

REPORT SUMMARY

REFERENCE NO - 15/507450/REM		
APPLICATION PROPOSAL Reserved matters of appearance, landscaping, layout and scale pursuant to outline permission MA/10/2159 for the erection of a total of 16 residential units, comprising 14 semi-detached and two detached dwellings.		
ADDRESS Former Syngenta Works, Hampstead Lane, Yalding Kent		
RECOMMENDATION – Grant Planning Permission		
SUMMARY OF REASONS FOR RECOMMENDATION This is a reserved matters application with outline permission previously granted and the details of the reserved matters are considered to comply with the policies of the Development Plan, where relevant, and the National Planning Policy Framework, and there are no overriding material considerations to indicate a refusal of planning consent.		
REASON FOR REFERRAL TO COMMITTEE Yalding Parish Council objects to the application for the reasons set out below.		
WARD Marden And Yalding	PARISH/TOWN COUNCIL Yalding	APPLICANT St. Modwen Developments Ltd. AGENT Guy Hollaway Architects
DECISION DUE DATE 17/12/15	PUBLICITY EXPIRY DATE 29/03/16	OFFICER SITE VISIT DATE 6/10/2016
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		
App No	Proposal	Decision
MA/10/2159	Erection of residential development with both outline and full details comprising: Outline up to 19 no. residential dwellings including means of access with all other matters reserved, the provision of a development platform, open space and landscaping on site 1. Full details for engineering operation including temporary access on site 1A.	Approved with conditions
MA/01/1733	Alterations to the external appearance of two buildings by virtue of the demolition of three buildings	Approved 2001
MA/01/1201	Outline application for the replacement of existing buildings with laboratory and associated offices with external appearance, landscaping and design reserved for future consideration	Approved 2001
Planning history relating to the entire former Syngenta Site		
MA/08/2505	Scoping opinion sought in respect of an environmental assessment to be submitted in relation to a proposed development being the	Issued 13/02/2009

	erection of a maximum of 250 dwellings, up to a maximum of 15,000 square metres of commercial floor space (B1/small scale B8), the provision of a recreation area for formal sports activities to the north of Hampstead Lane, and additional area of informal public open space, (forming the southern boundary of the proposed development) and a dedicated area for a nature reserve:	
MA/07/1148:	Outline application for a mixed-use redevelopment comprising: Employment development B1/B8 use (up to a maximum 29,265sqm.); Residential Development (up to a maximum 350 dwellings); A small retail convenience store (A1) (up to a maximum of 250sqm.); The provision of a recreation area for formal sports activities (to the north of Hampstead Lane); An additional area of informal open space; A dedicated area for nature conservation; The minor re-grading of an adjoining field (to the west) to alleviate wider flooding concerns. With access to be decided at this stage and all other matters reserved for future consideration.	Withdrawn 25/04/2008
MA/06/2029	Scoping opinion sought in respect of an environmental assessment to be submitted in relation to a proposed development being the erection of a maximum of 500 dwellings, up to a maximum of 350,000 square feet of commercial floor space (B1/small scale B8), a small retail convenience store (A1), the provision of a recreation area for formal sports activities to the north of Hampstead Lane, and additional area of informal public open space, (forming the southern boundary of the proposed development) and a dedicated area for a nature reserve:	ISSUED 29/12/2006
MA/06/1367	A consultation with Maidstone Borough Council by Kent County Council for remediation of the decommissioned Syngenta Works leaving the site contoured for future development (future development not part of application):	No objections 11/10/2006
MA/06/1074:	Erection of a hoarding to Hampstead Lane boundary to provide security and site safety.	Approved 14/07/2006

MAIN REPORT

1.0 Description of site

- 1.1 The application site relates to the Former Syngenta Works located adjacent to Yalding Station and on the north side of Hampstead Lane. The site benefits from planning permission 10/2159 for the 'Erection of residential development with both outline and full details comprising: Outline permission for up to 19 no. residential dwellings including means of access with all other matters reserved, the provision of

a development platform, open space and landscaping on site 1. Full planning permission for engineering operations including temporary access on site 1A was approved on 2 November 2012.

- 1.2 This application relates to site 1 and the outline planning application for up to 19 houses. The application site is some 0.96ha located on the north side of Hampstead Lane, bounded to the east by PROW KM188 and Hampstead marina, and to the west by the Maidstone West – Paddock Wood railway line and Yalding Station and car park. The site was formerly occupied by some of the Syngenta site's operational buildings but has been cleared of all buildings. The site is mainly hardstanding and has been vacant for some time. The site is fenced and there is a wall and railings along the Hampstead Lane frontage.
- 1.3 The application site is designated as an employment site under saved policy ED2 of the Maidstone Borough-wide Local Plan 2000 and is also subject to site specific and saved policy ED11. The site is located in flood zone 2 with part of the site in flood zone 3. The former Syngenta Works site opposite on the south side of Hampstead Lane is allocated in the emerging local Plan for mixed housing, employment and open space under policy RMX1 (4).

2.0 Background history

- 2.1 Planning application MA/10/2159 was reported to Planning Committee on 13.10.2011, where it was resolved that the Head of Planning and Development be given delegated powers to grant planning permission subject to conditions and the prior completion of a S106 legal agreement. A S106 agreement has been signed and sealed on 2.11.2012.

3.0 Proposal

- 3.1 This reserved matters application relates to outline planning permission MA/10/2159 which was approved for up to 19 residential units. Access was approved under the outline application with all other matters reserved for future consideration. As such, this application is now only assessing the appearance, landscaping, layout and scale of the development that has already been approved. The principle of the development of this site for up to 19 houses has been approved under the outline permission.
- 3.2 The reserved matters application proposes 16 houses in total, seven two storey semi-detached pairs and two 2 storey detached properties fronting onto the access road which would have a gentle curve running north to south across the site. The 16 houses would back on to the railway line / east boundary of the site with off-street parking at the front of the houses.
- 3.3 The vehicle access point onto Hampstead Lane would remain as approved under the outline permission. The area of the site between Hampstead Lane and the off-street parking spaces would be dedicated to landscaping, swales for SUDs and a children's play area with pedestrian access running through. Pedestrian links are proposed in the west corner of the site into the railway car park and along the eastern boundary onto the PROW adjacent the marina.
- 3.4 The location of the houses and access road (built development) was established under the outline planning permission and was dictated by the FRA which was approved by the Environment Agency under the outline permission.

3.5 Policy and considerations

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV30, ED2, ED11, T13, T23, CF1,
National Planning Policy Framework
National Planning Practice Guidance
Draft Local Plan (submission version) May 2016: SP16, SP17, RMX1(4), DM1, DM4, DM27

4.0 Neighbour responses

4.1 One neighbour objection has been received raising the following points:

- Flood Risk

5.0 Consultee responses

MBC Environmental Health Officer: No objections. Requests additional conditions.

Environment Agency: Objects to the application for the following summarised reasons: No safe means of access and egress during flooding, displacement of floodwater, Risk to life or property (internal floor levels).

Upper Medway IDB: Provided that Environment Agency and KCC's Drainage and Flood Risk Management Team's advice is followed in respect of local flood risk, this proposal should not affect IDB interests.

Landscape Officer: Raises no objection following the submission of revised landscape details.

KCC PROW: No objections. The development does not directly affect a PROW.

KCC Drainage: No objection. SUDs details will need to be submitted pursuant to condition 3 of the outline permission.

Conservation Officer: No objection.

KCC Highways Officer: Raises no objection.

KCC Biodiversity Officer: Raises no objection.

UK Power Networks: No objections

Southern Gas: No objections

Natural England: No comments to make on this application.

Kent Police: The development will need to comply with Secured By Design guidelines.

Southern Water: No objection. Requests conditions and informatives.

Yalding Parish Council: Objects for the following (summarised) grounds:

- Flood risk
- The Parish would prefer more 3 bedroom semi-detached houses and starter homes

- An updated viability assessment will need to be submitted prior to the start of the development as set out in the S106.

6.0 APPRAISAL

Principle of development

- 6.1 The site is located adjacent Yalding train station in a relatively sustainable location. I am satisfied that the principle of residential development here is acceptable, as previously accepted under MA/10/2159 and the number of units proposed, maximum building heights, broad layout and the vehicle access is consistent with the outline permission.
- 6.2 The main considerations are the details of the reserved matters (landscape, scale, design and layout), impact upon the character and appearance of the local area, the residential amenity of future and existing residents, flood risk and highways safety / parking provision.

Layout, scale, appearance and landscaping

- 6.3 An indicative layout was submitted with the outline application and the location of the housing / built development has been defined by the approved FRA which sees the houses located on a raised platform along the western section of the site adjacent the railway line. The indicative outline layout proposed a row of houses backing onto the railway line terminating in a cul-de-sac in the northwest corner of the site.
- 6.4 The reserved matters layout proposes an access road running south to north with a gentle curve ending at a small turning head in the northwest corner of the site. The turning head reduces the level of hard surface and removes the haphazard arrangement of houses at the end of the development on the indicate outline layout. The proposed layout provides a uniform building frontage with the houses fronting the road access with Juliet balconies and part recessed balconies on the principle elevations taking advantage of the marina and landscape setting at the front of the site. The building line follows the gentle curve in the road and would ensure the properties do not appear too regimented or urban for this semi-rural location. 16 houses are proposed in total, three less than the maximum approved under the outline permission. The reduction in the number of units would ensure the development does not appear cramped or overdevelopment.
- 6.5 A high quality design and landscape led approach is proposed and the layout and design has been reviewed and endorsed by Design South East (DSE) and minor layout amendments have been completed by the architect following suggestions by DSE. The houses would be set in the backdrop of an area of landscaping occupying almost half of the site. The landscape led approach would enhance the site frontage along Hampstead Lane and also provide a high quality landscape area in the foreground of the houses acting as a focal point within the site. The Design and Access Statement identifies how the design, form and materials take a cue from the local vernacular in and around Yalding. Materials include red multi stock bricks, timber cladding, timber louvres and slate roofs.
- 6.6 The houses would have pitched roofs in keeping with surrounding houses and the orientation and form of the roofs would allow a degree of spaciousness at roof level and allow views between houses.
- 6.7 In terms of scale all the houses would be two storeys in height, in keeping with the surrounding built development and in accordance with the maximum height limits set out in the outline planning permission.

- 6.8 Full details of the landscaping area have been submitted which includes a formal children's play space. Following the submission of amended details the council's landscape officer has agreed the species type and landscaping layout which would provide the setting for the housing development at the front of the site. Pedestrian permeability would be provided through the landscape section of the site and new pedestrian links to the station car park and PROW running along the eastern boundary of the site would be provided linking the site to the wider area.
- 6.9 The internal room size and layouts of the houses and gardens are all considered to be acceptable and would provide a good living standard in terms of minimum room size and outdoor amenity space.
- 6.10 Overall the proposal is considered to be of a high quality landscape led development and the architectural quality of the housing and landscape setting would enhance the site, and surrounding area and, would providing a positive entrance into Yalding from station.

Residential amenity

- 6.11 Given the significant separation distance from residential properties I am of the opinion that the proposal would not result in any unacceptable loss of neighbour residential amenity in terms of loss of light, outlook or privacy.

Highway safety/parking implications

- 6.12 A single vehicle access point is proposed onto the site as approved under the terms of the outline permission. 40 off-street parking spaces are proposed which includes two visitor parking spaces. This would be a slight overprovision of parking in terms of KCC Parking Standards which requires 34 parking spaces for the number / size of houses proposed. 16 houses are proposed, three less than the maximum approved under the outline permission therefore the vehicle trips generated and parking provision would be below the maximum that has previously agreed by KCC Highways. The reduction in the number of houses also reduces the number of parking spaces and areas of hard surface which would benefit the overall layout. The turning head at the end of the access road would allow refuse and services vehicles to turn on site and exit onto Hampstead Lane in forward gear. As such no objections are raised in terms of highways safety and parking provision.

Flood Risk

- 6.13 The outline application was supported by a comprehensive FRA and the vehicle access onto Hamstead Lane and location of the housing development within the site was agreed by the Environment Agency and approved as part of the outline permission. Conditions attached to the outline permission stipulate internal floor levels and that the housing should be located upon a raised development platform in order to safeguard future occupants from the risk of flooding.
- 6.14 Since outline permission was granted the EA has updated their flood modelling and have now raised objections to the vehicle access, previously approved floor levels and displacement of flood water. However, the area for development (the development platform) and vehicle access have been approved under the outline permission and under the terms of this reserved matters application these aspects cannot be revisited. The principle of the development has already been approved by the LPA and EA and the current application relates to the details of the reserved matters only, being; scale, layout, design and landscape, with the vehicle access approved at the outline stage.

- 6.15 Evacuation routes / plans and emergency access have been approved under the outline permission and will need to be adhered to and, future residents will need to register for the Environment Agency flood warning system. Pedestrian access would be provided to/from the site during the design flood event via a public footpath which crosses the railway line and continues to higher land to the north of the site during. The vehicle access point onto the site would remain as previously approved under the outline permission. The EA has also raised an objection regarding the displacement of flood water, however, the design, size and elevation of the development platform remains unchanged from the outline permission and therefore cannot be revisited under the reserved matters application. The reserved matters application is compliant with the outline permission in terms of flood risk as previously agreed by the EA.
- 6.16 In response to the EA comments the applicant has raised the internal floor levels of the houses to accord with the EAs latest modelling to ensure the occupants remain safe during an extreme flood event. In addition, the under croft parking which was initially proposed in the reserved matters application has been omitted, following the EAs recommendation. The flood resilience measures outlines in section 3.6 of the FRA shall be incorporated into the design where appropriate and can be secured by condition. The finished floor levels requested by the EA will also be secured by condition.
- 6.17 The details of the reserved matters are therefore in accordance with the outline permission and the accompanying FRA and therefore an objection on flood risk cannot be sustained.

Other matters

- 6.18 The Kent Police Crime Prevention Design Advisor advises that the development should be built in accordance with Secure By Design. However, the proposal is considered acceptable and I do not consider the need to incorporate any additional crime prevention measures to this application. The application has demonstrated that there would be satisfactory facilities for the storage of refuse on the site and so I raise no objection in this respect. The Environmental Health Officer has raised no objection and has request additional conditions which it would not be reasonable to attach at the reserved matters stage for the aforementioned reasons.
- 6.19 With regards to the Yalding Parish Council and the neighbour representation received, the issues of access; flood risk; unit mix was considered under the outline application.

Conclusion

- 6.20 I am of the view that this sustainably located proposal would not cause any demonstrable harm to the character and setting of the surrounding area; it would not harm the amenities of existing or future residents; it would not result in adverse highway safety conditions; and the matters of flood risk and sewerage disposal are addressed by the application. It is considered that the proposal is acceptable with regard to the relevant provisions of the Development Plan, the National Planning Policy Framework, and all other material considerations such as are relevant. I therefore recommend conditional approval of the application as set out below.

7.0 RECOMMENDATION – APPROVE subject to the following conditions:

CONDITIONS

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- (1) The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

- (2) The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within ten years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory landscaped setting for the development.

- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension to any property shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by existing and prospective occupiers.

- (4) The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (5) The development shall not commence until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: In the interests of visual amenity and to ensure an energy efficient form of development.

- (6) Prior to the occupation of the development details of the flood resilience measures utilised within the development as outlined in Section 3.6 of the FRA, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To safeguard future occupants of the development from flood risk

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

15.015.01, 15.015.02, 15.015.07, 15.015.08, MHS139.15-C61 Rev B; received 23.09.2016 and the FRA by Herrington Consulting Ltd; dated September 2015 ,15.015.03 Rev A, 15.015.04 Rev A, 15.015.05 Rev A, 15.015.06 Rev A, 15.015.09 Rev A, MHS139.15-A30, MHS139.15-A31, MHS139.15-A32, MHS139.15-C62, MHS139.15-C63, MHS139.15-G01; received 1 March 2016

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

Case Officer: Andrew Jolly

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.