

<b>REFERENCE NO - 18/506167/REM</b>			
<b>APPLICATION PROPOSAL</b>			
Approval of Reserved Matters for Appearance, Landscaping, Layout and Scale pursuant of 18/502860/OUT for the erection of 100 residential dwellings and associated works including internal road network, associated highway works, landscaping, utilities and drainage infrastructure, car and cycle parking and waste storage.			
<b>ADDRESS</b> Land At Barty Farm, Roundwell, Bearsted, Maidstone, Kent, ME14 4HN			
<b>SUMMARY OF REASONS FOR RECOMMENDATION – (APPROVE SUBJECT TO CONDITIONS)</b>			
<ul style="list-style-type: none"> <li>• The principle of 100 houses has been accepted at the site under the outline permission and the site is allocated for 122 houses in the Local Plan under policy H1(21).</li> <li>• The proposals comply with the relevant criterion under policy H1(21), other relevant policies within the Local Plan, and parameters of the outline permission.</li> <li>• The development is considered to be of a high quality in terms of its design, layout, and materials.</li> <li>• Permission is therefore recommended.</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
Bearsted Parish Council has raised objections (as outlined below) and request the application is considered by Planning Committee.			
<b>WARD</b> Detling & Thurnham	<b>PARISH COUNCIL</b> Thurnham & Bearsted	<b>APPLICANT</b> Dandara Ltd <b>AGENT</b> Dandara Ltd	
<b>DECISION DUE DATE</b> 26/02/19		<b>PUBLICITY EXPIRY DATE</b> 12/02/19	
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
18/502860	Variation of Conditions 5 (Surface Materials), 7 (Landscaping), 19 (Foul and Surface Water Drainage), and 31 (Approved plans) of application 14/506/738/OUT (Outline application for the erection of 100 dwellings) to allow for flexibility on open space and landscape details, include additional alterations to the listed wall at Barty House, and alter the time for the delivery of approved surface materials and drainage.	APPROVED	20/09/18
18/502850	Listed Building Consent for alterations to boundary wall, relocation of gas cabinet and	APPROVED	20/08/18

	provision of landscaping to facilitate improved access.		
16/506735	Listed Building application for alterations to boundary wall and provision of landscaping to facilitate improved access	APPROVED	05/04/17
15/504667	Listed Building Consent for alterations to boundary wall to facilitate improved access.	REFUSED	08/08/16
14/506738	Outline application for the erection of 100 dwellings - reserved matters for which approval is being sought: Access, including access widening comprising relocation of wall forming part of outer curtilage of Barty Nursing Home (Grade II listed)	APPROVED	20/03/18
14/506799	Listed Building Consent - Demolition and reposition of part boundary wall.	REFUSED	12/03/15
14/506798	Demolition and reposition of part boundary wall and adjustment to the existing parking area	REFUSED	12/03/15

## **1.0 DESCRIPTION OF SITE**

1.01 The application site falls within the defined urban area at Bearsted located off 'Roundwell', east of Water Lane, and north of houses fronting on to Roundwell. It is allocated in the Local Plan for approximately 122 dwellings under policy H1(21) and benefits from outline permission for 100 houses with access approved off Roundwell (Decision Notice attached at **Appendix 1**).

1.02 The site is approximately 3.9 hectares in area and rises in a north-easterly direction around 10m across the site. The southwest boundary with the rear gardens of houses has tree/hedging in places but is open to gardens in other places; the northwest boundary features large mature trees upon a steep bank down to Water Lane where there are houses including on Mallings Drive; the northeast boundary has hedging with fields and a railway line beyond; and the southeast boundary has an established hedge bordering an unmade track which serves Barty Farm.

1.03 The site is approximately 1km south of the Kent Downs Area of Outstanding Natural Beauty and does not fall within any special landscape designations. Bearsted Conservation Area is located around 360m west of the site boundary and Bearsted Holy Cross Church Conservation Area is located some 400m to the southwest. Barty House (currently in use as a nursing home) is a Grade II Listed early 18th Century house and is situated approximately 20m southeast of the site boundary.

## **2.0 PROPOSAL**

- 2.01 The application seeks permission for the reserved matters of appearance, landscaping, layout and scale for 100 dwellings. The scheme has a mix of mainly two storey detached and semi-detached houses of traditional design along with two, 2.5 storey apartment blocks (rooms in the roof). Affordable housing would be provided at 30% in line with the outline permission. The layout and design will be discussed in more detail in the assessment below.
- 2.02 It is important to note that under the outline application, the principle of 100 houses and the associated outward impacts on matters such as traffic and infrastructure have been accepted. Therefore, this application cannot re-visit the principle of housing at the site but can consider whether the layout, scale and design are acceptable.
- 2.03 This application is the subject of a Planning Performance Agreement (PPA) and as part of this there were discussions with Councillors in September 2018 where certain key issues were explored.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP18, SP19, SP20, SP23, H1, ID1, H1(21), DM1, DM2, DM3, DM4, DM6, DM8, DM12, DM19, DM21, DM23
- Kent Waste and Minerals Plan 2016
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- MBC Air Quality Planning Guidance (2018)
- MBC Public Art Guidance (2018)

### **4.0 LOCAL REPRESENTATIONS**

- 4.01 **Bearsted Parish Council:** Raises objections as follows:

09/01/19

*"Compared to the approved application, the boundary landscape depth has been reduced quite significantly in some areas and no minimum depth appears to be stated. Distances between new and existing properties is shown but this reduced depth of landscaping does not protect the current privacy within the gardens that currently exists, especially in view of the fact that the ground rises up towards the north east.*

*Pedestrian safety is still a concern. No proposals for a pedestrian crossing are shown and the existing speed gateway is ineffective. Either a pedestrian crossing should be installed or traffic calming measures should be introduced for westbound traffic from the A20. Parking provision is not sufficient.*

*The layout is rather regimented with high density which does not reflect the edge of village location adjacent to open countryside."*

12/02/19

*"Originally the minimum boundary width was stated as a not very specific 5-10meters. The absolute minimum 5 metres boundary seems to have been applied although in some areas it looks very tight on the 5m. We believe that it would be beneficial if this was little more generous.*

*The sub-station seems to be by the entrance to the Estate, at the rear of Barty Cottage. This gives rise to a triangular secluded area with the possibility of this becoming an 'anti-social' area. We request that the woodland planting be revised to reflect the inclusion of the substation and to overcome this potential risk.*

*On the N/W boundary to Water Lane, it is not clear whether the existing vegetation will be enhanced, particularly by plots 29/30. We would like clarification of this.*

*An issue that is very important for the residents on the South side is the proposed access for maintenance of the buffer zone. We have been unable to find where this is located. This needs to be clarified and also assurances that this will not be an 'open' footpath for residents to have a short cut through between Barty entrance and Water Lane access. It needs to be a substantial locked gate, of a minimum of 6 foot high.*

*All the houses in Roundwell are at a significantly lower level than the proposed development. Given the amount of flooding in Roundwell and The Street that already occurs following heavy rainfall it is unclear what drainage has been planned to mitigate this problem. Again clarification is required."*

**4.02 Local Residents:** 9 representations received raising the following (summarised) points:

- Loss of privacy and overlooking.
- Layout is regimented and does not reflect the edge of village location.
- Density is higher than surrounding development and out of character.
- Landscape buffer on south boundary is not sufficient and has been reduced.
- Anti-social behaviour and security issues may occur in the southern buffer.
- Lack of boundary fencing along the rear of properties on Roundwell will encourage pedestrian access via the private driveway at Magnolia House.
- Management of buffer is important.
- Pedestrians may try to use Water Lane.
- Parking inadequate for 4/5 bed houses.
- Will exacerbate flooding.
- Foul drainage.
- Landscaping needs to be maintained and enforced.
- Controlled pedestrian crossing or traffic calming on Roundwell is needed.
- Noise and vibration from M20.
- Headlights will shine into neighbouring property.
- Lighting needs careful consideration.
- Traffic pollution.
- Contamination.

4.03 **Councillor Tony Harwood** raises the following (summarised) points:

- Applicant is seeking to avoid implementation of the condition requiring decentralised clean energy generation completely changes the planning position.
- Suggestions on alternative native planting.
- Clarification over the provision of the pond required by condition.
- The original Great Crested Newt mitigation/condition should stand.
- No gaps beneath fencing are indicated to allow movement of wildlife permeability through the site.
- Lack of reference to wildlife friendly drainage infrastructure.
- Lack of reference within the drawings of the conditioned integral wildlife nesting/roosting features.
- Lack of reference to the conditioned public art installation.

## **5.0 CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

5.01 **KCC Highways: No objections** subject to conditions.

5.02 **KCC Lead Local Flood Authority: No objections** subject to condition.

5.03 **KCC Ecology: No objections.**

5.04 **MBC Environmental Health: No objections** and recommend conditions relating to air quality emissions reduction, electric vehicle charging points, noise, lighting, and contamination.

5.05 **MBC Landscape Officer:** Raise some concerns re. relationship of some houses to trees (see report)

5.06 **MBC Housing: No objections.**

5.07 **MBC Parks & Leisure: No objections**

5.08 **Southern Water: No objections** subject to conditions relating to foul and surface water drainage.

5.09 **Kent Police:** Raised issues relating to surveillance of parking courts.

## **6.0 APPRAISAL**

6.01 The principle of up to 100 houses at the site has already been accepted by the Council under the outline consents and the site is allocated in the Local Plan under policy H1(21) for 122 houses.

6.02 This reserved matters application is to only consider the detailed issues of appearance, landscaping, layout and scale. There are a number of requirements under both the allocation policy and the outline permission and the key issues to consider are the following:

- Design, layout, scale, landscaping and compliance with the site allocation policy and outline permission.
- Highway issues relating to the layout, parking provision, ecology and other matters.

#### Design & Layout

6.03 The allocation policy seeks undeveloped landscape buffers along the southern and western boundaries of the site to protect residential amenity and privacy, and the eastern section built at a lower density to reflect the open countryside beyond. The outline consent in summary requires robust landscaping including tree planting along the southern boundary of the site, new hedgerow and tree planting along the northern, eastern and western boundaries, and tree and hedge planting throughout the site. Planning Committee also attached an informative to advise that the landscape buffer to the south of the site should have a minimum depth of 5-10 metres. Bearsted Parish Council have referred to illustrative plans provided at outline stage but these were only illustrative and a decision needs to be made on the proposed layout bearing in mind the outline permission and Local Plan policy.

6.04 The revised NPPF (July 2018) has a chapter dedicated to design (12 - Achieving Well-designed Places) and there is specific reference to the design assessment framework 'Building for Life 12' and this application has been designed and considered against this assessment framework.

6.05 The proposed layout would have a significant landscape buffer along the southern boundary with houses on Roundwell. This would vary in depth from 5m at its narrowest to 23m at its widest, being 5-6m for around half the boundary. Where it is at its narrowest on the east part of the boundary, the houses to the south have large back gardens. The distance of the proposed houses from existing houses to the south ranges from 30m to 50m. The policy seeks a buffer to 'protect amenity and privacy' and such distances are more than sufficient to maintain an acceptable level of privacy and amenity. In addition, the land would be raised by around 1.2m in the centre and with the proposed 'woodland edge' planting including numerous trees this will in time further protect amenity and privacy, and soften the development. As such, the southern boundary is considered to comply with the site policy and outline consent.

6.06 The western boundary is currently made up of mature trees and this will be supplemented with mixed native hedge and shrub planting along most of the boundary. The northern boundary hedge would be enhanced with mixed native planting and numerous new trees would be provided. The hedge on the eastern boundary would be enhanced and a number of new trees would

be planted. This is in line with the site policy and the outline consent and would provide an appropriate setting to the development.

- 6.07 Turning to the layout of the housing, the entrance to the site would have the same house type either side of the road creating a gateway, and they would address three aspects being views when entering the site, facing on to the road, and at the rear through the use of fenestration and architectural detailing. These are key entrance buildings and have been well designed to address public viewpoints. The same house type is then used behind providing an end stop to the view at the entrance. The main road into the site allows room for a line of tree planting on the southern side leading to a central area of open space. A single storey substation is required and this would be set off the entrance and screened by landscaping so it would not be prominent.
- 6.08 The layout within the site is made up of a number of perimeter blocks with buildings fronting streets and buildings turning/addressing corners either through their siting and/or architectural detailing/windows so providing active frontages and strong street scenes. Where boundaries are exposed they would be brick walls, and ragstone walls would be used at the entrance and in the north corner. Space for front gardens is provided and room for tree planting which would provide an attractive development.
- 6.09 Within the middle of the site would be a central green of some 0.3ha with children's play area and new tree planting. Houses would surround and overlook this space and it would provide a heart to the development and sense of place. Both the policy and outline consent require at least 0.4 hectares of open space and this is provided with the formal open space within the centre and the natural/semi-natural around the boundaries totalling 0.85ha. The density of the development is approximately 26 dwellings per hectare which is below the policy average of 35 and lowers towards the east boundary as required by the outline consent. The density is acceptable for this edge of countryside location.
- 6.10 Houses and gardens would be laid out to ensure sufficient privacy and outlook. The impact upon existing properties to the south would be acceptable due to the separation distances outlined above. To the west, houses would be at least 30m away with mature trees and Water Lane between so privacy, light and outlook would not be unacceptably impacted.
- 6.11 In terms of parking, KCC Highways have raised no objections considering there is a suitable level of parking. 1 and 2 bedroom apartments and the three 2 bedroom houses would have one parking space, 3 and 4 bedroom houses would have two spaces on the driveway or as a carport, and the 5 bedroom houses would have two spaces on the driveway and garages. A total of 22 visitor spaces located within on-street parking bays and lay-bys are also provided. Some of the spaces are in tandem but this allows more space for landscaping and with the amount of visitor spaces, I consider the approach here strikes the right balance between adequate provision and securing an attractive layout as per policy DM23.

6.12 Overall, the layout is considered to be of a high standard with buildings creating a quality entrance, and the tree-lined main road leading to the central open space which all provides a unique a sense of place. Houses would suitably address the streets and there is good space for landscaping and tree planting within the site, and around the boundaries. The layout follows the principles of Building for Life 12 well and the proposals comply with policies H1(21) and DM1 of the Local Plan, and the outline permission requirements.

#### Appearance & Scale

6.13 The site policy has no specific requirements for appearance and scale but policy DM1 seeks high quality design and positive responses to local character.

6.14 The house designs are of traditional appearance with mainly 2 storey detached and semi-detached houses. The apartment blocks are 2.5 storey (rooms in the roof) and their mass is broken by the use of barn hipped roofs and dormer windows set into the eaves. The heights are acceptable and in line with condition 15.

6.15 The buildings would provide interest through architectural detailing including decorative brick courses above some door and window openings, bullnose hanging tiles, and features including porch overhangs, bay windows, chimneys, and Georgian/traditional windows styles. Materials proposed include artificial white boarding for the full elevations of some houses, black boarding for the apartments, and clay roof tiles. Ragstone would be used on walling at the entrance. These materials would be approved under condition 3 of the outline consent.

6.16 Overall, I consider the appearance and scale of the buildings to be to a high standard in accordance policy DM1 of the Local Plan.

#### *Surfacing, Boundary Treatments & Play Area*

6.17 The main spine road which runs around the central green would be tarmac and all other roads would be block paved. All driveways and parking areas would be block paved. Where boundaries are exposed they would be brick walls or ragstone walls at the entrance and in the north corner. Overall, I consider these details would provide a high quality appearance to the development.

6.18 Residents consider that new boundary fencing should be provided along the southern boundary for security and to prevent people using the private driveway at Magnolia House. As the landscape buffer would adjoin these boundaries and this is a private driveway there is no 'planning' need for new boundary treatments and so this cannot be secured. However, the applicant and neighbours can come to their own arrangements here.

6.19 The play area is required to be for younger children and would include swings, a slide, see saw and roundabout which is acceptable.

### Landscaping & Ecology

- 6.20 The landscaping scheme provides many new trees across the development including along the main road and within gardens. Space for front gardens are provided with shrub planting and buffers would be provided along the site boundaries as outlined above. Species details and long-term management would be secured via condition 7 of the outline consent. Overall, the landscape areas would provide an attractive environment and setting for the development. The landscape officer has raised some concern over the relationship between plots 74-76 and the adjacent oak tree in the north corner due to shade that would be experienced and the potential future pressure on this tree. Plot 76 would experience little shading but it would be experienced in the afternoon for plots 74 and 75. This is a deciduous tree and so more light would be received in the winter, and on balance the relationship is considered to be acceptable.
- 6.21 The outline consent under condition 25 requires a detailed Great Crested Newt (GCN) mitigation strategy which follows the report submitted in 2015 that would mainly involve habitat enhancement on land to the north of the application site. The applicant has since carried out more recent surveys which reveal a decline in the number of GCN recorded with the off-site ponds and therefore an amended mitigation strategy has been proposed with recommendations concluding that the off-site measures are no longer required. On-site mitigation is now proposed in the form of the southern landscape buffer which would provide enhanced habitat including a pond, log piles and hibernacula, and wildlife corridors provided around the site's boundaries to ensure connectivity. KCC Ecology advises that the revised mitigation strategy is acceptable and that the layout satisfactorily incorporates the mitigation. Further details relating to management would be provided under condition 25. Further enhancements around the development and within the 'wildlife area' include gaps below garden fencing to facilitate the movement of amphibians and small mammals around the site, and the provision of bat and bird boxes which would be secured under condition 25.

### Highway Issues Relating to the Layout

- 6.22 Kent Highways raise no objections to the layout in terms of highway and pedestrian safety and manoeuvrability for vehicles. The impacts of traffic on the local area were considered under the outline application as a principle matter and cannot be re-visited under this application. Kent Highways request various conditions many of which relate to construction and don't pass the tests for conditions, and the off-site highways works were secured under the outline consent.

### Other Matters

#### *Affordable Housing*

- 6.23 Affordable housing is secured at 30% under the outline permission and of this 60% would be affordable rent and 40% shared ownership which is in accordance with the outline consent. The affordable houses would be

mainly at the west end of the site but would be tenure blind and this is considered acceptable. The housing officer also raises no objections and advises that the type and size of accommodation proposed provides a good range of accommodation for each tenure and will help to meet identified need.

#### *Surface Water Drainage*

6.24 Surface water from the development will drain to soakaways within the main soakaway located under the central open space. A minor swale depression would hold any exceedance in the event of an extreme storm also in the open space. KCC raise no objections and condition 20 of the outline consent secures the fine details and management.

#### *Air Quality*

6.25 The Environmental Health section has requested an Air Quality Emissions Reduction condition. This is a principle issue and so such a condition cannot be imposed. Notwithstanding this, the site is not in an AQMA and electric charging points are considered proportionate and are secured by condition 28 of the outline consent.

#### *Representations*

6.26 Pedestrian safety and highways impacts were considered under the outline applications and deemed to be acceptable. These matters cannot be revisited and have already been decided.

6.27 Concern has been raised re. anti-social behaviour and security in the southern landscape buffer. I do not consider this buffer encourages such behaviour or that any measures to secure the area beyond the proposed fencing at either end are necessary. Management of the buffer in the interest of landscape and ecology would be secured, and it is not being designed for public use. Nor do I consider the land near the sub-station would encourage anti-social behaviour. Noise from the M20 was considered at outline stage and condition 27 secures the necessary mitigation. Lighting and contamination are dealt with by conditions of the outline consent. Any car lighting beyond the site to the northwest would be infrequent, broken by vegetation, and would be over 20m away so would not be unduly harmful.

6.28 Councillor Harwood is concerned that the applicant is seeking to avoid implementation of the condition requiring decentralised clean energy, that the original GCN mitigation should stand, a lack of reference to wildlife friendly drainage infrastructure integral wildlife nesting/roosting features, and the public art installation. Condition 28 requires decentralised energy details to be submitted, condition 5 secures wildlife friendly drainage, the GCN mitigation and enhancements are discussed at paragraph 6.21, and condition 26 requires details of public art. As such, details need to be provided under these conditions unless formally varied via an application, which would then be assessed by the Council.

## **7.0 CONCLUSION**

7.01 I have considered all representations received on the application and for the above reasons the proposals are considered to be acceptable and provide a high quality development in accordance with site policy H1(21), the outline consent, and other relevant policies within the Local Plan. Permission is therefore recommended subject to the following conditions.

## **8.0 RECOMMENDATION**

**GRANT PLANNING PERMISSION subject to the following conditions** with delegated powers for the Head of Planning to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

### Conditions:

1. The development hereby permitted shall be carried out in accordance with the most recent issue date of plans as shown on the Drawing Issue Sheet received dated 04/02/19.

Reason: To clarify which plans have been approved.

2. No development above slab level shall take place until details of any external meter cupboards, vents, or flues have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Such features shall be installed to limit their visibility from public view points.

Reason: To secure a high standard of design.

3. No development above slab level shall take place until a sample panel of the ragstone for the walling has been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: To ensure a high quality design.

4. No development above slab level shall take place until details of the provision and location of the bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: In the interests of biodiversity enhancement.