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Planning Statement

Supporting an Outline application for the erection of 44 dwellings with access from Pear Tree Lane at

Land at Brickfields, Darland Farm, Pear Tree Lane, Gillingham

Prepared by Hume Planning Consultancy

On Behalf of F D Attwood and Partners

Dated June 2016

Contents

1	Introduction	3
2	The Application Site	5
3	The Proposal	7
4	Planning Policy Context	8
5	Planning Merits and Relevant Issues	14
6	Assessment of Landscape Impact	17
7	Consideration of Technical and other and other Planning Issues	20
8	Explanation of Development Principles	32
9	Conclusions	35

1 Introduction

- 1.1 This Planning, Design and Access Statement supports an outline planning application for a residential development for 44 dwellings and associated works including garages, parking spaces, public open space, highway access and pedestrian links on land at the former brickworks, Darland Farm, Pear Tree Lane, Gillingham.
- 1.2 This Statement explains the timing of the submission having regard to the anticipated timescale for the progression of the Local Plan and how this timeframe will hamper the acknowledged (and “significant”) 5-year land supply shortfall being addressed. It will explain that the proposal will address housing need and in this case provides an important choice of housing that will support the wider economic objectives of Medway.
- 1.3 After explaining the reasoning for the timing of the submission, the Statement highlights the opportunity afforded by the application to;
- Boost the supply of housing to address the 5-year land supply in line with national planning requirements (NPPF);
 - Explains why as a result of the surrounding topography and established perimeter landscaping how the site is particularly well visually contained and will not compromise the “out of date” policy objectives that apply to this area;
 - How the geographical location of the site close to the edge of Gillingham creates a valuable opportunity to provide low density executive housing in a landscaped pocket of land that will be highly attractive to entrepreneurs and assist with wider regeneration objectives and for this type of niche housing to minimise car movements compared with isolated and more remote sites;
 - The Statement relies mainly on the accompanying Design and Access Statement to show how technical and development control considerations have shaped the illustrative layout plan including access and transport, surface water drainage, accounting for underground water flows, archaeology, trees, ecology, the siting of housing and the safeguarding of the living conditions of surrounding occupiers.

1.4 The application follows pre-application discussions with the Local Planning Authority (LPA) including the Authority's Urban Design Officer and Highway Manager.

1.5 The application follows the receipt of the screening opinion for the Environmental Impact Assessment (LPA Ref MC/16/2052) and confirmation by Medway's decision letter dated 27 May 2016 that an EIA was not required as the development was considered unlikely to have a significant impact on the environment. It is relevant that the screening opinion request (like the scheme tabled at the separate pre-application meeting with Medway officers) related to a proposal of up to 60 dwellings. This submission is for a reduced number (44) dwellings and the application comprises:

- The relevant forms and ownership certificates;
- This Planning Statement;
- A Design and Access Statement;
- All relevant drawings as prepared by CDP Architecture;
- An extended Phase 1 Habitat Survey and Bat Building Assessment as prepared by Corylus Ecology;
- An Archaeological desk based assessment as prepared by CgMs Consulting;
- A Landscape and Visual Assessment as prepared by Lloyd Bore Landscape and Ecology;
- A Transport Assessment as prepared by C & A Consulting;
- A Flood Risk Assessment which includes a Surface Water Drainage Strategy (the latter being informed by Ground Infiltration Testing results) prepared by Herrington Consulting;
- A Tree Report prepared by Invicta Arboriculture;
- A Utility Capacity Report;
- The relevant application Fee.

1.6 At Section 2, a description of the site and its context is provided.

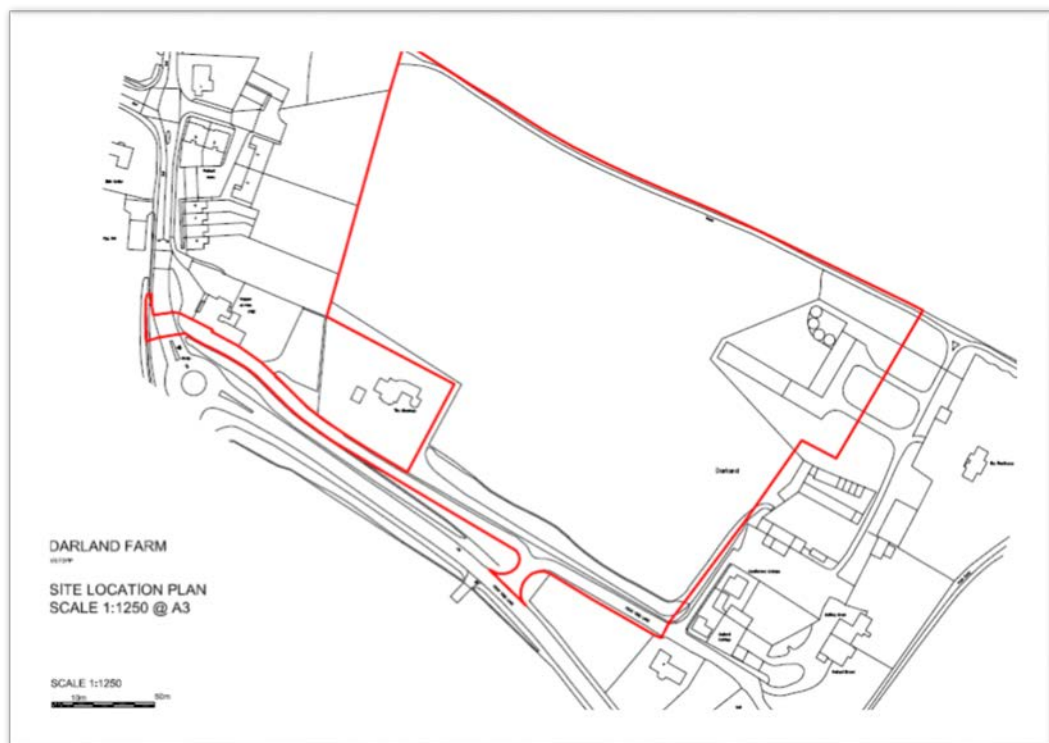
1.7 Section 3 explains the details of the proposal and a summary of pre-application discussions between Hume Planning Consultancy Ltd, Lloydbore Landscape and Ecology, CDP Architecture and the Local Planning Authority.

1.8 Section 4 provides a summary of the relevant planning policy considerations.

- 1.9 Section 5 details the principal issues and assesses the planning merits having regard to the planning policy context.
- 1.10 Section 6 summarises why the timing of the planning application is justified given the planning policy context and the need to boost the provision of housing, and in this case, bring forward specialist niche housing that will support the wider regeneration objectives of Medway. This section will summarise why it is asserted that the illustrative layout demonstrates how the technical and conventional development control issues have been addressed and shows a possible way that the land could be developed without significant adverse effects. For these reasons it will be contended that the application can be supported.

2 The Application Site

- 2.1 The application site lies to the north of Pear Tree Lane and between the settlements of Hale and Hempstead to the south of the urban area of Gillingham and to the west of Rainham.



Site Location

- 2.2 The site was formerly a brickworks containing a number of quarried pits and buildings at the site. The topography of the site shows the land falling, approximately, 2 metres from the southern boundary of Pear Tree Lane towards the northern boundary of the site. Former farm buildings and structures lie close to the north eastern corner of the site and comprise corrugated metal silos and some dilapidated buildings. Beyond these structures to the east is a farm house set within a partially walled garden. This wall screens views from the house to the site.
- 2.3 Other residential properties border the site to the south. “The Gleanings” is located to the north side of Pear Tree Lane but is separated from the site by a tree line that continues along to the southern and western boundaries of the site. This tree belt further separates “The Waggon at Hale” public house (to the south-west corner) and a relatively new residential development to the west in Capstone Road.
- 2.4 To the north lies Darland Banks, a 45ha local nature reserve comprising chalk grassland, scrub and woodland on south facing slope. An informal footpath, used by local people and dog walkers, runs along this tree line.
- 2.5 The site is not located within any national landscape designations although it does lie within an Area of Local Landscape Importance (ALLI). The local nature reserve of Darland Banks is designated as open access land under the Countryside and Rights of Way Act 2000. Pear Tree Lane is designated as a Rural Lane as defined by saved policies BNE47.
- 2.6 The site is not located within a conservation area and there are no listed buildings or designated heritage assets in the immediate locality of the site.
- 2.7 Some of the trees to the boundaries of the site are the subject of historic Tree Preservation Orders.

Access

- 2.8 The only existing access to the site (and that proposed as part of the development) is via Pear Tree Lane.

- 2.9 Other than the informal footpath to the northern boundary, there are no public footpaths traversing the site although a number of informal and formal public footpaths lie in close proximity, linking the site with the surrounding urban areas.
- 2.10 Pear Tree Lane lies on a principal bus route with route number 113 providing links between Hempstead, including Hempstead Valley Shopping Centre and Gillingham. The site is well located in relation to Medway's Cycle route network.
- 2.11 The site is located with excellent access to the primary and secondary road network with direct links with the A278 (Hoath Way) with M2 beyond and with the A2 (London Road) to the north.

3 The Proposal

- 3.1 The application comprises an outline application to establish the principle of up to 44 residential dwellings, together with access, parking, carports/garages and landscaping and open space.
- 3.2 All matters except access are reserved for future consideration.
- 3.3 Access is provided from Pear Tree lane from an existing break in the trees to this boundary in the position of an existing agricultural access to the cultivated farmland.
- 3.4 The Design and Access Statement sets out the design parameters that are sought to be established by this submission. These comprise

Parameter One Land Use and Amount

- 3.5 The applicant is seeking outline planning masterplan for up to 44 dwellings.
- 3.6 The housing mix comprises 44 x 4 and 5 bed dwellings. As explained later in this statement, the policy requirements (Policy H3) for affordable housing provision will be met in full via an equivalent agreed offsite financial contribution.
- 3.7 The proposal represents a density of some 10 dwellings per hectare.

3.8 Approximately 1.3 hectares of strategic open space/ landscaping is proposed within the masterplan which represents some 30% of the total site area.

Parameter Two Scale and Height

3.9 The application is accompanied by a design parameters plan Site Section Plan Ref 712; L (--) 02 which shows that the proposed dwellings will be two storey in height;

- the maximum eaves height of the dwellings will be 5.2m from finished floor level and
- the ridge height would not exceed 9 m from finished floor level.

3.10 There are differences in the levels across the site that have been taken into account during the design process as is evidenced from the site section plans that accompany the submission.

3.11 The illustrative masterplan below shows the possible distribution of housing across the site and the existing and proposed strategic planting that will be delivered by the scheme. The scheme proposals and design rationale leading to the submission of the application and supporting masterplan is described in greater detail in the accompanying Design and Access Statement to this application.

4 Planning Policy Context

4.1 The Development Plan comprises the saved policies of the Medway Local Plan 2003. The Framework (National Planning Policy Framework) is an important material consideration in this case because the Medway Local Plan of 2003 (the Local Plan) is time expired and the Council has been unsuccessful on two occasions in replacing it.

The National Planning Policy Framework (NPPF)

4.2 The Ministerial forward to the NPPF advises that the purpose of planning is to help achieve sustainable development. *“Development that is sustainable should go*

ahead without delay – a presumption in favour of sustainable development is the basis of every plan, and every decision”.

- 4.3 Paragraph 2 of the NPPF advises that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. However, paragraph 49 of the Framework makes clear that development plan policies for the supply of housing should not be considered “up to date” if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In such situations the Framework at paragraph 14 sets out the implications for decision taking which means “granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits” when assessed against the policies in the Framework taken as a whole. This is the context for decision taking in Medway at the present time and the weight to be afforded to development plan policies needs to take this context into account.
- 4.4 Paragraph 6 advises that the purpose of the planning system is to contribute to the achievement of sustainable development, with paragraph 7 advising that the planning system performs a number of interrelated functions:
- An economic role;
 - A social role – by providing a supply of housing to meet the needs of present and future generations;
 - An environmental role through the protection and enhancement of the environment.
- 4.5 Paragraph 9 comments that pursuing sustainable development involves seeking positive improvements in the quality of the built and historic environment as well as people’s quality of life including the desire to strive for better designed dwellings and widening the choice of high quality homes. The need for a choice of housing is also reaffirmed at paragraph 50.
- 4.6 Paragraph 17 of the Framework sets out 12 core planning principles which should underpin both plan making and decision taking. Those relevant to this submission include the fact that “*Planning should*
- *Not simply be about scrutiny but a creative exercise in finding ways to enhance and improve places in which people live their lives;*

- *Proactively drive and support sustainable economic development to deliver the homes and infrastructure that provide thriving local places that the country needs. Every effort should be made, objectively, to identify and then meet the housing, business and other development needs of the area and respond positively to wider opportunities to stimulate growth;*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *Contribute to conserving and enhancing the natural environment and reducing pollution.*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling”.*

4.7 Boosting the supply of housing is at the heart of the Framework and paragraph 47 sets out how this will be achieved by local planning authorities;

- *Using their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area...;*
- *Identify and update annually a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing against their housing requirements;*

4.8 Delays in the preparation of the Medway Local Plan render the plan led approach to choices about development not possible in the Medway context which is of greater concern given the significant shortfall in the short term housing pipeline. The Framework makes provisions for decision makers in this situation (paragraphs 14 and 49) so that development plan policies are weighted more heavily to assist with housing provision coming forward and affording protection on a proportionate basis depending on the lands landscape quality.

4.9 Paragraph 49 advises;

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing

should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.”

- 4.10 Section 7 of the Framework deals with the issue of “design”. Paragraph 58 encourages development proposals to establish a strong sense of place, creating attractive and comfortable places to live, incorporating green infrastructure, responding to local character and creating safe and accessible environments.
- 4.11 Section 11 provides the Government’s policy in relation to the conservation and enhancement of the natural environment. The Framework advises that the planning system should contribute to, and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on biodiversity. The Framework places weight on the need to protect valued landscapes (paragraph 109) and upon good design and minimising the impacts of development on biodiversity. The application at this stage is in outline form and only design parameters have been put forward at this stage. The detailed design will be addressed at the reserved matters stage if the principle of development is established.

The Medway Local Plan 2003

- 4.12 The Medway Local Plan 2003 was adopted on the 14th May 2003, with an end date of 2006. The most relevant saved policies for this application are Policies S4, BNE 25 (i) and BNE34.
- 4.13 Policy S4 seeks to secure a high quality built environment and reads as follows:

A high quality of built environment will be sought from new development, with landscape mitigation where appropriate. Development should respond appropriately to its context, reflecting a distinct local character.

- 4.14 Policy BNE25 relates to development in the countryside, and states that development will only be permitted if it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside. Paragraph 17 of the Framework identifies a number of core planning principles, including the need to take account of the role, character and beauty of the countryside. The Framework however, does not expressly prohibit residential development within the countryside, or state that

development should be limited to certain types of development. The emphasis of the Framework is substantially different to the restricted approach of BNE25.

- 4.15 Unlike BNE25, Policy BNE34 does not prohibit particular forms of development. BNE34 deals with Areas of Local Landscape Importance and reads:

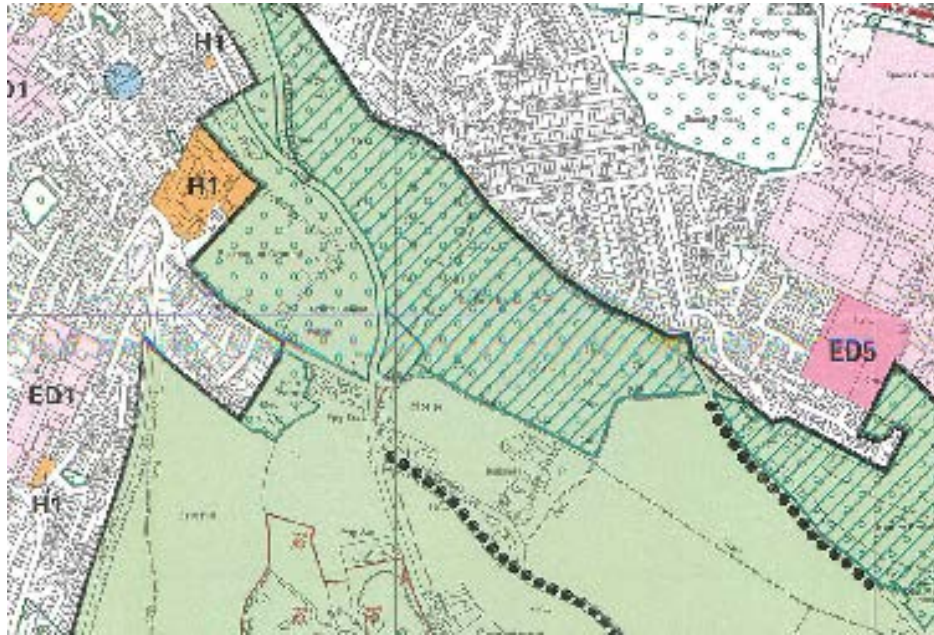
Within the Areas of Local Landscape Importance defined on the Proposals Map, development will only be permitted if:

- **It does not materially harm the landscape character and function of the area; or**
- **The economic and social benefits are so important that they outweigh the local priority to conserve the areas landscape.**

Development within an Area of Local Landscape Importance should be sited, designed and landscaped to minimise harm to the areas landscape character and function.

- 4.16 Under the terms of the policy, development will only be permitted if it does not materially harm the landscape character and function of the area; or the economic and social benefits are so important that they outweigh the priority to conserve the areas landscape.
- 4.17 When saving Policy BNE34, by letter dated the 21st September 2007, the Secretary of State extended the lifetime of the policy to afford the Council the opportunity to justify the retention of the local landscape designation through the Local Development Framework. Because of the Council's failure to replace the Local Plan, no such justification has been forthcoming. Given the scale of the Objectively Assessed Need (OAN) it is inevitable that the contribution of the existing corridors between settlements, which the application site, forms a minor component of, will now need to be examined more carefully as a serious spatial option to be tested as part of the local plan process.
- 4.18 Medway Council has begun work on a new local plan which will replace the 2003 Medway Local Plan. The Issues and Options Consultation document was approved

by Medway Council Cabinet members on 24th November 2015 with the main statutory consultation process running until 24th March 2016.



Extract from the Council's Policies Map (Map 4)

- 4.19 The site lies adjacent to an area of nature conservation importance as defined by Policy BNE36. In this regard, proposals for development should seek to protect such areas.
- 4.20 Policy BNE43 advises that development should seek to retain trees, woodlands, hedgerows and other landscape features that provide a very important contribution to landscape character.
- 4.21 Policy BNE47 seeks protection of designated Rural Lanes as defined on the Proposals Map and of which Pear Tree Lane is one. The policy requires that where alterations to the carriageway definition or boundary of a rural lane is necessary, the use of natural, locally distinctive materials will be required. Urbanising features should be avoided unless absolutely necessary for structural or safety reasons.
- 4.22 Policy H3 is relevant in seeking the provision of affordable housing recognising that a number of site specific issues will determine how affordable housing is negotiated.
- 4.23 Policy L4 seeks the provision of open space within new residential development providing local standards which, in this case, would be equivalent to 1.7ha per 1000

population and open space for children's play and casual recreation on site at a standard equivalent of 0.7ha per 1,000 populations.

- 4.24 The general provisions of the transportation policies, included in section 8.5 of the Plan are relevant to this submission.

5 Planning Merits and Relevant Issues

Factors influencing the Planning Balance and weighting to be attributed to policies

- 5.1 The Framework (National Planning Policy Framework) is an important material consideration in this case because the Medway Local Plan of 2003 (the Local Plan) is time expired and the Council has been unsuccessful on two occasions in replacing it.
- 5.2 It is common ground that the Council does not enjoy a 5-year supply of deliverable housing land and the shortfall is significant. It is also relevant that Medway has only met its annual target on 4 occasions over the last 29 years.
- 5.3 The agreed Objectively Assessed Housing Need (OAN) target for Medway for the 2012-2035 period is 29,630 dwellings which equates to an annual housing average of 1281. In 2015, the Councils Annual Monitoring Report confirmed 483 completions which represents only 38% of the OAN target.
- 5.4 The housing supply issues of Medway derive largely from the withdrawal of the "Submission" Draft Core Strategy in February 2012 and the timeframe for the further review.
- 5.5 The 5-year land supply shortfall is significant and is estimated to be less than 2 years. The magnitude of this shortfall was reported at the June Medway Planning Committee. Combined with the past under delivery this is an important consideration in balancing the weight of landscape policies from the adopted Medway Local Plan.
- 5.6 The Suffolk Coastal DC v Hopkins Homes Ltd Court of Appeal judgement was acknowledged by Medway in the Mierscourt Road decision (LPA Ref MC/15/4539

approved at Medway Planning Committee on the 1 June 2016). This recent judgement has clarified the position in respect of those policies regarded as “out of date”, by the provisions of paragraph 49 of the Framework. It was established by this judgement that the weighting attributable to the policies will depend on the scale of the deficit and importantly the extent to which it is being addressed.

- 5.7 The balance in this instance relates to the competing policy demands of significantly boosting market and affordable housing provision and countryside/landscape protection. This context is therefore important in assessing the weight that should be attributed by the decision maker to saved Medway Policies BNE25 and BNE34 which are central to the determination of this application.
- 5.8 LPA ref MC/15/4539 Land to the East of Mierscourt Road/South of Oastview Rainham was approved by the Planning Committee earlier this month (1st June 2016) and related to a proposal for 134 dwellings. Medway Council’s formal position was that a 5-year supply cannot be demonstrated “and that the shortfall is likely to be significant.” As a result, the Council accepted that the housing supply policies in the Medway Local Plan could not be considered up to date and therefore the presumption in favour of sustainable development at paragraph 14 of the NPPF was engaged.
- 5.9 The council also accepted that in the light of the Suffolk Coastal Court of Appeal Judgement, that two of the key policies relevant to this submission, Policies BNE25 and BNE34 are now considered to be relevant policies for the supply of housing and as such, should be considered “out of date”. The case officer’s report to committee rightly points out that the Court of Appeal decision identifies that it is still for the council, as decision makers, to exercise its planning judgement in terms of the weight to be afforded to the out of date policies “when the presumption in favour of sustainable development has been engaged.”
- 5.10 The council accept that only limited weight can be afforded to BNE25 and BNE34. As a result, it is accepted that the balancing judgement for this proposal, is set out at paragraph 14 of the NPPF, i.e would the adverse impacts of granting planning permission significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

- 5.11 The landscape is not subject to a national designation nor a county level designation (such as applies to the Special Landscape Areas) and relates to the effect of development on a local landscape designation.
- 5.12 The Framework explains that sustainable development represents a balance of economic, social and environmental considerations. Paragraph 30 of the Framework continues to support the objective of influencing decision makers for the future spatial pattern of development to seek to minimise the number and length of car journeys. The location of executive housing, adjoining the settlement satisfies this objective and enhanced linkages to public transport provision has been incorporated within the proposal.
- 5.13 In this context, it is asserted that the main planning issues in this case are –
- The effect of the proposal on the character and appearance of the area;
 - Whether the proposal would represent sustainable development;
 - Whether the illustrative outline layout takes proper account of the site constraints and technical issues.
- 5.14 It is submitted that the principle of development in this location realistically must take account of the timeframe of the local plan review and the significant shortfall in the 5-year land supply position, which influence the relative weighting to be attributed by the decision maker to economic and social benefits secured by the proposal relative to the environmental impact having regard to the specific circumstances of the site.
- 5.15 The Suffolk Coastal judgement determined that the policies in paragraph 14 and 49 of the Framework do not make “out of date” policies for the supply of housing irrelevant, but that a number of circumstances need to be taken into account in the balancing of landscape character and housing supply including;
- It is accepted by the applicant and Medway Council that the shortfall in housing supply is significant;
 - Past completions have only met the housing requirement for Medway 4 times in the last 29 years and completions for 2015 were only 38% of the annualised OAN target figure;
 - The local plan review is at an early stage of preparation.

5.16 At a recent appeal decision at Station Road, Rainham, the Inspector recognised that Policy BNE34 was also in conflict with paragraph 113 of the NPPF because it was not criteria based. For these reasons, the weight to be attached to Policy BNE34 and BNE25 should, it is asserted, be substantially reduced.

5.17 Notwithstanding the diminished weight to be attributed to Policy BNE34, because of the quality of the outline submission, and the way with which this proposal has addressed the landscape considerations, the individual circumstances of the proposal, including the limited extent and visibility of the land release support these aspects of the policy objectives;

- Because of the need to boost housing supply in the short term and the benefits of executive housing, it is asserted that the economic and social benefits of the proposal outweigh the local priority of conserving the landscape in this case and
- The illustrative layout is of a high quality and provides large areas of open space and landscaping which minimise the harm to the areas landscape character and ensures the separating function of the ALLI gap is not compromised.

Sustainability of the Location

5.18 The appeal site is situated within a reasonable travel distance of a range of schools, employment opportunities, shops and leisure destinations. It is therefore highly accessible and provides an opportunity for residents to take up sustainable modes of transport.

6 Assessment of Landscape Impact

6.1 Like the three strands of sustainable development, consideration of landscape impact require all dimensions of the landscape resource to be taken into account. It is generally accepted that the term “landscape” should not follow a narrow definition of just the open land beyond the settlement boundary, because the built up area and fringes are also part of the landscape.

- 6.2 The assessment required by the NPPF is the balancing of harm with the benefits of the proposal and, in this case, the weight to be attributed to landscape change. Paragraph 17 acknowledges that all landscapes have some intrinsic value.
- 6.3 Paragraph 109 of the Framework states that more weight is attached to change to valued landscapes. Great weight (paragraph 115) is attached to nationally designated landscapes. It is relevant the application site is not located within a nationally designated so that no “great weight” of the conservation of the landscape and scenic beauty applies.
- 6.4 The supporting landscape evidence of Lloyd Bore acknowledges that the impact will be localised and will not compromise the function of the Area of Local Landscape Importance (ALLI).

Area of Local Landscape Importance (ALLI)

- 6.5 ALLI's are non-statutory areas of development defined within the Medway Local Plan. In all, 16 ALLI's are identified in the plan. The ALLI's are designated because of their perceived landscape value and their function as “green corridors” which contribute to restricting urban sprawl and maintaining the settlement identity of the built up area. It follows that the impact of development upon the separating function of the ALLI will depend on the location and prominence of each individual site within it and the extent of the land take involved. The area of the ALLI to be lost is small in this case, and it is asserted the proposals, will not compromise the spatial function of the gap. It is concluded that the proposal will not result in a significant narrowing of the ALLI at this point which would reduce the perceived separation between the settlements.
- 6.6 Due to the distance of separation, of the application site from the M2 motorway and the rising topography, it is asserted the proposal will have no direct or indirect impact on the AONB. For similar reasons, although geographically closer, the intervening tree and woodland screening and natural topography ensures that the proposal will not harm the setting of the Capstone Farm Country Park.
- 6.7 There are no heritage designations or listed buildings within the vicinity of the application site. The site is in productive agricultural use and there are no ecological constraints that have influenced the illustrative layout other than the desire to

safeguard and strengthen the perimeter trees and hedgerow and create a network of open space within the site.

- 6.8 Key findings from the landscape assessment of the site identified that the sites “visual envelope” is limited because of the topography and the limited number of public footpaths in the locality. As a result, it was concluded that the proposals will introduce local visual change.
- 6.9 Landscape practitioners adopt a 15-year time horizon for the establishment of trees and landscaping when assessing the significance of landscape impact. During this period it is estimated that new planting will reach heights of 8 metres or more at the site. This will allow the development to become assimilated within the landscape to a greater degree over time. It is therefore important to take account of the future establishment of landscaping within the site in the overall planning balance and this represents a particular strength of the proposal.
- 6.10 The Station Road, Rainham appeal Inspector (which preceded the Suffolk Coastal Judgement) accepted that the ALLI designation was indicative of elevated local value. But it is relevant the ALLI designation is dated and remains unchanged despite the weight of housing need. ALLI’s are the lowest order of designated landscape in the Medway Local Plan being neither a national designation or of county wide significance (the latter comprising “Special Landscape Areas” in Medway’s case).
- 6.11 The layout is structured around a single point of access at an existing opening within Pear Tree Lane. The landscaping strategy seeks to maintain the landscape character of the area through the retention and strengthening of existing landscaping and the incorporation of a landscaping framework to compartmentalise development within the site, creating pockets of housing within a wooded landscape.

Quality of the Built Form

- 6.12 The Framework attaches great weight to the design of the built environment which is recognised as a “key aspect of sustainable development.” The proposal follows a thorough review of the site context and is underpinned by a desire for the layout to make a positive contribution to the environment through the delivery of the scheme.

This vision includes;

- Strategic open/space tree planting to break up the roof lines from elevated positions;
- To strengthen and enhance the perimeter woodland buffer on all sides of the development;
- To maintain an informal route way at the bottom of the Darland Bank;
- To provide an improved ecological network of open green spaces and tree planting and connectivity of the development with the Darland Bank;
- To create a low density development of 44 dwellings at a density of some 10 dwellings per hectare where each individual dwelling will be sited within its own sizeable curtilage which will also be heavily landscaped;
- Creation of an integrated network of sustainable urban drainage systems and the safeguarding of the lowest points of the site from east to west which would allow for underground surface flow within a 20m channel in the eventuality of an extreme pluvial event.

7 Consideration of Technical and other Planning Issues

7.1 Given that the submission is an outline application, this statement also addresses what are considered to represent more secondary planning issues, in this case including;

- As the application site is separated by some distance from existing residential occupiers, it is considered the residential living conditions of adjoining occupiers has been properly safeguarded through the design process by this submission. This is explained in greater detail in the accompanying Design and Access Statement;
- The design approach to the design, layout, form and scale of the development, in this location has been shown to have been informed by a number of tree, archaeological, drainage and ecology reports and this submission relies on the responses to statutory consultees to inform the decision maker on these issues;
- The application is supported by a Transport Statement which justifies the technical access considerations;

7.2 Although only an illustrative layout, the master plan and supporting material that accompanies the planning application demonstrates that the proposed number of dwellings can be accommodated on the application site when full regard is had to the requirement of saved Local Plan Policy S4.

7.3 The following issues were also considered during the design process including;

- Trees
- Highways and Access
- Biodiversity
- Archaeology
- Landscape Impact and mitigation
- Utility Capacity and Infrastructure

These are addressed below.

Impact upon Trees and Potential for Landscape and Enhancement

7.4 The application is accompanied by a pre-development tree survey and report provided by Invicta Arboriculture, a tree and woodland consultancy. The report identified that generally, the existing trees display good vitality with no significant visible defects within a belt of between 2-3m at the western edge of the site (comprising of Hawthorn, Field Maple and Elder). Generally, to the southern boundary, the trees are large mature specimens comprising mainly ash and sycamore within a belt of around 10m in width. There are some 95 trees and two groups located along the southern boundary which lie to the north of Pear Tree Lane and visually serve as a strong screen of the application site from this direction.

7.5 Trees to the perimeter of the site, especially the southern boundary, have been subject to historic and regular fly tipping and the development proposals will facilitate improved maintenance of this area. Given that prospective residential occupiers will walk to the bus stop and cycle along this route the proposals will secure improvements to this designated Rural Lane.

7.6 The Tree Report identifies that the majority of trees on site are to be found at the southern boundary albeit that a number of significant off-site trees lie in close

proximity of the site within the rear gardens of “The Gleanings”. The offsite trees that adjoin the south western boundary of the site have been taken into account in the preparation of the illustrative layout.

7.7 The pre-development Tree Survey report identified a number of relevant considerations all of which have assisted the architects in designing the layout and ensuring the scheme has little or no impact upon the trees. In this regard, the report highlighted:

- That a 12 metre break in the wooded boundary (southern boundary) is regularly used by tractors and other large agricultural vehicles and that this would be an optimal point for providing a proposed site access albeit at a significantly reduced width of 5.5 metres. As a worst case, to maximise visibility from the access at the detailed design stage it has been identified that there conceivably could be a requirement to remove tree T61 (Ash) which has been classified as a Category C Tree i.e. a tree of low quality and value.
- In places, boundary trees are elevated by 2.5m from the main application site and it was identified that the development layout should have regard to the level changes. With some evidence of recent slippage on the bank, it is recommended that trees T81, T82 and T83 are reduced in height in order to reduce the effects of wind loading on their root systems. This maintenance work will be of benefit to the long term health of the trees which average around 23m in height along this section of the bank.
- The Root Protection Areas (RPA's) of the perimeter trees can, and will, remain, unaffected by the housing development itself. There is evidence of root severance along the full length of the northern edge of the wooded boundary as a direct result of ploughing, which will realistically reduce the extent of the RPA on this side, however at this illustrative design stage, a worst case scenario of the full extent of the RPA has been assumed. The Tree Report's recommendation that housing is not constructed closer than half the current height of trees (i.e generally 12m) is reflected in the illustrative layout proposals.
- That owing to the potential for shading, housing should not, as a general rule, be constructed any closer than a linear distance of half the current height of the adjacent trees.

- The arboricultural report addresses the re-profiling of the ground level to provide an appropriate access gradient to the site. The report concludes at paragraph 4.1, “The raising of the soil level in this area is not considered to be detrimental to the health or stability of the trees given the minimal encroachment that will occur.”
- 7.8 The Tree Report concludes that subject to the proposed layout taking the above factors in to account housing development would not have a detrimental effect on the amenity value of the trees surrounding the site and would secure some enhancement from the improved maintenance and likely reduction in fly tipping to the Pear Tree Lane frontage and extensive additional tree planting to strengthen boundaries and provide a landscaped framework within the site.
- 7.9 With a view of minimising tree loss and taking into account possible pressure to remove trees by future occupants of the development, the scheme has been designed to take into account the tree advice. As the development proposes a sylvan character at its core and to maintain the screening effect provided by the trees, the retention of as many trees as possible has been highly influential on the design approach. Additionally, a robust planting strategy creating pockets of housing within a woodland setting framework serves to fully emphasise the intended character of the development.
- 7.10 In establishing a strong sense of place through the creation of an attractive environment which responds to the character of Darland Banks and the recommendations of the accompanying Landscape Report, the scheme will comply with the provisions of Section 7 of the NPPF, particularly paragraph 58 and the overarching provisions of saved Policy S2 of the Medway Local Plan. Furthermore, in having regard to Policy BNE43 and BNE47, the proposed development will ensure the retention, and management, of the existing green infrastructure, reducing the overall impacts upon the Area of Local Landscape Importance.

Impact upon ecology and diversity

- 7.11 An extended Phase 1 Habitat Survey and Bat Building Assessment was prepared by Corylus Ecology and accompanies the planning application. The report provides relevant information relating to habitats within the site and identifies the potential for protected species including evidence of, and the potential for, roosting bats.

7.12 No rare or invasive botanical species were identified for these intensively managed agricultural fields. Darland Banks Local Nature Reserve is a 45ha area of chalk grassland scrub and woodland on a steep south west facing escarpment on the North Downs which adjoins the northern boundary of the site. In providing for a detailed analysis of the site in proximity to four local nature reserves, the consultant ecologists concluded the following;

Amphibians

7.13 The potential for Amphibians is low given that the land is intensively cultivated and there are no ponds on site and that the nearest waterbody is located approximately 260m from the site. In addition, this waterbody is used for fishing and boating, is semi artificial and is used by wild fowl. With no records of Great Crested Newts within a 3km radius, and highways providing barriers to movement and with the site providing limited terrestrial habitat, no further surveys were recommended in the light of these findings.

Reptiles

7.14 With the site's proximity to the nature reserve at Darland Banks (where there are some records of reptiles), Corylus has identified that reptile species are likely within field margins at the northern and western boundaries of the site. Western and northern boundaries do contain dense scrub and tall ruderal species which provide suitable habitat for reptiles and the brash and spoil piles are also suitable refuge features. The main body of the site was recognised as an arable site that would be unsuitable for reptiles. However, with the intended enhancement measures to the site boundaries and landscaped framework proposed within central parts of the site combined with the ecological enhancement strategy (recommended in the report by Corylus at Section 4.3), it is concluded these measures will ensure the protection of any species present and offer improvements to encourage a greater population.

Breeding Birds

7.15 Corylus identified that the trees adjacent to the site to the southern and western boundaries provide suitable nesting habitat. It was suggested the buildings on site provide the potential to support breeding birds and the report recommends that

demolition and building work be undertaken between October and February (or if timescales do not allow, that construction work is carried out with ecologists present). The report concluded that a low potential to support ground nesting birds existed but nesting should be checked for when demolition of structures was undertaken in the north east corner of the site.

Bats

- 7.16 A Bat Building Assessment was undertaken of outhouses and barns in the north east corner of the site. No day roosting bats were found to be present inside the building. Furthermore, no evidence was found that the buildings on site are used as a night roost or a feeding perch. Having surveyed the southern boundary trees, the report concludes that they do not support features suitable for bats and no further surveys are required of the buildings or trees.
- 7.17 The report concludes that the arable field, which makes up the majority of the site, provides limited foraging and commuting habitat for bats. However, it is acknowledged that the site lies between Darland Banks Local Nature Reserve and Capstone Farm Country Park and that in consideration of the “wider zone of influence”, the development may have the potential to impact on any maternity roosts near to the sites. The report concludes that no potential roosts exist at the site itself which represents a poor quality habitat but two bat transect surveys are recommended between mid-May and early July. These survey results will inform the reserved matters application and detailed lighting controls and ecological enhancement and mitigation plan. Any such information would inform a more robust enhanced strategy for the site as part of the reserved matters stage.
- 7.18 The report concludes the proposals would not have a significant impact on the local bat population due to the low quality habitat present. Two transect surveys are recommended to gather information and determine if seotine bats use the northern boundary for commuting.

Other Species

- 7.19 The Ecological Report concludes that no signs of badger were recorded during this survey and that the site does not provide any suitable habitat for dormice.

Ecological Enhancement Strategy

7.20 Measures to enhance the ecology at the site which have influenced the design process include;

- 2m buffer to protect and enhance perimeter marginal habitats;
- The buffer zone to be excluded from the residential curtilages;
- Native planting particularly along the eastern boundary where none exists including, hazel, oak, beech and holly;
- The ecological enhancement strategy aims to increase the ecological opportunities for those species known to be present within the adjoining LNR;
- Brash pile and large spoil pile will be dismantled under ecological supervision and new log piles, hedgehog refuge and bat and bird boxes created;
- Incorporation of a landscaped framework within the site where open areas can be laid out with heavy fruiting and flowering native species which are a benefit to local wildlife. Herbaceous planting to include staggered flowering trees through spring to late summer.

7.21 Saved Policy BNE36 seeks the protection of areas of nature conservation importance seeking to ensure that development proposals do not materially harm, directly or indirectly, the scientific interest of local nature reserves. The principles of the biodiversity enhancement scheme will be developed further at the reserved matters stage and it is concluded that the proposal meets with the relevant provisions of the NPPF (Section 11) in minimising impacts upon biodiversity and providing a net gain through the protection of the adjoining local nature reserve and establishing a coherent boundary and enhanced on site network.

Application Site's Proximity to Impact Risk Zone of Medway SPA

7.22 The site falls within the Site of Special Scientific Interest (SSSI) Impact Risk Zone for Medway Estuary and Marshes (a SSSI, SPA and RAMSAR site 3.5km to the north of the site). Anticipating Natural England's consultation response to the application, it is acknowledged that this proposal falls within close proximity to the Medway Estuary and Special Protection Area (SPA) which is a European designated habitat and that as a result, the proposal could increase recreational pressure upon the SPA which in combination with other developments could have a detrimental effect upon the designated habitat. It is therefore proposed to meet the contribution tariff to the

Thames Medway and Swale Estuaries SAMMS (Strategic Access Management and Monitoring Strategy). As a result, significant effects on the designated habitats would be unlikely to result from this proposal.

Archaeology

- 7.23 The Archaeological report identified that there are no designated Heritage Assets, Scheduled Monuments nor Registered Parks or Gardens within the study area.
- 7.24 The study concluded that there was low archaeological potential for all periods apart from the Roman Period (AD 43 – 410) where a moderate potential is identified and the Post Medieval Period where a high potential existed.
- 7.25 Historically, the site comprised a woodland plantation as is evidenced by the supporting OS mapping from the 1860's. By 1898, Darland the site was utilised as a brickworks and the later OS mapping identifies 5 quarry pits and 4 buildings after an extension to the brickworks in 1910. The infilling of the quarried area and the import of soil and regrading of the land did not occur to allow agricultural practices until the 1960's.
- 7.26 The report concludes that it is mainly the central portion of the site where past post depositional impacts within the study site have been severed because of quarrying (mainly remnants of the brickworks between 1898 – 1962). For these reasons it is concluded that the post medieval findings are of only local significance.
- 7.27 Paragraph 128 of the Framework requires sufficient accompanying material to the application to review the potential impact of the proposal upon the significance of that asset. It is contended that the accompanying report satisfies this requirement and given these findings archaeology has not been an influence on the design process.

Drainage and Flood Risk

- 7.28 There are no surface watercourses within the site and the land is elevated and geographically separated by a considerable distance from the Medway Estuary. Site levels within the site vary from 37.31m to 47.9m AODN.

Surface Water Drainage Strategy

- 7.29 The site is located on permeable chalk from the Lewes Nodular Chalk Formation overlain by semi permeable clay and silt head deposits. Soils have moderate permeability. Infiltration testing undertaken at the pre-application stage to inform the design has been undertaken to verify assumptions about the soakage capacity of the ground. Testing confirmed soakaways will be suitable at this location and groundwater levels are located at a sufficient distance below the surface to enable the use of SUDS.
- 7.30 The Drainage Report accounts for the increase in permeable areas within the boundaries of the site which are proposed by this submission. As there are no watercourses in the locality, there is no potential to connect with an existing watercourse. The recommended strategy is a combination of soakaways and permeable paving to discharge the surface water run off via infiltration with potential for swales and rainwater harvesting as part of the later detailed design approach.
- 7.31 The modelling work which accompanies this report demonstrates that peak discharge from the development will be reduced to the greenfield run off rate by the above measures.
- 7.32 The site lies within a dry valley and an underground flow path is identified on the generic Environment Agency Flood Risk Plan. There are no watercourses at the site or historic evidence of ground water flows and the design approach has been to take a precautionary approach on a site specific basis.
- 7.33 There is a considerable difference in levels across the site and although there are no watercourses or evidence of above ground flows, the design approach has been to keep the lowest point of the site which runs east to west free of development with housing located on the higher ground.
- 7.34 As a precautionary measure, the potential for flooding under an extreme pluvial event was modelled to inform the layout. The model has assumed an allowance for climate change (20% in a 100-year event) and a predicted flood extent which, using the Manning equation as a worst case scenario, assumes that 61mm of surface floodwater at the lowest points of the valley as it flows towards the north west.

- 7.35 The illustrative masterplan layout proposes a generous buffer running east to west along the lowest point of the site to allow sub strata water flows to continue in the direction of the Medway River Estuary from the rainfall catchment area above. The report concludes that the proposed development will not impede flood flow regimes. Other mitigation which has influenced the design approach has included;
- Positioning housing development where it can take advantage of higher ground and avoids low spots;
 - Proposing to raise the threshold of properties by 150mm above ground level to provide sufficient freeboard;
 - Incorporating SUDS initiatives to reduce both the rate and volume that water is passed on downstream;
 - At the detailed design stage proposals will incorporate flood resilience measures.

Agricultural Land Quality

- 7.36 The site comprises 4.2 hectares of open agricultural land. The archaeological report and historical OS data shows that the land was formerly a brickwork. Policy BNE48 of the Medway Local Plan is not saved and therefore paragraph 112 of the NPPF is relevant which states “Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land, and where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality”.
- 7.37 The term significant is not defined, but the MAFF 1: 250,000 Agricultural Land Classification Maps identify that most of the land adjacent to the existing Medway urban area is best and most versatile.
- 7.38 Because of the scale of Medway’s housing requirement, it is considered the loss of agricultural land is necessary, and given the lack of availability of lower grade agricultural land in Medway, it is not likely that development can be accommodated on lower grade agricultural land at the urban area fringe.

Infrastructure Capacity

- 7.39 This section of the report focuses on utility infrastructure capacity findings undertaken at the pre-application stage. A Utility Capacity Check was undertaken prior to the preparation of this application. It has been agreed that the applicant will accept a condition requiring a foul and surface water drainage strategy is agreed prior to the commencement of development.
- 7.40 This section of the report is distinct from community infrastructure which the applicant will be meeting the full requirements of. This is dealt with separately in this report under the Heads of Terms/Section 106 section. The comments of National Health Services are awaited with respect to the need for increasing capacity at local health facilities to cope with the additional demand generated by the proposal.

Foul Water

- 7.41 The Infrastructure Report identifies that there is a public foul sewer at the Capstone Road/Pear Tree Lane junction and there is a capacity at manhole TQ77659702 (near the Waggon at Hale PH) to accommodate a foul flow of 2.8 l/s.

Surface Water

- 7.42 There is no public surface water sewers in the locality of the site and no capacity in the existing foul sewerage system for surface water to be accommodated in the mains system. These findings were fully taken into account when preparing a surface water drainage strategy for the development which has influenced the layout. The strategy for surface water drainage is set out in the Drainage/Flood Risk section of this Statement.

Water Supply

- 7.43 Water will be served by Southern Water from a network distribution main in Capstone Road. Southern Water have confirmed "there is currently adequate capacity at the 60mm main in Pear Tree Lane (70m from site entrance) to serve the developments water demand of 0.9 litres per second...". As a result, this consultation has confirmed there is no need for offsite reinforcement.

Gas

- 7.44 The gas network providers are Scotia Gas Networks (SGN) who have identified that there is a 125mm gas main at the junction of Pear Tree Lane and Capstone Road. No capacity issues have been identified. A cost of £40,000 to connect with the existing network has been highlighted.

Electricity

- 7.45 UK Power Networks (UKPN) are the electricity operator. A LLKV underground cable runs south west to north east along the informal footpath. A low voltage LV overhead pole mounted wire also has been taken into account in the north east corner of the site.
- 7.46 There are no power capacity issue identified in the report and a point of connection to the network has been identified 125m from the Pear Tree Lane entrance. A budget estimate for this connection of £100,000 has been provided at this stage which is not an abnormal cost. This budget cost provides for the laying of a HV cable to a new substation within the site which will comprise a 4m x 4m enclosure. Given the size of the site and the outline form of the proposal for up to 44 dwellings, the illustrative layout supporting this submission does not identify the location of the substation at this point.
- 7.47 The construction of the access requires the relocation of an electricity pole (no 827589) and an £8,000 contingency has been allowed for these works, £30,000 has been allowed for to relocate the overhead lines in the north east corner of the site.

Telecommunications

- 7.48 Telecommunication infrastructure BT are the operators who have identified that there is a BT pole next to the site access which may adequately serve the level of development proposed.

8 Explanation of Development Principles

8.1 The Design and Access Statement is relied on to demonstrate how the technical constraints, and opportunity benefits, of this site have influenced the emerging illustrative layout and has led to a realistic assumption about the quantum of housing development that can be delivered by this site. The design response has focused on qualitative aspects of provision to attract executives which will support the wider regeneration objectives of Medway for the reasons set out below.

Housing Mix

8.2 Paragraph 50 of the NPPF requires Local Planning Authorities to plan for a mix of housing based on current and future demographic trends and the needs of different groups within the community. Policy H10 of the Medway Local Plan also seeks the provision of a range and mix of house types and sizes for new development. However, one of the emerging policies of the withdrawn Core Strategy, (paragraph 5.33) identified that Medway contained a “very small proportion of what might be called executive style housing.” (Policy CS15). Paragraph 2.80 (of this now withdrawn CS), also recognised the supporting economic role of this form of housing stating the strategy should;

” Ensure that more executive housing is provided. Too few business owners and managers reside in Medway and opportunities need to be identified to encourage them to do so”.

This objective is met by the proposal.

8.3 The proposed mix also has regard to the November 2015 published Medway Strategic Housing Market Assessment. It is explained below how Policy H3 of the Medway Local Plan, relating to affordable housing provision has been met by this proposal.

8.4 It has been shown that there is a significant housing need at Medway in the short term and the justification of the principle of development is set out in the supporting Planning Statement. In design terms, it was recognised;

- that the visually contained nature of the site;

- its unique geographical location adjoining the urban area and;
- the existing natural framework

provided an exceptional opportunity for quality housing within a wooded landscaped setting, which could be served from a relatively discrete access point that would be attractive to executives, providing housing choice and niche provision that could support the wider regeneration objectives for the Medway economy.

8.5 Having justified the principle of the need and the mix and size of the dwellings, because of the specific characteristics of the site, it was felt that the land created a unique opportunity for meeting this form of quality housing provision. The decision to meet this objective in itself has set the foundation of the design process as it has influenced;

- the mix of housing which would be focused exclusively upon 4 and 5-bedroom housing;
- that there would be a low density of housing;

and how open space, landscaping and tree planting could add to the character of the area and the quality of overall design with this type of housing provision.

8.6 This design based decision had practical knock on effects given the competing policy objectives which strive to create a mix of housing sizes, optimise the sites development potential to maximise density and meet affordable housing provision on site. These requirements generally “drive up” density and would render the preferred design philosophy based on the economic and landscape analysis more difficult to achieve.

8.7 It was concluded at an early stage of the design process that the lower density approach should remain the objective given the unique opportunity afforded by the individual characteristics of this site. This approach has been possible because of the design decision to offset affordable housing provision (normally required on site under the policy requirement) via an offsite financial contribution. The proposal meets the full policy compliant requirement for affordable housing via an equivalent offsite contribution secured by the Section 106 Agreement.

8.8 The following development principles are met by this proposal:

- The need for the development to integrate itself into the landscape setting;
- The provision of a high quality development which seeks to meet Medway's regeneration aspirations in providing housing choice for the plan area;
- The desire to incorporate extensive areas of open space, providing a development which is appropriate to its urban edge context;
- The provision of "character areas" establishing a strong sense of place and the creation of an attractive and comfortable place to live;
- The appropriate provision of car parking, acknowledging the size of the units but without providing a car dominant set of street scenes, and
- A development which promotes a safe, accessible and healthy environment with clear pedestrian routes and high quality spaces.

Benefits of the Proposal

8.9 It is concluded that the proposal delivers a number of significant benefits including;

- Quality designed housing which will meet the significant need for provision in Medway and is for the niche provision of specialist executive housing which will support the wider regeneration objectives of Medway. These economic benefits are additional to the recognised benefits of the construction industry to the national economy in terms of investment and job creation;
- Provides a financial contribution to provide much needed affordable housing provision elsewhere in Medway;
- Development is proposed at a low density of 10 dwellings per hectare which will allow the provision of strategic buffer tree planting and tree planting within the site creating pockets of housing within a wooded setting and minimising the landscape impact of development and improving connectivity between existing woodland features;

- Has been shown to offer biodiversity benefits which will be delivered via the ecological enhancement plan;
- Provision of an improved footway linkage from the site to nearby bus stops which will benefit the wider community;
- Meets the requested financial infrastructure contributions for schools and services etc. which will create infrastructure capacity to meet the requirements of the proposed new households;
- Delivers social benefits creating, in line with paragraph 58 of the Framework, a strong sense of place, creating attractive and comfortable places to live, incorporating green infrastructure, responding to local character and creating safe and accessible environments.

8.10 Given the economic and social benefits together with the sustainable location of the site, provisions of the S106 and having regard to the presumption in favour of sustainable development (paragraph 14 of the Framework) it is asserted that overall, the substantial benefits in granting planning permission would significantly and demonstrably outweigh any adverse impact.

9 Conclusions

9.1 The Framework restates the Governments objectives to “boost” supply at paragraph 47 and that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 49 is key for LPA’s like Medway when a 5 year supply of deliverable site is acknowledged not to be in place.

9.2 In such situations, the Framework at paragraph 14 sets out the implications for decision taking which means “granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits” when assessed against the policies in the Framework taken as a whole. This is the context for decision taking in Medway at the present time and the weight to be afforded to development plan policies has to take this context into account.

- 9.3 Delays in the preparation of the Medway Local Plan render the plan led approach to choices about development not possible in the Medway context, which is of greater concern given the significant shortfall in the short term housing pipeline. The Framework makes provisions for decision makers in this situation (paragraphs 14 and 49) so that development plan policies are weighted more heavily to assist with housing provision coming forward, whilst affording protection on a proportionate basis depending on the land releases landscape quality. These are principles accepted in the recent Mierscourt Road decision which was made by Medway Council earlier this month.
- 9.4 Medway Council also accepted that in the light of the Suffolk Coastal Court of Appeal Judgement, that two of the key policies relevant to this submission, Policies BNE25 and BNE34 are now considered to be relevant policies for the supply of housing and as such should be considered “out of date”. The case officer’s report to committee for the Mierscourt Road decision rightly points out that the Court of Appeal decision identifies that it is still for the council, as decision makers, to exercise its planning judgement in terms of the weight to be afforded to the out of date policies “when the presumption in favour of sustainable development has been engaged.” The council accept that only limited weight can be afforded to BNE25 and BNE34.
- 9.5 The landscape affected by this proposal is not subject to a national designation nor a county level designation (such as applies to the designated Special Landscape Areas) and therefore relates to the effect of development on a local landscape designation (designated as an ALLI). Key findings from the landscape assessment of the site identified that the sites “visual envelope” is limited because of the topography and the natural screening to the site perimeter. As a result, it was concluded that the proposals would introduce “local visual change”. The supporting landscape evidence of Lloyd Bore acknowledges that the landscape impact will be localised and will not compromise the function of the Area of Local Landscape Importance (ALLI).
- 9.6 It has been shown that ALLI’s are non-statutory areas of development defined within the Medway Local Plan. In all, 16 ALLI’s are identified in the plan which are designated because of their perceived landscape value and their function as “green corridors” which contribute to restricting urban sprawl and maintaining the settlement identity of the built up area. It follows that the impact of development upon the

separating function of the ALLI will depend on the location and prominence of each individual site within it and the extent of the land take involved. The area of the ALLI to be lost is small in this wider context (the application site has a maximum width of 260 metres) and because the application site is visually contained by the topography and perimeter tree screening, the proposals have been designed so that the perceived spatial function of the gap is maintained.

9.7 The illustrative layout is structured around a single point of access at an existing opening within Pear Tree Lane. The landscaping strategy seeks to maintain the landscape character of the area through the retention and strengthening of existing landscaping and the incorporation of a landscaping framework to compartmentalise development within the site, creating pockets of housing within a wooded landscape.

9.8 Saved Policy BNE1 “General Principles of Built Development requires the design of development to be appropriate in relation to the character and quality of an area and the way it functions.” The Design and Access Statement explains the design rationale. It is asserted that the policy objectives, for quality development, are realised by the development principles embodied in the illustrative proposal which has been carefully shaped after consideration of the constraints and opportunities afforded by this site.

9.9 In summary;

- the site represents a sustainable and accessible location;
- the proposal does not affect national or county level landscape designations and is not a designated “strategic gap” or “Green Belt”;
- Technical matters including access design, highway capacity, drainage and flood risk, archaeology, trees, biodiversity and landscape have been satisfied by the proposal;
- That development of the site would not affect any heritage considerations;
- The proposed layout will have an acceptable impact on the living conditions of the neighbouring occupiers that adjoin the site;

- The proposal will enhance biodiversity and;
- The proposal derives from a landscape led design approach that has created a framework that maintains the existing perimeter features and creates new connecting green routeways through the site creating pockets of residential development within a wooded setting.

9.10 For these reasons, it is concluded that this Planning Statement and the accompanying Design and Access Statement has demonstrated that the proposal will;

- Boost the provision of housing to address the 5-year land supply in line with national planning requirements (NPPF);
- Explains why, as a result of the surrounding topography and established perimeter landscaping, how well the site is particularly visually contained and will not compromise the “out of date” landscape policy objectives that apply to this area;
- How the geographical location of the site close to the edge of Gillingham creates a valuable opportunity to provide low density executive housing in a landscaped pocket of land that will be highly attractive to entrepreneurs and assist with wider regeneration objectives and for this type of niche housing to minimise car movements compared with isolated and more remote sites.
- That the proposal meets other technical considerations that have been carefully assessed in the preparation of this submission

9.11 For these reasons, it is concluded that this proposal satisfies the determining balancing judgement for decision makers, which is set out at paragraph 14 of the NPPF and the adverse impacts of granting planning permission do not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

9.12 It is therefore respectfully requested that this outline scheme is supported which will contribute in the short term to meeting the significant housing needs of Medway.