6.3 464 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_15 474 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_13.2 461 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_16.2 356 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_6.2 464 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_19.1 354 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_17 231 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_5.2 351 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_9 232 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_18 341 Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_21.1 242 (Affordable) Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_23 463 (Affordable) Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_22.1 352 (Affordable) Elevations & Floor Plans  
P24-2330\_DE\_001\_B\_22.2 352 (Affordable) Elevations & Floor Plans

P24-2330\_DE\_001\_B\_8 481 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_10 467 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_11.1 591 Elevations  
 P24-2330\_DE\_001\_B\_11.2 591 Floorplans  
 P24-2330\_DE\_001\_B\_12 355 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_13.1 461 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_14 466 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_19.2 354 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_25 462 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_5.1 351 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_21.2 242 (Affordable) Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_24 451 Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_26 Single Garage Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_27 Double Garage Elevations & Floor Plans  
 P24-2330\_DE\_001\_B\_28 Sales Garage Elevations & Floor Plans  
 P24-2330\_DE\_A\_28 EMFP11 (Affordable) Elevations & Floor Plans  
 P24-2330\_DE\_001\_A\_29 EMFP11 (Affordable) Elevations  
 P24-2330\_DE\_001\_A\_30 EMFP11 (Affordable) Floor Plans  
 P24-2330\_DE\_003\_01 Local Centre Floor Plans & Elevations  
 P24-2330\_DE\_004\_B\_2 Street Scenes 2  
 2400423-ACE-XX-XX-DR-C-1200 P1 Proposed Drainage Strategy Sheet 1 of 2  
 2400423-ACE-XX-XX-DR-C-1201 P1 Proposed Drainage Strategy Sheet 2 of 2  
 2400423-ACE-XX-XX-DR-C-0502 Parcel R7 & R8 - Site Layout General Arrangement (Sheet 1)  
 2400423-ACE-XX-XX-DR-C-0502.1 Parcel R7 & R8 - Site Layout General Arrangement (Sheet 2)  
 2400423-ACE-XX-XX-DR-C-0503 Parcel R7 & R8 - Site Layout (Sheet 1)  
 2400423-ACE-XX-XX-DR-C-0503.1 Parcel R7 & R8 - Site Layout (Sheet 2)  
 2400423-ACE-XX-XX-DR-C-1600 P3 Proposed Levels Strategy (Sheet 1 of 2)  
 2400423-ACE-XX-XX-DR-C-1601 P3 Proposed Levels Strategy (Sheet 2 of 2)  
 2400421-ACE-XX-XX-DR-C-2210 P3 Proposed Allotment Levels  
 2359-KC-XX-YTREE-TPP01Rev0 Tree Protection Plan  
 3365-APA-P3-00-LA-L-1010 P01 Landscape Masterplan  
 3365-APA-P3-00-LA-L-1011 P01 Tree Strategy Plan  
 3365-APA-P3-XX-DT-L-3001 P01 Tree Pit Detail  
 3365-APA-P3-XX-DT-L-3002 P01 Tree Pit Detail in Slope  
 3365-APA-P3-XX-DT-L-3003 P01 Tree Pit Between Parking Bays Pot Sizes and Soil Profiles  
 3365-APA-P3-XX-DT-L-3004 P01 Pot Sizes and Soil Profiles

3365-APA-P3-XX-DT-L-3005 P01 Typical Detail Interface Between Front Garden and Public Realm  
3365-APA-P3-XX-DT-L-3006 P01 Informal Square  
3365-APA-P3-XX-DT-L-3008 P01 Section Through path & Allotment  
3365-APA-P3-XX-DT-L-3009 P01 Typical Detail Section Through Meadow, Scrub Planting and Existing Vegetation  
3365-APA-P3-XX-DT-L-3010 P01 Section Through path & Basin

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 received 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 those units 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 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 3** 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 3, for the construction of 263 dwellings including houses, apartments, convenience store together with associated access, parking, landscaping, open space, infrastructure and earthworks and the provision of allotments pursuant to Outline application MC/19/0765.

This application has been submitted alongside two separate applications for Phases 2 and 4.

Phase 2: 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/19/0785.

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/19/0785.

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 known as the Urban Quarter and will comprise of higher density urban living. This Character Area is to be a mixture of three storey contemporary town houses and apartments, centred around urban squares, shops and services.

The proposed density of this area is c.45-55dph and is predominately terrace and semi-detached houses with a limited number of detached. Heights are proposed to range between 2 and 4 storeys.

In terms of the urban grain, an urban rectilinear block structure is proposed with strong semi-continuous frontages.

Phase 3 is located to the south of the Spine Road either side of Shawstead Road, which follows the existing alignment of the lane, now upgraded to a meandering avenue. This will sit adjacent to (north of) the land allocated for the primary school. This parcel of the overall site is c. 12.47ha (including the school area, allotment land and open spaces), with 6.2ha comprising residential development including the mixed-use building. 263 dwellings are proposed providing a range of 1 and 2 bed apartments and 2-, 3-, 4- and 5-bedroom houses.

## **Relevant Planning History**

**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/25/0811** 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.  
**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 Sothern Water Services have also been consulted.

**2 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 3 only** and deals with the design, scale, landscaping and layout. These are dealt with accordingly below.

It also needs to be acknowledged at this stage that the red line for this phase includes land allocated for the school, which comprises a 3ha parcel of land to the west of Whites Wood. This site was allocated for use as the school site within the outline planning application (MC/19/0765) and is fixed in this location, chosen for this purpose due to the fact that it is the flattest and most practical part of the wider site to locate a school and will also be the most accessible location from multiple phases of the development and beyond. The school will not be changing location and will be coming forward in this location.

### *Site and Surroundings*

Phase 3 is located south of the new link road and is one of the largest phases of the development at c. 12.47ha. On the western boundary of Phase 3 lies the Primary School Land. Detailed consent is not sought for the school as part of this application and any future detailed application for this land would be brought forward by Medway Council in accordance with the provisions in the S106 accompanying the Outline permission.

The western boundary of Phase 3 is formed by north Dane Way and the eastern by both Capstone Country Park and the Capstone Household Waste and Recycling Centre. The southern boundary is defined by Phase 1 which is currently being built out and the curtilage of an existing property along North Dane Way.

Within Phase 3 lies the allotments, details of which are provided as part of this application. The topography on Phase 3 also falls from west to east, steepening towards the eastern boundary near Shawstead Road and the Country Park.

## *Design and Appearance*

Phase 3 is located to the south of the Spine Road either side of Shawstead Road, which follows the existing alignment of the lane, now upgraded to a meandering avenue. The mixed-use building is located to the north of the phase, but centrally within the overall scheme at the new junction of the Spine Road and Shawstead Road.

The application area for Phase 3 is 12.47ha, with 6.2ha comprising residential development including the mixed-use building. 263 dwellings are proposed providing a range of 1 and 2 bed apartments and 2-, 3-, 4- and 5-bedroom houses.

Phase 3 will achieve an average density of 42 dwellings per hectare, which is reflective of the character areas this phase falls within. Within the Urban Quarter and Spine Road character areas the design seeks to push densities to create a more urban environment alongside the mixed-use building, primary school and other key pieces of infrastructure such as the spine road and associated bus route.

In terms of layout, this particular phase is a dense urban centre and comprises predominantly terrace and semi-detached properties. Despite this there are a limited number of detached houses and flat blocks. Given the fact that the character of this area is denser than the other phases the materials being used here adopt a consistent approach, predominantly using buff bricks with brown brick or engineering brick to add detail, highlighting key plots. Roof tiles are shown to be a mix of grey and brown.

The mixed-use building that is proposed in this phase is located at the junction of the spine road and Shawstead Road. The building and space have evolved significantly through the pre-application process (including the Design Review) to create a new community green at the heart of the overall development.

The mixed-use building comprises a ground floor retail space for up to 150sqm, plus 2x 2 bed flats and associated facilities such as commercial bin storage and stair core. The retail space is located within the north-west corner of the building to maximise its presence on the Community Green and Spine Road junction with Shawstead Road.

On the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors are 5 x 2 bed units (on each floor). All of these units have balconies from the living area, and the stair core is to incorporate lift access also. All these units are shown to be affordable rented.

On street parking for 7 spaces for the mixed-use building is provided along Shawstead Road either side of the street, with careful design consideration given to the surface materials and level changes to create a pedestrian friendly environment.

The mixed-use building is the only building proposed as 4 storeys and this helps promote its importance as a landmark building at the centre of the scheme. The materials follow a similar theme to the Spine Road character with the addition of vertical black weatherboarding around the north-west corner to emphasise its importance for wayfinding and as the landmark building.

The proposed mix of units within this phase sees quite an evenly spread number of 2- 3- and 4-bedroom properties, which is set out in the below table.

Number of Bedrooms	Number of Units
1	18
2	81
3	91
4	68
5	5
<b>Total</b>	<b>263</b>

Given the dense nature of this phase, which includes the Spine Road and Urban Quarter character areas, the above mix is considered to be suitable here.

### *Landscaping and Open Spaces*

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.

The landscaping and open spaces proposed within this phase are located at various points throughout the site.

At the northern most point of the site, just south of the spine road is the largest of the open spaces. This includes a Community Green and is designed around incorporating and enhancing an existing unregistered footpath. This area provides a

place for people to sit, meet and play as well as serving as a node for all the existing and new pedestrian routes through the site. This site includes trees, ornamental planting and clipped hedges.

Across the site are a number of small Pocket Parks, which incorporate seating area and play opportunities through the development. Planting in these areas will provide year-round interest and amenity value.

A largely native palette will be used for tree, shrub and meadow grassland planting.

### Allotments

Allotments are also proposed to the south of this phase near the school site.

There are 9no. full size allotment plots and 8no. half size plots proposed which will be provided to the southern end of the Phase. A native hedgerow is proposed to be planted along the boundary to provide protective buffer, food and habitat for wildlife as well as foraging opportunities.

The allotments are located on a topographically tricky part of the site which would be difficult to warrant use as anything else.

To serve the allotments, layby parking is proposed off Shawstead Road.

### *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 3 of the development appears to be across the way, on the other side of North Dane Way. Toward the southern boundary of the site also lies the Primary School site and to the north and east are other phases of the East Hill development. 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.

Given the proximity of these houses, on the other side of North Dane Way, there is no direct overlooking or impact to existing properties and no loss of privacy to the occupants of the nearest homes.

Overall, given the separation to existing housing are some distance from the existing dwellings on the other side of North Dane Way it is considered that there will be no overlooking and no loss of light to the existing neighbours.

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 Homes provision.*

The affordable housing is dispersed in clusters within Phase 3 to ensure they are appropriately placed and integrated into the overall site to achieve social integration and cohesion, with clusters further broken down by tenure mix. The breakdown of which is as follows:

<b>Number of bedrooms</b>	<b>Market Hsg</b>	<b>Affordable – Shared Ownership</b>	<b>Affordable – Affordable Rent</b>	<b>Additionality</b>
1 bed Maisonette	n/a	6	6	-
1 bed Apartment	n/a	6	-	-
2 beds Apartment	n/a	9	17	14
2 beds House	n/a	3	17	31
3 beds House	21	3	13	54
4 beds House	64	2	-	2
5 beds House	5	-	-	-
<b>TOTAL</b>	<b>90</b>	<b>29</b>	<b>43</b>	<b>101</b>

The minimum 25% of affordable dwellings required as part of the S106 provision within Phase 3 are to comprise 29 shared ownership and 43 affordable rents. 34 of the 72 affordable dwellings will comply with M4(2) standards and a further 6 dwellings will meet M4(3) standards. A further 101 dwellings will be provided as additional affordable housing outside of the S106 requirement.

Within Phase 4 of the proposals a further 63 affordable homes will be provided as part of the required S106 provision.

Overall, to date, (taking into account phases 1-4 of the development) the number of affordable homes being provided totals 259. It should be noted that further affordable homes are yet to come forward in Phases 5 and 6.

Not only is the overprovision of affordable homes beneficial, it helps to balance the cases where viability is an issue and affordable homes cannot be provided and thereby greatly helps the Council in terms of delivery of affordable homes to address the huge pressure and need for affordable homes in Medway. The provision here is also designed in such a way that they are dispersed well throughout the site ensuring that large clusters are avoided.

### *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 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.

A total of 598 parking spaces are provided comprising:

- 391 allocated spaces.
- 61 allocated M4(2) spaces.
- 6 allocated M4(3) spaces.
- 84 allocated garage spaces.



- 49 visitor spaces.
- 7 visitor spaces at the Local Centre.

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

- 18 x 1 bed units @ 1 space per dwelling
- 81 x 2 bed units @ 1.5 spaces per dwelling
- 164 x 3, 4 and 5 bed units @ 2 spaces per dwelling
- 

This totals a NEED of 467.5 spaces.

The total of allocated spaces within this phase is 458, plus the additional 84 garage spaces. This totals 542 allocated spaces.

Due to the site constraints within this parcel the application is below of the visitor space requirement in the Council's interim parking standards of 66, with 49 visitor spaces proposed. However, 7 additional spaces are also provided for the Mixed-use building within Shawstead Road and an area for informal drop-off parking for the school site has also been catered for along the southern boundary.

84 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.

Where dwellings have garages, cycle parking is to be provided within them, if dwellings do not have garages, rear garden sheds are provided for safe and secure storage.

This phase incorporates parking for each of the houses with additional parking located in a parking court area for some of the houses. This court is located to the southwest of the site. The parking court contains a second car parking space for some of the residents, however, the reason for locating them detached from the houses is so that if in the future they are no longer required, then they can be potentially developed and used as a more efficient space.

### *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 (BNG)
- 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% 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 263 homes on Phase 3 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 CO2 beyond the 2013 Building Regulations.

The second stage is the introduction of Future Homes Standards (FHS), which requires 75-80% reduction on CO2 beyond the 2013 Building Regs.

All homes on Phase 3 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 3 reserved matters application forms part of a wider development that has a significant impact on the wider area of Medway. The proposed building of 263 homes with associated car parking, open space and landscaping, commercial facilities, allotments 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 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 (2024). 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/>