

REPORT SUMMARY

REFERENCE NO - 17/505877/REM			
APPLICATION PROPOSAL Approval of reserved matters application (Appearance, Landscaping, Layout and Scale being sought) pursuant to 15/509402/OUT for a residential development of 30 dwellings considering the access arrangements from Mount Avenue and Blunden Lane			
ADDRESS Land at Mount Avenue/Blunden Lane Yalding Kent			
RECOMMENDATION : GRANT subject to the planning conditions set out in Section 8.0 of the report			
SUMMARY OF REASONS FOR RECOMMENDATION The principle of residential development for 30 units on the site has been established by the Inspectors appeal decision relating to application 15/509402. The submitted scheme subject of the reserved matters (appearance, landscaping, layout and scale) is considered acceptable and there are no material planning reasons for refusal of the submitted scheme.			
REASON FOR REFERRAL TO COMMITTEE Referred to planning committee by Yalding Parish Council.			
WARD Marden and Yalding	PARISH/TOWN COUNCIL Yalding	APPLICANT Millwood Designer Homes Ltd AGENT	
DECISION DUE DATE 19/02/18	PUBLICITY EXPIRY DATE 04/01/18	OFFICER SITE VISIT DATE Visited on a number of occasions	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
15/509402/OUT	Outline application for a residential development of 30 dwellings considering the access arrangements from Mount Avenue and Blunden Lane with all other matters (appearance, landscaping, layout and scale) reserved for future consideration.	Refused	17/2/16
<i>Reasons :</i>			
(1) The proposed development, by reason of the loss of woodland, loss of habitat and biodiversity, the scale of the development, and location outside a settlement boundary would cause significant harm to the character and appearance of the area including the Special Landscape Area and the benefit of the additional housing would fail to outweigh the demonstrable harm that would be caused to the local area contrary to the National Planning Policy Framework 2012 and Policies ENV28 and ENV34 of the Maidstone Borough Wide Local Plan 2000.			
(2) In the absence of appropriate legal mechanism to secure the delivery of affordable housing, and to mitigate the additional impact on local community facilities in respect of education, libraries and healthcare provision the development would fail to contribute to meeting local need for affordable housing and would be detrimental to existing local social infrastructure and therefore would be contrary to policy CF1 of the Maidstone Borough-Wide Local Plan (2000), Affordable Housing DPD (2006), policy DM13 of the Maidstone Borough Local Plan Regulation 19 Consultation 2016 and central government planning policy as set out in the National Planning Policy Framework 2012.			
APPEAL : Allowed under Planning Inspector Reference - APP/U2235/W/16/3151289			

17/505879/SUB	Submission of details pursuant to Conditions 4: Scheme of ecological mitigation & enhancement, 5: Woodland landscape & ecological management plan, 6: Details of existing and proposed long and cross-section site levels, 9: Scheme for disposal of surface & waste water, 10: Details of tree protection, 11: Arboricultural Method Statement, & 20: Details of renewable or low carbon sources of energy (original application ref: 15/509402/OUT).	Pending consideration	
17/506562/SUB	Submission of details pursuant to Condition 7: Construction vehicle facilities, of application 15/509402/OUT (allowed on appeal).	Pending consideration	

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site relates to an area of land to the east of Yalding village. Measuring approximately 3 hectares, the village settlement boundary adjoins the site to the west and south of the application site. The application site itself is outside the settlement boundary. The turning heads at the end of the cul-de-sacs at Mount Avenue and Blunden Lane adjoin the site to the west.
- 1.02 The site is predominantly wooded with a mix of species, sizes and condition of trees. The site is generally rectangular in shape, with a linear strip to the south-eastern corner which links with Vicarage Road to the south.
- 1.03 Open fields adjoin the site to the north and east. There is existing 'estate' development to the west of the site dating from the 1960s and to the south there is linear residential development along Vicarage Road. The properties on Vicarage Road are more visually distinctive, whereas those properties to the west represent planned development which are generally two storeys with a mix of detached, semi-detached and terraced dwellings. A public right of way (PROW) lies to the north of the site and runs along the extent of the northern boundary. This is currently accessed from the turning head on Mount Avenue.

2.0 PROPOSAL

- 2.01 This reserved matters application relates to outline planning permission 15/509402/OUT which was approved for 30 residential units by the Planning Inspectorate under appeal reference APP/U2235/W/16/3151289 (copy of the decision is appended to this report). Access was for approval under the outline application with all other matters reserved for future consideration. As such, the principle of development of the site for 30 dwellings has already been established and this application is now only assessing the layout, appearance, landscaping and scale of the development as access has already been approved at outline stage.
- 2.02 The approved vehicle access for the site is from two points to the west of the site, from the existing turning heads in Blunden Lane and Mount Avenue.

2.03 The number of units follows the approved outline scheme and is for 30 dwellings, 12 of which would be affordable (with a split of 8 units for affordable rent and 4 units for shared ownership)

2.04 The proposed layout shows two access points (as approved from Mount Avenue and Blunden Lane). These access points would be joined by a central 'arced' road to the west of the site. This road would divide the proposed dwellings at plots 1-9 and 28-30 from the wider site, with the site layout having 3 further distinct areas. These can be described as follows :

Western area (Plots 1-9 and 28-30)

Plots 1-3 and 28-30 are 2-storey terraces, consisting of 3 properties and Plots 4-9 is a 2-storey apartment block. The properties are of a vernacular design, with the use of tiled roofs, timber weatherboarding and brick.

Two distinct access points would be taken from the 'arced' road and these would provide parking within two hardsurfaced parking courts.

Southern area (adjoining the boundary with Trish House) (Plots 18, and 24-27)

Plots 18 and 27 would be 2-storey detached dwellings, with plot 18 containing an attached garage, whereas plots 24-27 would benefit from detached garages. Plots 24-26 are terraces of three 2-storey dwellings.

These dwellings would have independent accesses from the adjoining roads and benefit from individual parking areas and hardsurfacing.

Central area (Plots 13-23)

These plots of a mix of detached and semi-detached dwellings would be enclosed by a 'circular' road with individual access to the properties off this internal roadway. The properties would be orientated towards the centre of the 'circle' with the gardens interlocking internally.

North-eastern area (Plots 10-12)

Three detached properties and associated garaging would be sited to the north-east of the site, benefiting from vehicular access and turning of the north-western corner of the proposed circular roadway. These dwellings would be lower than others within the site and would be 1.5 storeys, containing accommodation within the roof.

2.05 All dwellings would be of a traditional design with the use of weatherboarding and tile hanging and differing designs through the site.

2.06 *Housing mix*

Bedroom numbers	Number
1	4
2	5
3	12
4	7
4+	2

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: Maidstone Borough Local Plan 2017 : Policies SS1, SP16, SP17,
SP19, SP20, ID1, DM1, DM3, DM8, DM12, DM19, DM23 and DM30

4.0 LOCAL REPRESENTATIONS

4.01 Yalding Parish Council (comments summarised)

- Layout significantly different to that at outline stage.
- New road layout could ease congestion on Mount Avenue, allowing larger and emergency vehicles an easier route.
- Additional provision should be made for visitor parking.
- Loss of privacy to existing dwellings.
- Concerns over the proposed access onto Vicarage Road
- Lack of infrastructure for foul drainage.
- Concerns regarding proposed ponds and natural springs.
- No comments yet from Tree Officer
- Concerns about the badger sett that is now shown not to be there, would like consultation with Kent Wildlife Trust
- S106 payments shall be made available for Yalding only.

4.02 Adjoining neighbours were notified of the application as originally submitted. Site notices were also put up at the site. 13 objections have been received in response to the consultation which are summarised as follows:

- Impact of increased cars
- Parking pressures
- Noise and disturbance
- Additional residents may not have a positive impact on the local community
- Additional risk of flooding
- Loss of privacy
- Pressure on village school, doctors, shop and bus service
- Management of SUDs scheme
- Impact on surface and foul water discharge
- Impact on wildlife
- Light pollution
- Loss of house value
- Maidstone/Yalding doesn't need more houses
- Site is not allocated within the Local Plan

5.0 CONSULTATIONS (comments summarised)

5.01 Environment Agency : No comments

5.02 NHS West Kent : Original response requested a contribution of £22 716 towards Yalding and Watringbury Surgery, based on the information in the current submission this figure has increased to £24 804.

5.03 UK Power Networks : No objection

5.04 Crime Prevention Design Advisor : Comments relating to Secured by Design and particular reference to the rear gardens that would back onto the Public right of way.

- 5.05 KCC drainage : No objection in principle to the approval of the reserved matters. The site's surface drainage scheme is being considered under an application to discharge condition 9.
- 5.06 Southern Water : No objection is raised to the reserved matters submitted. Attention is drawn to previous correspondence identifying insufficient capacity within the existing foul sewerage system to accommodate the proposed development glows. Relevant infrastructure is to be provided to service the development.
- 5.07 KCC Highways : No objection
- 5.08 Environmental health : No objection subject to conditions and informatives.
- 5.09 Landscape/Tree Officer : No objection subject to condition relating to replacement planting retention
- 5.10 KCC Landscape Officer : No objection

6.0 APPRAISAL

6.01 The key issues for consideration relate to:

- **Principle of development**
- **Impact on character and appearance of the area (including scale, layout, appearance and landscaping)**
- **Impact on residential amenity**
- **Highways matters**
- **Landscape and ecology matters**

Principle of Development

- 6.02 The site is located on the edge of the village boundary of Yalding. Despite officer objections to the proposed principle of residential development on the site, the Planning Inspector allowed an appeal for 30 dwellings and as such this establishes the principle of the site for residential development.
- 6.03 All matters except access were reserved. The outline scheme provided an indicative layout plan and as such was only for illustrative purposes to establish that the 30 units could be accommodate on site.. As noted by the Parish Council the layout now proposed departs significantly from the indicative layout, however as layout is a reserved matters this is acceptable and the application is accompanied by rationale and reasoning for the revised layout (principally to enable greater connectivity within the site, to retain those trees most worthy of retention and to allow for greater flexibility due to the badger sett now being inactive.)
- 6.04 The main considerations are the impact upon the character and appearance of the local area, the residential amenity of future and existing residents and internal highway safety/parking, landscape and ecology impacts.

Impact on character and appearance of the area (including scale, layout, appearance and landscaping)

- 6.05 The application site is covered by a woodland Tree Preservation Order (TPO) which was confirmed on the site following the submission of the outline scheme. The TPO was agreed due to the cumulative value of the woodland, rather than the merits of individual trees. This said, there are trees on the site with greater grading and amenity value, with a large number of the trees being fairly newly seeded. The site is currently unmanaged and although representations refer to the site being used for recreational purposes, this is solely on an informal basis and the applicant could have enclosed the site to prevent access. In allowing the appeal, the Inspector noted and would have observed on site that a number of trees would need to be removed to accommodate the development of 30 dwellings. Although the layout varies from the earlier indicative layout and a different combination of trees would be required to be removed. The trees to be removed has been justified as part of the accompanying documents and those trees to be retained would be those of greater quality and amenity value. The tree officer has not raised objections to the proposed layout and the trees to be removed and although the quantum of trees to be removed is substantial, it is not considered any significant objection can be raised in this respect.
- 6.06 The site area measures approximately 3.04 hectares, whereby 1.55 hectares of this space would be accessible open space and managed woodland. SUDs features of ponds and swales would be incorporated into the layout, with supplementary planting, retention of existing trees and varying grasses and species providing both structural and ornamental landscaping. The proposed scheme would be low density to accord with the transition between the built settlement of Yalding and the open countryside. The distinct blocks of housing settled amongst landscaping demonstrates the landscape led approach to the design, whereby significant buffers with the open countryside would be retained. The landscape officer is satisfied with the proposed scheme and it is considered that the proposed layout and design represents a positive approach to how best to integrate the site into the existing development and the transition between the open countryside.
- 6.07 There would be a mix of detached, semi-detached, and terraced houses and a 2 storey apartment block. Buildings would be of traditional residential form with gabled roofs, some gable projections, bay windows, porch overhangs, and chimneys on some properties. Brick detailing for lintels, soldier courses and plinths is also proposed. Materials would include hung tiles weatherboarding (which it is proposed to be conditioned to be timber), brickwork, and clay and slate roof tiles. It is considered that the traditional design of the buildings would be appropriate for this location and that buildings would have good detailing, and use varied but uniform materials to provide a quality appearance. The pallet of materials proposed would both take cues from the local vernacular.
- 6.08 It is considered that the design of the development is of a high standard. The layout works with the existing landscape features retaining hedge/tree lines. Strong streetscenes would be created with buildings addressing roads and corners, and appropriate landscaping and boundary treatments. Buildings are of good quality reflecting local vernacular and would use high quality materials, and surface materials are varied. Overall, it is considered that the proposal would not cause adverse harm to the character and appearance of the surrounding area.

Residential Amenity

- 6.09 Given the separation distance from residential properties it is considered that the proposal would not result in any unacceptable loss of neighbour residential amenity in terms of loss of light, outlook or privacy. The number of units, including the primary vehicle access point has been agreed under the outline permission and it is considered that the proposed layout would not result in any significant disturbance to neighbouring residential units.
- 6.10 Those properties most likely to be affected are 26 Mount Avenue, 17 Blunden Lane (to the west of the site), Hamilton, The Nuttery and Trish House (to the south of the site). It is considered that these dwellings are separated by sufficient distances not to cause undue harm and proposed landscaping would further mitigate and provide a buffer separating these dwellings from the application site.
- 6.11 The unit size 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, such that the future occupiers would benefit from an acceptable level of amenity.

Highways matters

- 6.12 KCC has confirmed visibility at the new junctions and the swept path analyses provided for a refuse freighter would be acceptable within the site layout.
- 6.13 The proposed layout includes 7 visitor parking spaces and 60 independently accessible car parking spaces. Twelve garages are also to be provided which have not been included as part of any car parking provision against standards (these are a mix of single and double garages).
- 6.14 Parking provision is in accordance with the conditions on the outline scheme and KCC and the boroughs parking standards.
- 6.15 Objections are noted regarding the capacity for the surrounding roads to accommodate any overspill parking and concerns that the roads within Yalding are at capacity and cannot take any more traffic generation. The principle of the development of the site for 30 units has however been established by the outline consent and it is not considered that the proposed scheme would result in traffic generation that would depart from that considered at outline. The parking provisions meets the adopted standards and some visitor parking is proposed to be provided on the internal roads, together with many of the larger units having hardsurfaced areas that have the capacity to provide more 'informal' parking for visitors.
- 6.16 With everything considered no objection can be raised to the proposal on parking provision or highway safety grounds.

Other Matters

- 6.17 *Drainage and flooding*

A number of objections have been received which relate to matters concerning surface water, foul drainage and the potential for flooding. It should be noted that condition 9 of the outline approval relates to the submission of details for surface water and waste water. These details have been submitted concurrently under a separate submission of details application and are being considered separately for the reserved matters submission. It is noted that there are currently objections from KCC drainage and Southern Water, however these matters are being sought to be overcome by the applicant and any changes would not affect the matters that are

being applied for under this reserved matters submission, the matters for consideration as part of this application relate solely to those reserved by the outline consent, namely layout, scale, appearance and landscaping.

6.18 *Ecology*

Conditions 4 and 5 of the outline consent relate to ecological mitigation and enhancement and a Woodland Landscape and Ecological Management Plan (WLEMP). Again these details have been submitted concurrently to the reserved matters submission. These measures relate to habitats of greatest ecological interest (including better quality mature trees and former field boundaries), provision of a 20m exclusion zone to the retained badger sett, diversification of habitat mix, uses of SUDs ponds and swales, bat lofts, boxes and sensitive bollard lighting. These measures and their incorporation into the scheme, including whether they are acceptable does not affect the consideration of whether this reserved matters application is acceptable. It is regrettable that the natural habitat of the site as existing will be altered, however the Planning Inspector has accepted 30 dwellings can be accommodated on the site and there is not considered any reason on ecology grounds to conclude that the proposed scheme is not acceptable in terms of the impact on ecology.

6.19 *Affordable housing*

The Outline permission was granted subject to a Unilateral Undertaking (UU) relating to affordable housing. The approved UU requires forty per cent of the dwellings (rounded up to the nearest whole Dwelling) to be provided as affordable housing. The tenure mix of units is to be determined prior to commencement of development and will subsequently be transferred to a Registered Provider in accordance with the terms of the UU. This requires a plan identifying the affordable housing appropriately distributed throughout the development, details of tenure, type of dwelling and size of unit.

As part of this reserved matters application an Affordable Housing Scheme of 12 no. affordable Housing Units has been submitted. This sets out that 8 units would be affordable rented and 4 units would be shared ownership, these units are shown to be located to the west of the site, immediately adjacent to the existing development on Mount Avenue and Blunden Lane. The size of the units for each tenure has not been provided, however the mix would be 1, 2 and 3 bedroomed dwellings/apartments.

6.19 The details submitted do not provide details of the size of the units to be for each tenure (affordable rented or shared ownership). However, the details are considered acceptable for the purposes of this reserved matters application, but would not fully satisfy the terms of the UU and the applicant would be required to submit the details in full to discharge the obligation under the terms of the legal undertaking.

6.20 *Vehicle charging points and lighting*

The Environmental Health officer has requested a condition relating to vehicle charging points and lighting. These are included on the outline consent at conditions 15 and 22.

6.21 *Infrastructure contributions*

Financial contributions towards NHS, schools and libraries form part of the UU approved at outline stage, mitigating the impact of additional occupiers on local services. It is noted that the NHS contribution now requested has been slightly increased, however it is not considered that this should be further reviewed and that the contribution amount should remain as set out in the approved legal undertaking.

7.0 CONCLUSION

- 7.01 The principle of residential development for 30 units on the site has been established by the Inspectors appeal decision relating to application 15/509402. The submitted scheme subject to the reserved matters (appearance, landscaping, layout and scale) is considered acceptable and there are no material planning reasons for refusal of the submitted scheme.

8.0 RECOMMENDATION – GRANT Subject to the following condition :

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

Drawing No. 2664A-1000B (Site Layout Plan)
Drawing No. 3042-LLB-ZZ-XX-DR-ab-0001 rev P01 (Tree removal and retention plan)
Drawing No. 3042-LLB-ZZ-XX-DR-L-0002 rev P05 (Landscape Strategy)
Drawing No. 2664A-200B (Plots 1, 2 and 3)
Drawing No. 2664A-201C (Plots 4-9)
Drawing No. 2664A-202C (Plot 10)
Drawing No. 2664A-203C (Plot 11)
Drawing No. 2664A-204C (Plot 12)
Drawing No. 2664A-205B (Plot 13)
Drawing No. 2664A-206B (Plot 14)
Drawing No. 2664A-207C (Plots 15 and 16)
Drawing No. 2664A-208B (Plot 17)
Drawing No. 2664A-209B (Plot 18)
Drawing No. 2664A-210C (Plots 19 and 20)
Drawing No. 2664A-211C (Plots 21, 22 and 23)
Drawing No. 2664A-212C (Plots 24, 25 and 26)
Drawing No. 2664A-213B (Plot 27)
Drawing No. 2664A-214D (Plots 28, 29 and 30)

Reason: To clarify which plans have been approved.

- (2) The material details required to be submitted under condition 14 attached to the allowed appeal for application reference 15/509402/OUT shall include any weatherboarding to be timber finish.

Reason : In the interests of visual amenity.

- (3) The details required to be submitted under condition 12 attached to the allowed appeal for application reference 15/509402/OUT relating to fencing, walling, railings and other boundary treatments shall include the use of high quality walling on public facing frontages.

Reason : In the interests of visual amenity.

Planning Committee Report
26 April 2018

Case Officer: Rachael Elliott

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