

PLANNING COMMITTEE –**PART 2**

Report of the Head of Planning

PART 2Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 18/505157/OUT		
APPLICATION PROPOSAL Outline application with all matters reserved apart from the means of access for residential development of up to 60 dwellings.		
ADDRESS Land North Of Sanderling Way, Iwade, Kent, ME9 8TJ		
RECOMMENDATION – Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions and the completion of a Section 106 agreement as set out in the report, with further delegation to the Head of Planning / Head of Legal Services (as appropriate) to negotiate the precise wording of conditions, including adding or amending such conditions and precise Heads of Terms as may be consequently necessary and appropriate.		
REASON FOR REFERRAL TO COMMITTEE – Objection from Iwade Parish Council		
WARD Bobbing, Iwade and Lower Halstow	PARISH/TOWN COUNCIL Iwade	APPLICANT Mr Mick Drury AGENT Hume Planning
DECISION DUE DATE 21/01/19	PUBLICITY EXPIRY DATE 09/10/24	

1. SITE LOCATION AND DESCRIPTION

- 1.1. The application site is a broadly rectangular piece of land approximately 4.1 hectares in size and is situated directly adjacent to the northern edge of Iwade, immediately west of The Street. The site forms part of Local Plan Allocation A17, which wraps around the existing northern, eastern and southern edges of Iwade and totals 54 hectares of land. The Local Plan referred to the overall allocation in three distinct parts being the land to the north of Iwade, the land to the east of Iwade and the land south of Iwade at Pond Farm. This application relates solely to the land to the north of Iwade.
- 1.2. The application site is located within Flood Zone 1 (lowest risk of flooding). However, there is a localised risk of surface water flooding, particularly within the area surrounding existing ponds. The Swale Site of Special Scientific Interest (SSSI), The Swale Special Protection Area (SPA) and the Ramsar site are separated from the site by approximately 400 metres. The application site is not a designated landscape.

- 1.3. Located to the south-east of the site, within the built-up confines of Iwade and approximately 150 metres away from the site, lie three listed buildings: the Grade I listed All Saints Church, Grade II listed traditional agricultural barn and Grade II listed Ivy Cottage.

2. PLANNING HISTORY

- 2.1. The relevant planning history for this site is set out below (Please note that the majority of the below applications relate primarily to land to the east of Iwade – which has outline planning permission granted under ref. 19/503974/HYBRID, but it also included a small parcel of land - referred to as N2 - which is within the site boundaries for this application and indicatively showed the provision of 11 dwellings on that land):

19/503974/HYBRID: Planning permission granted on 29.07.2022 for hybrid application comprising of - Outline application (all matter reserved except for access) for up to 466 dwellings and a community hall. Full planning application for access from Grovehurst Road and The Street and for a country park.

24/503299/HYBRID: Planning permission refused on 12.11.2024 –in relation to a Section 73 application for the variation of condition 7 (to allow delivery of the Country Park in phases alongside the adjacent development parcels) pursuant to application 19/503974/HYBRID.

23/505303/HYBRID: Planning permission for Section 73 application granted on 10.07.2023 for variation of conditions 7 (country park), 13 (village hall), 26 (surface water drainage scheme), 46 (OLEMP), 47 (habitat creation plan), and 49 (LEMMP for the country park) pursuant to 19/503974/HYBRID for - Hybrid application comprising of - Outline application (all matter reserved except for access) for up to 466 dwellings and a community hall. Full planning application for access from Grovehurst Road and The Street and for a country park.

24/502881/REM: Undetermined application for the approval of reserved matters (Appearance, Landscaping, Layout and Scale sought) for sites E1 and E2 for residential development comprising 455no. dwellings and erection of a community hall, together with associated access, landscaping, drainage, infrastructure and earthworks, pursuant to 19/503974/HYBRID.

24/503312/REM: Undetermined application for the approval of reserved matters (Appearance, Landscaping, Layout, and Scale sought) for sites E1 and E2 for residential development comprising 455no. dwellings and erection of a community hall, together with associated access, landscaping, drainage, infrastructure and earthworks, pursuant to 19/503974/HYBRID.

Land At Pond Farm, Grovehurst Road, Iwade (also within policy A17 allocation):

19/501332/FULL: Planning permission granted on 08.07.2022 for the erection of 69 dwellings accessed from Grovehurst Road; public open and amenity space; together with associated landscaping and ecological enhancement works; drainage; utilities; and internal access roads, footpaths, cycleways and parking.

23/500242/FULL: Planning permission granted on 17.11.2023 for Section 73 - Application for minor material amendment to approved plans condition 3 (to allow tenure change to affordable housing, to deliver all 7no. units as Shared Ownership) and variation of condition 10 (to allow occupation of dwelling via temporary access until Kent Highways works on Grovehurst Road are complete) pursuant to 19/501332/FULL.

3. PROPOSED DEVELOPMENT

- 3.1. Outline planning permission is sought for the construction of up to 60 dwellings, with all matters reserved except for vehicular access off The Street. As this application is in outline form, the housing mix shown on the illustrative master plan is only indicative. However, the indicative housing mix is set out below: -
- 1 bed x 2 (3%)
 - 2 beds x 10 (17%)
 - 3 beds x 40 (67%)
 - 4 beds x 8 (13%)
- 3.2. 10% of the housing proposed as part of this application will be provided as affordable housing, equating to 6 affordable dwellings. The location of affordable housing is not indicated and will be managed through the reserved matters application. The tenure type proposed is:
- 5 affordable rent dwellings,
 - 1 shared ownership dwelling.
- 3.3. Relating to the layout, the proposed built form follows parameters set out in policy A17 of the Local Plan, with the dwellings forming an extension to Iwade village and the northern and western parts of the site reserved for open space and ecological habitats. 2.1 hectares of land would be reserved for housing, and the remaining 2 hectares comprise open space and ecological habitat areas. Ponds are retained, and new attenuation ponds are proposed as part of the drainage strategy in the northern part of the site.
- 3.4. A single point of vehicular access is proposed off The Street/Sheppey Way, lying to the east of the application site. Access is a matter for consideration at this stage, and the proposed access design will be consistent with the details approved under permission 19/503974/HYBRID. Vehicular access will be via a mini-roundabout that connects into development approved under 19/503974/HYBRID and the application site now under consideration. The proposed access road will be 5.5 meters wide with a 2 meter wide footway to each side. In terms of the parking provision, the submission confirms that the parking will be provided in accordance with the Swale Parking Standards. The illustrative masterplan shows that 143 parking spaces will be provided for residents and 12 parking spaces for visitors. Cycle parking will be provided within storage units within the rear gardens of the proposed homes. It is also proposed for the existing Public Right of Way to be incorporated into the proposed scheme and retained (subject to improvements).

- 3.5. The submitted drawings, including the revised Masterplan (ref. 2805-SK21D) and Design & Access Statement, show two additional pedestrian links to the existing Iwade village, both off Sanderling Way. These would be for pedestrians only.

4. CONSULTATION

- 4.1. Four rounds of consultation were undertaken, during which letters were sent to neighbouring occupiers; a notice was displayed at the application site, and the application was advertised in the Press. Full details of representations are available online.
- 4.2. During the lifetime of this planning application, **Iwade Parish Council** provided six representations and object to the application on the following grounds:-

Comment	Report reference
Initially, concerns about flooding were raised and it was requested that Officers consider KCC LLFA comments. Following receipt of additional information, this matter was not raised in subsequent responses.	7.14.5, 7.14.7
Vehicles should not park in the roadway prior to the agreed working hours to minimise noise impacts on neighbours.	7.10.12
The roundabout access is too close to the junction with The Street.	7.10.9
No further extension to housing in this area should be allowed.	7.2.6, 7.2.10
The existing junction of The Street/Sanderling Way and Ferry Road needs to be remodelled as it is dangerous.	7.10.9
Insufficient healthcare and educational infrastructure.	7.13.3
Seeks confirmation that the proposals fully adhere to the agreed approach regarding The Swale Special Protection Area (SPAs) and Wetland of International Importance under the Ramsar Convention (Ramsar Site).	7.9.2, 7.9.10
Raise concerns that the foul water infrastructure needs upgrading.	7.14.5

- 4.3. In total 70 letters of representation from neighbouring occupiers, all objecting to the application have been received. In response to the first round of consultation the objections received raised the following points:-

Comment	Report reference
The proposed access off Sanderling Way is unsafe, has insufficient visibility splays and would generate unacceptable traffic levels on local roads.	7.10.5, 7.10.8, 7.10.9, 7.10.11
No more houses are needed.	7.2.6
The village is unable to accommodate additional parking and vehicle movements.	7.10.12
The plans (as originally submitted) show too much development in the western area and insufficient landscaping buffer.	7.7.3
Insufficient parking and garages are too small.	7.10.12
The proposed development will increase the risk of flooding within the surrounding area.	7.14.3, 7.14.4, 7.14.6
There is insufficient community infrastructure (schools, healthcare) to support the additional population.	7.13.3 – 7.13.6
Loss of privacy, loss of views, overlooking and overshadowing properties along Sanderling Way.	7.16.2, 7.16.4
Increased noise levels arising from the additional traffic.	7.16.5
Impact upon the protected species and ecological habitats (bats, amphibians, birds)	7.9.6 – 7.9.12
Discrepancies in the plan in relation to no. 58 Sanderling Way.	7.16.5
Residents would like to know the likely additional cost for the maintenance of additional green/drainage areas.	7.14.4
Health Impact Assessment has not been submitted (as required by CP5).	7.18.3, 7.19.1
Harmful visual impact of the development that will harm the character of the village.	7.7.4 – 7.7.5
Illegal waste dumping to the north of the site should be taken into consideration.	7.18.4

Following receipt of the application, amendments to the scheme were requested, including changes to the access point and the reconsideration of layout, landscaping and quantum of development, to which 11 objections have been received. In addition to the above comments, the following new concerns were raised: -

Comment	Report reference
Questions whether sufficient ecological surveys were carried out, particularly around bat presence and protection of great crested newts.	7.9.6 – 7.9.12
Illegal activities at Raspberry Hill Farm should be taken into consideration.	7.18.4
Alternative access and a roundabout below the junction to Sanderling Way and The Street will compound the traffic problems.	7.10.5, 7.10.8
Increased noise levels arising from the additional traffic.	7.16.5
Unsafe parking around schools will increase as a result of this development.	7.10.12
Residents along The Street have their cars damaged regularly, and the proposal will contribute to this issue.	7.18.4
The village is overpopulated.	7.2.6

- 4.4. Subsequently to the above, final revisions were submitted in June 2024, to which 2 objections were received, raising no new points.

5. REPRESENTATIONS

- 5.1. **Health & Safety Executive** – No comments received.

- 5.2. **KCC Highways** – No Objection:

- The application has been revised so that the main access is now proposed off The Street, not Sanderling Way. This is consistent with Local Plan allocation policy A17;
- The trip rates are accurate and accepted;
- The traffic assessment for the hybrid application (19/503974/HYBRID) considered the highway impact arising from this application;
- The proposal needs to contribute towards HIF Improvements (Grovehurst Junction work).

On the basis of the above no objections were raised, subject to conditions requiring a Construction Management Plan, provision of access from The Street prior to any occupation (consistent with condition 16 of 19/503974/HYBRID), details of car and cycle parking, installation of active EV charging points, provision of footways and roads prior to occupation, and section 106 contributions including:-

- Grovehurst Junction/A249 contributions amounting to £135,349.66;
- Provision of sustainable transport vouchers for each dwelling (£350 for each dwelling);
- Financial contributions of £24,375 towards improvements of Sanderling Way/The Street Junction.

- 5.3. **National Highways** – Raised no objections subject to a safeguarding condition requiring a Construction Traffic Management Plan prior to commencement.
- 5.4. **KCC Ecology** – No objections were raised, as the proposed development has been accompanied by sufficient ecological information to inform proposals and mitigation. Advises that reptile and GCN mitigation habitat is suitable, but any future residential pressure should be mitigated. It is recommended that safeguarding conditions are imposed requiring the submission of an updated ecological reports within 2 years, submission of LEMP (Landscape and Ecological Management Plan), Ecological Enhancement Plan, submission of bat sensitive lighting plan, implementation of mitigation prior to works commencing and implementation of landscaping scheme.
- 5.5. **KCC Lead Local Flood Authority (LLFA)** – No objections subject to conditions requiring a detailed drainage scheme and submission of verification report prior to occupation.
- 5.6. **KCC Economic Development** – No objections, subject to financial mitigation towards community infrastructure, including:-

Type of infrastructure	Cost	Project
Primary Education	£389,466.00	Towards a new Primary school in Northwest Sittingbourne (Local Plan Policy MU1) and/or increased capacity in the Sittingbourne North or South planning group
Secondary Education	£307,295.46	Towards a new Secondary school in Northwest Sittingbourne (Local Plan Policy MU1) and/or increased capacity in Sittingbourne non-selective and Sittingbourne & Sheppey selective planning groups
Special Education Needs & Disabilities (SEND)	£30,790.66	SEND contribution to be applied towards additional places in the Swale district.
Community Learning and Skills (Adults)	£2,052.60	Community Learning Project details contribution to be

		applied towards/ or additional equipment and resources for adult education centres serving the development, including outreach provision.
Integrated Children's Services	£4,294.90	Towards additional equipment and resources for the Integrated Children's Services in Sittingbourne including outreach provision.
Libraries, Registrations and Archives Service	£3,757.80	Towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development including Sittingbourne.
Adult Social Care	£10,852.80	Towards Specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places within Swale.
Waste	£11,647.80	Towards additional capacity at Sittingbourne HWRC & WTS.
All homes to be built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)		
All to be index-linked by the All-In Tender Price Index from Q1 2022 to the date of payment.		

- 5.7. **NHS** – No objections, subject to financial mitigation being secured in s.106 agreement to mitigate pressure on healthcare arising from the proposed development, as set out below:-

Amount of contribution	Mitigation project
£51,840	Towards refurbishment, facilities and equipment reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development or new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.

- 5.8. **Southern Water** – Acknowledges that network reinforcement will be required to accommodate additional capacity for the proposed development. This would be done after planning permission is issued and under separate legislation. No objections were raised, and notes that separate applications under Section 106 of the Water Act will have to be submitted.
- 5.9. **Kent Police**—No objections, subject to information requiring engagement with Designing Out Crime Officers (DOCOs) to incorporate Secured By Design (SBD) as appropriate.
- 5.10. **Natural England** – No objections, subject to financial contributions towards mitigation of additional recreational pressure upon North Kent Special Protection Areas (SPA) and safeguarding conditions requiring Construction Management Plan to ensure noise impacts upon wintering birds are minimised.
- 5.11. **UK Power Network**— No objections.
- 5.12. **Mid Kent Environmental Protection Team** – No objections raised, subject to the noise mitigation and air quality standard mitigation as set out in the Emission Mitigation Assessment, being secured. A verification report shall be submitted to the Local Planning Authority after approved measures have been installed.
- 5.13. **Historic England** – No comments offered – referred to the Council's Heritage Officer.
- 5.14. **Environment Agency** – No comments to make on this planning application as it falls outside of EA remit as a statutory planning consultee.
- 5.15. **Lower Medway Internal Drainage Board** – No objections and informs that drainage consent from the board will be required.
- 5.16. **SBC Urban Design** – Supports the scheme and makes the following observations: -
 - The density of the development is appropriate and responds to the surrounding context,

- The proposal will link with the existing village through pedestrian links,
- The layout reflects the concept plan as shown in the Local Plan,
- The amenity open space (to the west) lacks natural surveillance, and the plots back on the amenity space. Improvements will be needed at the reserved matters stage to ensure that some houses provide overlooking towards the proposed amenity space as well as the ecological area to the north.

5.17. **SBC Heritage** – No objections.

5.18. **KCC Archaeology** – No objections raised. Agrees with conclusions of archaeological assessment that the site lies within an area of high potential arising from the multi-period remains found around the village of Iwade on development in recent years and that any impacts can be mitigated via safeguarding conditions securing further field evaluation work prior to submission of the reserved matters application.

5.19. **KCC PROW** – Upon receipt of the revised site layout, which has shown no obstruction to the Public Footpath ZR91, and shows Public Footpath ZR93, no objections were raised. KCC PROW requested that the footpaths within the site boundary be a minimum width of 2 metres. There should also be a connecting path of the same width where ZR91 joins with ZR93 up to the northern site boundary. All paths should be constructed to a design agreed with Kent County Council's Public Right of Way Service.

5.20. **SBC Active Travel** – No objections.

5.21. **SBC Climate Change** – No objections.

5.22. **SBC Affordable Housing** - Supports the proposed development.

5.23. **Kent Fire & Rescue** – No comments.

5.24. **SBC Trees**—There are no objections; from an arboricultural perspective, the proposed landscaping for the site is acceptable.

5.25. **SBC Green Spaces** – No objections, subject to a financial contribution to enhance the provision at the Village Park at £530.24 per dwelling, plus a contribution toward formal sport in the village of £704.99 per dwelling as identified in the current Open Space and Play Strategy.

5.26. **Swale Footpaths Group** – No objections were raised, but notes were made that route ZR61 would run close to proposed houses, so their privacy needs to be considered at an early stage (walls, fences).

6. DEVELOPMENT PLAN POLICIES

6.1. **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017**

ST1: Delivering sustainable development in Swale
ST2: Development targets for jobs and homes 2014- 2031
ST3: The Swale settlement strategy
ST4: Meeting the Local Plan development targets
ST5: The Sittingbourne area strategy
CP2: Promoting sustainable transport
CP3: Delivering a wide choice of high-quality homes
CP4: Requiring good design
CP5: Health and wellbeing
CP6: Community facilities and services to meet local needs
CP7: Conserving and enhancing the natural environment – providing for green infrastructure
CP8: Conserving and enhancing the historic environment
A17: Lwade expansion
DM6: Managing transport demand and impact
DM7: Vehicle parking
DM8: Affordable housing
DM14: General development criteria
DM17: Open space, sports and recreation provision
DM19: Sustainable drainage and construction
DM21: Water, Flooding and drainage
DM24: Landscape
DM28: Biodiversity and geological conservation
DM29: Woodlands and Trees
DM31: Agricultural Land
DM32: Development involving listed buildings
DM34: Scheduled Monuments and Archaeological Sites

6.2 **Supplementary Planning Guidance / Document:**

- Swale Landscape Character and Biodiversity Appraisal SPD
- Swale Parking Standards SPD
- Developer Contributions SPD

6.3 **Other relevant material considerations:**

- Open Space Strategy
- Air Quality and Planning Technical Guidance
- Guidance on Climate Change planning condition
- Planting on New Developments

7. ASSESSMENT

- 7.1. This application is reported to the Committee due to Lwade Parish Council's objection being contrary to the Officer's recommendation. Considering these comments and the proposal that has been submitted, the main considerations in the assessment of the application are:-

- Principle
- Size and type of housing
- Affordable Housing
- Community Infrastructure
- Open Space
- Character and appearance
- Landscape Impacts
- Heritage
- Archaeology
- Ecology
- Transport and Highways
- Air Quality
- Sustainability
- Flood Risk, Drainage and Surface Water
- Contamination
- Living Conditions
- Other Matters

7.2. Principle

- 7.2.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision-making is the development plan unless material considerations indicate otherwise.
- 7.2.2. The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.
- 7.2.3. Paragraph 11 of the NPPF states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Local Plan policies are considered out-of-date due to the fact that the Council is unable to demonstrate 5-year housing land supply.
- 7.2.4. Paragraph 124 of the NPPF states that planning decisions should promote effective land use, which contributes to the environmental objective of sustainable development, as defined by paragraph 8.
- 7.2.5. Policy ST1 of the Local Plan supports sustainable development on both identified and suitable sites within the borough.

- 7.2.6. The site is located immediately adjacent to the northern edge of the existing settlement of Iwade, which is designated as a rural local service centre under policy ST3 of the Local Plan. Crucially, the site is allocated for residential development under policy A17 of the Local Plan, and as such, the principle of residential development on the site is acceptable and compliant with the Local Plan policies ST1 and ST3.
- 7.2.7. Policy A17 sets out that a minimum of 572 dwellings are to be provided within the full extent of the allocation. Although some of the applications, such as this application, are for 'up to' a specified number of dwellings rather than a definitive number, together with the application at Pond Farm (69 homes) and to the East of Iwade (455 homes – not including the 11 dwellings which fall within this parcel of land), the maximum total of up to 584 houses would be provided as part of A17 allocation. This would be in accordance with the policy requirement that a minimum of 572 dwellings be delivered under this allocation.
- 7.2.8. The concept plan that supports policy A17 and contained in the Local Plan 2017 suggests that a number of units could be included on land to the north of the existing village edge, which is subject to this application. The proposed dwellings, as shown on the illustrative layout, are fully contained within the built-up boundaries area as identified in the Local Plan. It is also noted that the Local Plan policy A17 envisages the northern parcel of the allocation to deliver approximately 62 units, whereas this proposal would deliver 60 dwellings, and the scheme proposes an appropriate density and quantum of the development, consistent with the Local Plan requirements.
- 7.2.9. The key requirements of policy A17 for development to the north of Iwade are:-
- Provide a substantial green space with copse planting and enhanced hedgerow boundaries and wetlands to form a new, attractive village edge;
 - Retain existing mature vegetation on the Old Ferry Road boundary;
 - Safeguard, create and manage ponds for biodiversity and protected species;
 - Provide green corridors to interrupt the mass of development and provide softening in longer views;
 - Use low-density housing to respond to the local character and distinctiveness of the village, marshlands, and the local landscape area.
 - Provide primary access off The Street/Sheppey Way, not Sanderling Way.
- 7.2.10. The proposed housing is shown to be located entirely within the built-up boundaries, in accordance with the concept plan, whereas the landscaping and open space are located in the countryside and provide a buffer for the village. The wide landscaping buffers are incorporated along the western and northern edges of the development, consistent with the Local Plan vision. Whilst it is acknowledged that the public representation expectation is for these buffers to be wider, they are considered to be appropriately wide to support ecological habitats and meet the objectives of policy A17, as endorsed by KCC Ecology. A narrower landscaping buffer will be incorporated along a southern boundary, which is appropriate and in line with the policy expectation. In conclusion, the proposal will contribute towards meeting housing needs of the district and is considered to be in accordance with policies ST1, ST3, and A17 of the Swale Local Plan 2017.

7.3. Size and Type of Housing

- 7.3.1. The NPPF recognises that to create sustainable, inclusive, and diverse communities, a mix of housing types, which is based on demographic trends, market trends and the needs of different groups, should be provided.
- 7.3.2. The Local Plan policy CP3 requires the mix of tenures and sizes of homes provided in any particular development to reflect local needs. The Local Plan requires developments to achieve a mix of housing types, which reflects that of the Strategic Housing Market Assessment (SHMA). Subsequent to the adoption of the Local Plan, the Council's Housing Market Assessment (HMA) was prepared in 2020 (i.e., more recently than the Local Plan) after the introduction of the standard method for calculating the objectively assessed need. As such, officers have considered the proposed and indicative housing mix against that set out in the HMA:-

Tenure – HMA	1 Bed	2 Bed	3 Bed	4 Bed
Market Required	7%	33%	41%	19%
Market Proposed	4%	13%	68%	15%
Affordable Required	27%	23%	30%	20%
Affordable Proposed	0	50%	50%	0

- 7.3.3. The HMA (2020) broadly echoes the Local Plan requirements in terms of the mix of dwelling sizes. It should be remembered that this reflects the Borough wide need.
- 7.3.4. In terms of private housing (market tenure), the proposal is indicated to deliver a greater proportion of 3-bed dwellings and fewer 1 and 2-bed dwellings, however full details will be known once the layout is fixed. The mix of dwellings set out in the HMA and Policy CP3 is borough-wide and for Iwade specifically, the supporting text to Local Plan Policy CP3 states that the objective is for the development of good quality family housing, for which the greatest local demand exists. Three-bedroom units, of which the majority of the dwellings are, would cater for this demand. As a result it is considered that the mix is appropriate in this case. However, as this is an outline application, with layout a reserved matter, a condition has been imposed which requires the full details of the housing mix to be submitted and approved in due course to allow for flexibility. On the basis of the above, the scheme is considered to be in accordance with policy CP3 of the Local Plan.

7.4. Affordable Housing

- 7.4.1. The NPPF sets out the requirement for setting appropriate, affordable housing levels for new development based on up-to-date evidence. Through Policy DM8, the Local Plan requires 10% of affordable housing from developments in Sittingbourne town, urban extensions and Iwade.
- 7.4.2. The affordable housing proposed as part of the development equates to 10% of dwellings, which equates to 6 dwellings. The following tenure type for affordable housing will be incorporated within the scheme:-
- 5 x affordable rent,
 - 1 x shared ownership,
- 7.4.3. In terms of the affordable tenure, 83% will be delivered as affordable rent homes, with the remaining 17% as shared ownership. The Council's Affordable Housing Officer is satisfied with this approach and considers the scheme policy-compliant. The deviation from the typical tenure mix results from the small proportion of affordable homes delivered, because the 10% shared ownership required would amount to 0.6 of a dwelling in the context of this application. This was rounded up to 1 dwelling, which is reasonable. The affordable house sizes and types are indicative at this stage and will further be defined through discussions with the registered provider when they are found. As such, an exact size and type of affordable housing homes will come forward through the Affordable Housing Scheme, to be submitted and approved in writing prior to submission of the reserved matters application. Given the outline stage of this application, this is considered a suitable approach. The SBC Affordable Housing Officer has endorsed this tenure mix, which will be secured in the Section 106 agreement. All affordable house types will be required to be compliant with the Nationally Described Space Standards and meet the requirements of Part M4(2) of the Building Regulations, which can be reasonably secured via safeguarding conditions.
- 7.4.4. In terms of the design, the policy requires the proposed affordable homes to be indistinguishable from the houses proposed in the private tenure, and this matter will be assessed at the reserved matters stage. In view of the above, the proposals for affordable housing accord with policy DM8 of the Local Plan.

7.5. Heritage

- 7.5.1. The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise, and this is endorsed by the Local Plan.

- 7.5.2. Local Plan Policy CP8 sets out various requirements proposals must accord with to sustain and enhance the significance of Swale's designated heritage assets. The policy states that development will sustain and enhance the significance of designated and non-designated heritage assets to sustain the historic environment whilst creating for all areas a sense of place and special identity.
- 7.5.3. Policy DM32 of the Local Plan relates to development involving listed buildings and states that development proposals affecting a listed building, or its setting will be permitted provided that the building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, are preserved. Criteria 5 of policy A17 of the Local Plan requires applications to undertake a detailed heritage assessment (including for archaeology) and mitigate any impacts identified.
- 7.5.4. In assessing heritage impacts, the first step is for the decision-maker to consider each of the designated heritage assets which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the significance of such an asset. The site is near to listed buildings, therefore having the potential to impact their setting. The following heritage assets have been identified as being potentially impacted by the proposal:
- Grade I listed All Saints Church, separated by 188 metres from the site,
 - Grade II listed traditional agricultural barns, located approximately 138 metres away from the site,
 - Grade II listed Ivy Cottage, approximately 215 metres away from the site.
- 7.5.5. The NPPF makes it clear that a heritage asset's setting is the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to an asset's significance, may affect the ability to appreciate that significance, or may be neutral. In this case, given the separation distance and the existence of the existing buildings separating the site from the heritage assets, it is considered that the proposed development would preserve the setting of the historic assets and would not harmfully affect their special historic interests. Generous landscaping buffers will aid in assimilating the proposed development within the surrounding area so that, over a longer time, it appears as a coherent part of Iwade village. The proposal, therefore, appropriately responds to the surrounding environment and conserves the historic interest of the heritage assets. SBC Heritage Team raised no objection to the proposed development.
- 7.5.6. In considering the impact of this proposal upon designated heritage assets, officers have had regard to the duties of the Council pursuant to the Planning (Listed Buildings and Conservation Areas Act) 1990 and it is concluded that the proposal will preserve the setting of listed buildings, thus complying with policies CP8, DM14 and DM32 of the Swale Local Plan 2017 and the NPPF.

7.6. Archaeology

- 7.6.1. The NPPF sets out that where development has the potential to affect heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 7.6.2. Policy DM34 of the Local Plan sets out that planning applications on sites where there is or is the potential for an archaeological heritage asset, there is a preference to preserve important archaeological features in situ; however, where this is not justified, suitable mitigation must be achieved. Criteria 5 of policy A17 of the Local Plan requires applications to undertake a detailed heritage assessment (including for archaeology) and mitigate any impacts identified.
- 7.6.3. The application site is within the marshland, which would have been historically attractive for ancient people to occupy, so the potential for archaeological presence cannot be ruled out at this stage. Given this archaeological potential, further archaeological evaluation is considered necessary, as recommended by KCC Archaeology. Subject to safeguarding conditions requiring archaeological field evaluation, with allowance for further mitigation, should significant archaeology be identified, the proposed development is considered to be acceptable on archaeology grounds. The condition will be appropriately timed (requiring details for approval prior to submission of reserved matters application) to ensure that the outcome of this work informs future reserved matters layouts.
- 7.6.4. As such, subject to safeguarding conditions being imposed, the proposed development would have an acceptable impact on the archaeology, in line with policies DM34 and A17 of the Local Plan.

7.7. Character and appearance

- 7.7.1. The National Planning Policy Framework attaches great importance to the design of the built environment, and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement through policy CP4.
- 7.7.2. Policy DM14 sets out general development criteria, requiring, amongst other elements, developments to be well-sited and the scale, design and appearance to be sympathetic and appropriate to the location.
- 7.7.3. The application site does not lie within a designated landscape. Nonetheless, it is a marshland of an open character that contributes positively to the setting of the village. The layout and design of the development has been subject to considerable amendments during the course of this application. The amendments included:-
- Reduction in the total number of units by 5;
 - Removal of built form out of western and eastern edges of development;

- Increase provision of open space and green buffers;
- Provision of 'woodland' buffers to the west, and north and landscaped boundaries to the south;
- Incorporation of informal play space;
- Change to access point from Sanderling Way to The Street (a matter which was of significant concern initially during the public consultation process).

- 7.7.4. Additional planting and greenery has been proposed to enhance the plots and residential roads, creating a pleasant and high-quality neighbourhood. These parameters will be secured via safeguarding conditions to ensure that the reserved matters condition continues to propose a high-quality design.
- 7.7.5. Scale, landscaping and layout are reserved matters but the indicative layout demonstrates the capability of the site to accommodate 60 dwellings. The main parameters of the proposed development, such as the extent of the built form will be secured via safeguarding conditions to ensure that the proposed development appears as an integral extension to the village. Indeed, the position of the built form within the site would form a logical extension to the village with wide landscaped woodland buffers along the northern edge, thus marking a green edge to the settlement. The extent of the built development is dictated by ecological constraints as well as the concept masterplan contained in the Local Plan and so it is considered the scheme has been redesigned to conform to the parameters set in the concept plan included in the site specific allocation (policy A17) of the Local Plan.
- 7.7.6. The density of development proposed when taking into account the overall site area is 13.7 dwellings per hectare. This can be seen as low, however almost 50% is retained for the ecological and open space requirements. The "developable" area of the site, as shown, amounts to 2.1 hectares (approximately 50% of the total site) – and the density of development within this area amounts to approximately 25 dwellings per hectare. Policy A17 specifically states that this part of the Iwade expansion should incorporate low density housing and it is considered that the scheme provides an appropriate density for the edge of settlement location in accordance with the site specific policy requirement. This view is concurred with by the SBC Urban Design Officer, who raised no objections to the scheme.
- 7.7.7. It is noted that one of the recommendations from SBC Urban Design Officer is that the detailed layout at reserved matters stage will need to demonstrate improved animation and surveillance towards informal amenity space and footpath to the north. Officers agree that this will be required at a detailed reserved matters stage. The current masterplan demonstrates that the quantum of development can be comfortably accommodated within the site, and as the layout is not fixed, Officers are satisfied that this matter can be reasonably dealt with through reserved matters condition.
- 7.7.8. Subject to safeguarding conditions, the proposed development is considered appropriate to its context and complies with policies A17, CP4, DM14 and DM24 of the Local Plan 2017 and NPPF.

7.8. Landscape Impacts

7.8.1. Policy DM24 of the Local Plan states that the value, character, amenity and tranquillity of the Borough's landscapes will be protected, enhanced and, where appropriate, managed. For undesignated landscape, which this site is, permission will be granted subject to:-

- The minimisation and mitigation of adverse landscape impacts; and
- When significant adverse impacts remain, the social and/or economic benefits of the proposal significantly and demonstrably outweigh the harm to the landscape character and value of the area.

7.8.2. Policy DM24 of the Local Plan reiterates that visual assessments should inform the scale, layout, and design, considering the Council's Urban Extension Capacity Study and Landscape Character and Biodiversity Appraisal SPD.

7.8.3. The site is not located within or adjacent to a designated landscape. The Council's Landscape and Biodiversity Appraisal SPD identifies the site as part of the Lower Halstow Clay Farmlands, which is of moderate condition and high sensitivity. The eastern edge of the site falls within the Iwade Arable Farmlands. Landscape condition is assessed as moderate, and guidelines seek to conserve and restore landscape structure and soften development through woodlands, shelterbelts and hedgerows. Policy A17 of the Local Plan, at paragraph 6.5.104, summarises the surrounding landscape as set out below:-

"Landscape evidence advises that the landscape in this part of the village borrows a considerable degree of its sense of place from neighbouring marshland, such as the flat, exposed nature of the landscape and the big skies. There is a low capacity to accommodate change, but a small amount of residential expansion would be acceptable, providing that the new urban edge does not become visible in sensitive views from the marshes."

7.8.4. The landscape context of the site and surrounding area is predominantly open rural countryside occupying the undulating landform. The undulating nature of the topography, together with the lack of vegetation, creates an open and exposed wind-swept landscape with big skies. This allows open long-distance views across the area from areas of higher ground, especially to the northwest, north and east where there are views over the marshlands, The Swale and River Medway to the Isle of Sheppey and Isle of Grain and also inland views towards Iwade and Sittingbourne.

7.8.5. The application includes a Landscape and Visual Impact Assessment. This demonstrates that the development would be seen in the context of the existing settlement at Iwade, which provides a level of containment. Inevitably, the landscape character within the application site boundaries would be lost, as buildings would cover the open field.

7.8.6. The Design & Access Statement indicatively notes the height of the proposed development as set primarily over two storeys, however the scale is a reserved matter. Nonetheless, in the interest of the setting of the countryside, it is appropriate to restrict dwellinghouses to two-storey height and three storey in height for any apartment blocks. Apart from close views

from short sections of Sanderling Way, the proposed development would not impact on views from the surrounding countryside to the south. From the north, it would be seen as integrating with the existing settlement. Further, wide landscaping buffers and ecological habitats that will be created will provide a clear and green edge to the settlement and, therefore, have a positive impact on the surrounding landscape.

- 7.8.7. It is therefore considered that, subject to further landscaping along western and northern boundaries, the broader visual impact would not be adverse, and the indicative masterplan and landscaping measures would contribute towards providing a strong green edge to the village, as required under Policy A17 of the Local Plan. As such, the application would comply with policies A17 and DM24 of the Local Plan.

7.9. Ecology

- 7.9.1. The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by Policies CP7 and DM28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.
- 7.9.2. The application has been the subject of an Appropriate Assessment (AA) under the Habitats Regulations. The AA concluded that there is a potential risk of harm to the European-designated sites at the Medway SPA and Ramsar Site. The impacts of this development were assessed in combination with other planned developments. The AA, which was prepared in consultation with Natural England, concludes that these impacts can be mitigated through financial mitigation. The applicant agreed to pay this, and the mitigation will be secured in the s.106 agreement. The AA was adopted on this basis.
- 7.9.3. Under the Natural Environment and Rural Communities Act (2006), the authority must, in exercising its functions, further the general biodiversity objective of conserving and enhancing biodiversity in England. Furthermore, the National Planning Policy Framework states that the planning policies and decisions should contribute to and enhance the natural and local environment by 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.'
- 7.9.4. The National Planning Policy Framework states that 'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.'

- 7.9.5. The Local Plan Policy DM28 sets out that development proposals will conserve, enhance, and extend biodiversity, provide for net gains where possible, minimise any adverse impacts, and compensate where impacts cannot be mitigated.
- 7.9.6. The application site comprises fields with some ponds. Therefore, there is a potential for ecological habitats to be present within the site. The Applicant has submitted an Ecological Appraisal Report (with subsequent addendums), which included surveys, and concluded that the site accommodates a low breeding population of Great Crest Newts located approximately 250-500 metres from the site. Due to the habitat connectivity between the ponds, the CGN present within the site and surrounding area are part of the same wider population.
- 7.9.7. The submitted report has detailed that an on-site receptor site will be created in the north of the site, and once created, the SUDS scheme will provide suitable habitat for the GCN population. The proposals include the enhancement of the existing pond on site and the management of the grassland within the site using a rotational cutting system to ensure suitable habitat is retained on site for the GCN. KCC Ecology queried whether the receptor site would be accessible for residents as there is a need to ensure that the quality of the habitat will not decline due to recreational pressure. However, the proposed northern ecological mitigation area will not be a usable open space, and the applicant has confirmed that the area will be fenced off. This would be secured via safeguarding condition (LEMP) and, on this basis, KCC Ecology is satisfied that the mitigation is appropriate.
- 7.9.8. It is noted that as part of mitigation for GCN, an application for a European Protected Species (EPS) mitigation licence to Natural England would be required. The Habitats Regulations 2010 (as amended) places an obligation on the Local Planning Authorities to consider the three European Protected Species licensing tests when considering a planning application which impacts on European Protected Species. The three licensing tests, which Natural England also has to apply later when considering a licence application, are (i) whether there are imperative reasons of overriding public interest for the planning application; (ii) whether there are any satisfactory alternatives; and (iii) whether the species' favourable conservation status has been maintained. In respect of these points, the site is a housing allocation, and development on this site is necessary to meet the housing targets of the Borough. Consequently, the derogation tests are considered to have passed. The mitigation for GCN, if the development is covered by an EPS licence, would involve providing compensatory habitat and habitat enhancements for the loss of terrestrial foraging habitat within the Site and also mitigation for the potential fragmentation effects.
- 7.9.9. In terms of the impact upon reptiles, the surveys have recorded common lizard and slow worm populations, as well as a low population of grass snakes. The proposed receptor site will be created within the site, and as explained above, the area will not be accessible for residential use. On this basis, KCC Ecology is satisfied that the proposed development will not negatively impact these species, and the mitigation is appropriate.
- 7.9.10. The ecological information submitted was sufficient for KCC Ecology to be satisfied that the site does not form part of a functionally linked habitat to wintering birds due to the habitats

present on the site. Whilst raised as a concern during the consultation period, KCC Ecology have subsequently confirmed that they are satisfied that bat roosts presence is unlikely. A moderate diversity of bat species is likely to use the site for commuting and foraging but the proposed habitat creation within the site is likely to benefit them in the longer term. Subject to safeguarding conditions securing the lighting levels and minimising light spill, the proposed development would not harm the ecological interests of protected species.

- 7.9.11. Subject to safeguarding conditions securing the above mitigation and Landscape and Ecological Management Plan (LEMP), ecological enhancements, as required by KCC Ecology, the proposed development would not result in any harmful impact on ecology and protected species. In view of the above, subject to safeguarding conditions, it can be concluded that the proposed development would not result in biodiversity loss and is acceptable on ecology grounds, in line with policies CP7 and DM28 of the Local Plan and paragraphs 180 and 186 of the NPPF.
- 7.9.12. The application proposes biodiversity enhancements through the creation of ecological habitat areas, which would provide a net gain. Although the figure is not quantified, the application was submitted prior to the introduction of a mandatory net gain requirement of a minimum of 10% and therefore the scheme would be in accordance with policy DM28 of the Local Plan.

7.10. Transport and Highways

- 7.10.1. The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. The NPPF sets out that development proposals should identify and pursue opportunities to promote walking, cycling and public transport use.
- 7.10.2. The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”

- 7.10.3. Local Plan policies CP2 and DM6 promote sustainable transport through utilising good design principles. Policy DM6 sets out that proposals will need to mitigate harm where highway capacity is exceeded and/ or safety standards are compromised.

Sustainability and access point

- 7.10.4. The application site is adjacent to an existing settlement that is identified as sustainable to accommodate growth within the adopted Local Plan. The nearest railway stations to the site are Swale and Kemsley, 1.6km and 2.1 km, respectively. Bus stops are within walking distance (at The Street) and provide regular services to Sittingbourne, Sheerness, and Minister. The village of Iwade also contains a good level of day-to-day facilities available to

future occupiers, and two pedestrian links are proposed through to Sanderling Way to allow good connectivity. The delivery of walkaway links will be secured via safeguarding conditions.

- 7.10.5. The site was initially proposed to have access off Sanderling Way. Following revisions to the scheme and considering public representations received, this has been amended and the application now proposes an access point off The Street, as envisaged in the allocation A17 of the Local Plan. The proposed access off The Street/Sheppey Way would take the form of a roundabout that would provide access to this site as well as providing access to the development approved under ref. 19/503974/HYBRID (land east of Iwade). This access arrangement is consistent with the details and transport strategy as approved under application reference 19/503974/HYBRID. The submitted application has provided further details regarding the suitability of the roundabout, which includes swept path drawings for servicing the development. The access point will be required to be delivered prior to the occupation of any dwelling within this site as controlled by the condition below.
- 7.10.6. To encourage a move to sustainable travel, the Applicant has prepared a draft Travel Plan (forming part of the Transport Statement), which states that the following measures are proposed:-
- Safe, covered cycle parking to be included,
 - Voucher worth £350 for each dwelling to purchase a bicycle,
 - Appointment for a travel co-ordinator.
- 7.10.7. The detailed Travel Plan will be secured via condition, as requested by KCC. Travel Vouchers will be secured via s.106 agreement. On this basis, the proposed development is considered to comply with policies CP2 and CP6 of the Local Plan 2017.

Traffic, road capacity and highway improvements

- 7.10.8. The application comes forward as part of a broader allocation and is accompanied by a Transport Assessment, which confirms that the trips generated as a result of this application would amount to 31 trips in the morning and 34 in the afternoon (two-way movements). This has been accepted by KCC Highways as accurate and is consistent with the conclusions of Transport Assessment as part of the wider hybrid application for allocation A17. Consequently, the proposed development represents 10.5% of the trips generated by the whole of Iwade Expansion. These conclusions are consistent with the Transport Assessment included as part of the hybrid planning application, which also included predicted impacts from the 60 dwellings proposed under this application.
- 7.10.9. In terms of the traffic and impacts upon the surrounding road network, the proposed development, based on the modelling, is shown to have the highest impact on The Street southbound (representing approximately 13% increase in traffic). Given this increase in traffic, it is therefore justified and necessary for this development to contribute towards improvements of Sanderling Way/The Street Junctions. KCC Highways requested a £24,375 contribution towards an improvement to that junction, payable prior to the

occupation of any dwelling. The improvements would be delivered by KCC Highways and include the following:-

- Installation of the raised table on the highway,
- Creation of mini-roundabout at the junction of Sanderling Way and The Street;
- Associated alterations to pavements.

7.10.10. The planning obligation has been accepted by the Applicant and will be secured via s. 106 agreement.

7.10.11. It is noted that to accommodate this growth, proportionate contributions to improvements to the junction at Grovehurst and A249 are also necessary. As requested and estimated by KCC Highways, this development was requested to contribute an equitable rate towards the HIF Improvements in the form of £135,349.66, payable upon commencement. This has been accepted by the Applicant and will be secured in s.106, as set out in Heads of Terms.

Parking provision

7.10.12. The application confirms that the proposal is to deliver parking in line with the Council's adopted parking standards. This would amount to 134 parking spaces and 14 visitor parking spaces, based on the indicative housing mix. KCC Highways and Officers are satisfied that there is sufficient land available to accommodate that level of parking within the site, as demonstrated by the Illustrative Masterplan. The temporary parking during construction will be managed through the Construction Management Plan, secured via condition. Relating to the size of the proposed garages and parking, this is proposed to comply with parking standards of Swale, however the detailed and fixed layout will come forward as part of reserved matters application. Subject to safeguarding conditions requiring parking and cycle parking which are set out below, the proposal is considered to be in line with KCC Highway requests and Local Plan requirements.

Conclusion

7.10.13. Consequently, subject to the financial mitigation towards highways improvement works, together with safeguarding conditions requiring a Construction Management Plan, provision of access prior to any occupation taking place, details of reserved matters application to include details of parking, inclusion of EV charging points and provision of footways and carriageways prior to occupation, the KCC Highways raised no objection to the application and considered the proposal to be acceptable on traffic increase and highways matters. These matters are all dealt with via condition and therefore, the proposed development would have an acceptable impact on highways safety and amenity and comply with policies CP2 and DM6 of the Swale Local Plan 2017 and the NPPF.

7.11. Air Quality

7.11.1. The importance of improving air quality in areas of the borough has become increasingly apparent over recent years. Legislation has been introduced at a European level and a national level in the past decade with the aim of protecting human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollution.

7.11.2. The NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing new/existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, inter alia, unacceptable levels of air pollution. It also requires the effects of air pollution and the potential sensitivity of the area to its effects to be taken into account in planning decisions.

7.11.3. The Planning Practice Guidance on Air Quality states that

“whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation.....”.

7.11.4. The Local Plan at Policy DM6 sets out that development proposals will integrate air quality management and environmental quality into the location, design, and access to development and demonstrate that proposals do not worsen air quality to an unacceptable degree.

7.11.5. The proposed development is a major development. However, the proposal is likely to generate vehicle movements below relevant criteria for Air Quality Assessment for developments outside of the AQMA. Consequently, the submitted Emission Mitigation Statement has been submitted in support of the proposal. This identified a total damage cost of £11,506. The following mitigation measures are proposed:

- A Travel Plan will be produced for the Proposed Development prior to the occupation, it will include measures which will discourage the use of private cars by encouraging the use of sustainable travel choices;
- A Welcome Pack will be provided to all residents, which will include the provision of bus timetables, maps of local facilities, travel vouchers and information on car-sharing initiatives;
- Provision of cycle storage facilities;
- Provision of green infrastructure/planting, which would include particular species to help with filtering traffic pollution.

7.11.6. Whilst some of the aforementioned measures (for example: cycle storage) are required to be delivered by different policies, it is considered that other measures would be sufficient to mitigate the impacts identified and exceed the calculated damage costs. Furthermore, SBC

Environmental Health has reviewed the submission and concluded that there are no adverse impacts on air quality, either alone or in combination and is satisfied with the mitigation proposed.

- 7.11.7. In accordance with Swale Air Quality Guidance, standard mitigation in the form of EV charging points will be secured via safeguarding conditions. Subject to safeguarding conditions, the proposed development is considered acceptable and would not worsen air quality, which is in line with requirements of policy DM6 of the Swale Local Plan 2017 and NPPF.

7.12. Open Space

Type of open space	Policy requirement DM17	Proposed within this application
Parks & Gardens	1.11 ha per 1000 population = 0.15 ha	Country park delivered within wider A17 allocation
Natural & Semi-natural	4.36 ha per 1000 population = 0.62 ha	1.5 ha
Formal Outdoor Sport	1.09 ha per 1000 population = 0.16 ha	Off-site contribution
Amenity greenspace	0.45 ha per 1000 population = 0.06 ha	0.2 ha
Provision for children and young people (informal)	0.24 ha per 1000 population = 0.03 ha	0.3 ha
Formal Play	Contribution on or off-site	Off-site contributions
Allotments	0.2 ha per 1000 population = 0.028 ha	Within wider allocation

- 7.12.1. Local Plan Policy CP7 requires developments to promote the expansion of Swale's natural assets and green infrastructure. Policy DM17 of the Local Plan sets out that new housing development should make provision for appropriate outdoor recreation and play space proportionate to the likely number of people who will live there. This space should be fully accessible all year round.
- 7.12.2. Site-specific allocation policy A17 requires a generous amount of open space to be provided within the full extent of the allocation, and it has to be noted that this application forms just a small parcel of land that forms part of the wider allocation. The individual applications collectively demonstrate that open space and green spaces within the allocated were planned comprehensively.

- 7.12.3. This application delivers 2 ha of open space, which, in totality, exceeds the total requirements for open space for this development (1 ha). Whilst not all typologies are proposed within this site, given the context of the wider allocation (where the country park and allotments are proposed), the focus on this site has been on the provision of appropriate ecological mitigation that increases biodiversity and habitats on-site and wide buffers, as required by policy A17. There is also appropriate provision for accessible open space for residential recreation, as there is a parcel of land totalling 0.2 ha reserved for amenity green space, in addition to 0.3 ha of land in the western part of the site, which would be accessible to residents and incorporate informal play space.
- 7.12.4. The majority of open space typologies are exceeded as per policy requirements, whereas other typologies – such as parks would be provided with broader allocation and be fit for purpose, given the scale proposed. Considering the scale of the development, the availability of amenity play space within walking distance within the village of Iwade and also the availability of amenity areas delivered as part of the allocation, the proposed development provides for sustainable communities with access to green spaces and amenity spaces. It is noted that when considered in isolation, the provision of amenity space to serve the needs of this application is sufficient to achieve policy compliance and is also broadly consistent with the broader masterplan approved as part of the hybrid application.
- 7.12.5. The applicant has been requested to provide financial contributions to mitigate the pressure arising from this application and contribute towards off-site improvements to open spaces within the Village Park (Woodpecker Park) and formal sports facilities within the village. SBC Greenspaces Officer identified that financial contributions could be directed toward off-site open space improvements towards increasing the capacity of the play area and sports pitches through improvements to the existing provision. The request is considered CIL complaint, and in accordance with the open space strategy, the following amounts were requested:-
- Contribution of £713.17 per dwelling (a total of £42,790.20) towards increasing the capacity of formal sports facilities in the village.
 - £530.24 per dwelling (a total of £31,814.40) towards play area improvements.
- 7.12.6. The Applicant has agreed to pay the requested mitigation in full, with the first 50% payable upon commencement of the development and a reminder of the mitigation payable upon occupation of the 40th house. This will be secured in s.106.
- 7.12.7. In view of the off-site mitigation towards open space improvements, the development is considered to mitigate its pressure and comply with policy DM17 of the Swale Local Plan 2017 and NPPF.

7.13. Community Infrastructure

- 7.13.1. The National Planning Policy Framework attaches importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities.

This is reflected in Policies CP5 and CP6 of the Local Plan, which set out that provision shall be made to accommodate local community services, social care and health facilities within new developments.

7.13.2. As with any planning application, the request for financial contributions needs to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 (which were amended in 2014). These stipulate that an obligation can only be a reason for granting planning permission if it is:

- Necessary
- Related to the development
- Reasonably related in scale and kind

7.13.3. Kent County Council, in its capacity, has identified that the proposed development will generate additional pressure on existing community facilities, including schools. The following mitigation has been requested:-

Type of infrastructure	Cost	Project	Trigger point
Primary Education	£389,466.00	Towards a new Primary School in Northwest Sittingbourne (policy MU1) and/or increased capacity in the Sittingbourne North or South planning group	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
Secondary Education	£307,295.46	Towards a new secondary school in Northwest Sittingbourne (Local Plan Policy MU1) and/or a new secondary school in Sittingbourne nonselective and Sittingbourne & Sheppey selective planning group areas.	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
Special Education Needs & Disabilities (SEND)	£30,790.66	SEND contribution to be applied towards additional places in the Swale district.	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house

Community Learning and Skills (Adults)	£2,052.60	Additional equipment and resources for adult education centres serving the development, including outreach provision.	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
Integrated Children's Services	£4,294.90	Additional equipment and resources for the Integrated Children's Services in Sittingbourne, including outreach provision, are needed.	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
Libraries, Registrations and Archives Service	£3,757.80	Towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development including Sittingbourne.	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
Adult Social Care	£10,852.80	Towards Specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places within Swale	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
Waste	£11,647.80	Towards additional capacity at Sittingbourne HWRC & WTS.	50% payable prior to the first occupation and the remaining 50% payable prior to the occupation of 30 th house
All homes to be built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)			
All to be index-linked by the All-In Tender Price Index from Q1 2022 to the date of payment.			

- 7.13.4. The application has been assessed in accordance with the KCC Development Contributions Guide, and inevitably, given the increased population as a result of additional dwellings, the proposed development will put pressure on existing community facilities. The above contributions and identified projects are considered to be CIL-compliant, required by policy A17 (criteria 8) and are necessary to make the development acceptable in planning terms to provide sufficient community infrastructure to serve additional populations. The applicant has agreed to pay those contributions in total and agreed to trigger points identified above.
- 7.13.5. In terms of the impact upon healthcare, the proposal will generate approximately 144 new patient registrations in general practice, as estimated by NHS and based on the dwelling mix proposed. The proposed development falls within the current practice boundaries of Grovehurst Surgery, The Meads Medical Practice, Green Porch Medical Partnership and Princes Park Medical Centre (Iwade Health Centre), where there is limited capacity to accommodate growth. The financial contributions will allow that growth to be accommodated and mitigate the pressure arising from the proposed development. The Applicant has agreed to secure contributions in a s.106 agreement and pay 50% prior to the 1st occupation with the outstanding amount prior to 35th occupation. However, the precise timings of these payments have not at this point been agreed by the NHS. Therefore, the trigger points for payments will be included in the s.106 agreement via further consultation with the NHS.
- 7.13.6. Subject to all necessary contributions being secured in s.106 agreement, the proposed development would mitigate its pressure upon existing services and is in accordance with policies CP5 and CP6 of the Local Plan 2017, and NPPF.

7.14. Flood Risk, Drainage and Surface Water

- 7.14.1. The NPPF states that local planning authorities should ensure that flood risk is not increased elsewhere and that any residual risk can be safely managed. This is reflected in policy DM 21 of the Local Plan.
- 7.14.2. Part 4 of Local Plan Policy DM21 states that development should include where possible, sustainable drainage systems (SuDS) to restrict runoff to an appropriate discharge rate, maintain or improve the quality of the receiving watercourse, to enhance biodiversity and amenity and increase the potential for grey water recycling. Criteria 3 of policy A17 of the Local Plan requires applications to be accompanied by a site flood risk assessment that shall consider sustainable drainage and land management measures that should be undertaken within the developed areas and open space.
- 7.14.3. The application site is in Flood Zone 1 and at low risk of flooding from sea. In terms of the drainage strategy for surface water disposal, this is based upon the principles of providing attenuation for surface water runoff within the site with a controlled discharge to the existing ditch running along the northern site boundary, involving the creation of new drainage ponds and connecting swales. The illustrative drainage layout shows that three new ponds will be

created and that there is sufficient space on-site to accommodate the required drainage strategy and the proposed quantum of development.

- 7.14.4. In the long term, the swales and ponds will provide foraging opportunities for species present within the site, as considered further in the ecological reports. This demonstrates that the ecological and drainage strategies can be carried out in conjunction with one another without conflict. KCC LLFA sought clarification over the location of ponds to ensure that sufficient space is available to design attenuation ponds outside of the built footprint (footways, etc.). The illustrative plans were updated to ensure that this is feasible, and KCC LLFA accepts that a fixed layout will be proposed at a reserved matters stage. This strategy has been endorsed by KCC LLFA and no objections were raised, subject to further detailed design being secured via safeguarding conditions. Comments were raised by neighbouring occupiers, citing concerns relating to the maintenance cost of the sustainable drainage and additional costs to existing occupiers. The maintenance and management schedule will be secured via safeguarding conditions, and any associated cost to future occupiers would be a private matter to be established via separate contracts.
- 7.14.5. The proposed foul water would be disposed of by connecting to the Southern Water foul water network. Comments were raised during the public consultation, raising concerns over inadequate foul sewage capacity. Southern Water commented on the application and confirmed that network reinforcements will be required to provide additional capacity. Southern Water is required to provide adequate capacity via separate legislation and did not object to the proposals. It is noted that the above arrangement will require an application under Section 106 of the Water Industry Act to Southern Water in order to provide capacity and this matter is dealt with via separate legislation which sits outside of the planning process.
- 7.14.6. Turning to the point of flood risk, flooding was raised as a concern during the neighbour consultation process. The site is currently marshland with existing ponds and associated risk of surface water flooding within the area of ponds. As such, the proposed drainage strategy accommodates a sufficient area of land to allow the attenuation and storage of surface water to prevent flooding. As the site has been allocated for housing through the Local Plan process and the surface water flooding is within the areas reserved for open space/drainage, neither the Sequential nor Exception Tests are required.
- 7.14.7. In view of the above and subject to safeguarding conditions requiring detailed design of the drainage strategy for this site and a verification report, the proposed development will not increase the risk of flooding within or outside of the site and complies with policy DM21 of the Swale Local Plan 2017 and NPPF.

7.15. Contamination

- 7.15.1. The NPPF states that local planning authorities should ensure that the site is suitable for its new use by taking into account various matters, including pollution arising from previous uses.

- 7.15.2. The site is a former agricultural field and so the risk of contamination is low but cannot be ruled out. Consequently, the Mid Kent Environmental Health Team advised that a land contamination survey would be required via a condition. Subject to safeguarding conditions requiring a Phase 1 Contamination Survey, the risk of contamination can be safely managed and the development will comply with paragraph 189 of the NPPF.

7.16. Living Conditions

Existing residents

- 7.16.1. Policy DM14 of the Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.
- 7.16.2. The application is surrounded by countryside to the north and west and the existing edge of Iwade village to the south. Due to the relationship between the site's location and existing dwellings along the edge of Iwade, this needs to be examined in as much detail as possible, in the context of the outline nature of the application.
- 7.16.3. As layout is a reserved matter, the submitted layout is only indicative, and the position of dwellings is not fixed. Notwithstanding this, the submitted illustrative masterplan demonstrates that a minimum back-to-back distance of 21 metres between proposed dwellings and existing houses can be achieved with the quantum of the development proposed. In the instance of plots 49 and 58, the distances shown are less than 15 metres, as indicated in the land parameter plan ref. 5598/OPA/SK 002 rev. B as approved under outline permission 19/503974/HYBRID (part of which also covers this site), however, these dwellings are shown to be orientated at a 90-degree angle and have flanked elevations towards the neighbouring plots.
- 7.16.4. In terms of the proposed plots 8 and 26, whilst not covered by the approved parameter plan, they have a similar acceptable angled position. Should that be the situation at reserved matters stage, windows in flank elevations can be either limited or secured as obscure-glazed to mitigate any harmful impacts. Turning to the impacts arising from the illustrative position of the proposed plot 3, this is positioned at an appropriate distance from the rear elevation of 66 and 68 Sanderling Way. The distance, together with the angle of the proposed dwelling that would face towards the existing garage, would ensure that there are no significantly harmful opportunities for overlooking towards these existing dwellings (which also now incorporate small single-storey extensions). For these reasons, Officers are of the view that the proposed development can be made acceptable at the reserved matters stage and would not result in any adverse overlooking, overbearing, loss of privacy, overshadowing or enclosing effects.
- 7.16.5. Concerns were raised around the discrepancies in the submitted drawings in that some of the recent extensions to existing properties were not shown on the drawings. Whilst the extensions were not shown, Officers visited the site and the surrounding area and thoroughly assessed the impact upon neighbouring occupiers, considering the existence of extensions, as addressed above.

- 7.16.6. Any additional noise level impacts would be mainly associated with construction and temporary in nature. This will be managed by the CEMP and secured via safeguarding conditions.

Future residents

- 7.16.7. Policy DM14 of the Local Plan provides general development criteria and requires that development does not result in significant harm to amenity (including that of future occupiers of development).
- 7.16.8. New development is expected to offer future occupiers a sufficient standard of accommodation and to have regard to the Government's minimum internal space standards for new dwellings.
- 7.16.9. The details submitted in support of the application state that all dwellings will adhere to the National Minimum Space Standard, although as this is an outline application, no detailed floor space layouts have been submitted. Turning to the overlooking and privacy, the proposed dwellings are indicatively shown to be separated at an appropriate distance and, therefore, can be designed in a way to avoid overlooking and loss of privacy. These matters will therefore be determined as part of the reserved matters application at a later stage. In conclusion, there is nothing in this application to suggest that the quality of accommodation for future occupiers would be inadequate and so this is considered satisfactory.
- 7.16.10. In conclusion, in relation to living conditions of existing and future residents the application complies with Local Plan Policy DM14.

7.17. Sustainability / Energy

- 7.17.1. Policy DM19 of the Local Plan requires development proposals to include measures to address climate change. Additionally, in 2020, Swale Borough Council adopted a Climate and Ecological Emergency Action Plan, which requires housing development to reduce carbon emissions by 50% compared to the Building Regulations Part L1 2013.
- 7.17.2. The Design & Access Statement (amended, November 2023) incorporates a Sustainability Strategy that outlines the proposed development's ambition to deliver sustainable development that specifically responds to Local Plan Policies DM19 and DM21 as well as to the Climate and Ecological Emergency Declaration by Swale Borough Council in June 2019. In addition, a Sustainability Note has been provided which confirms that the following measures will be incorporated:-
- Building high-quality development that meets and exceeds building regulations
 - Provision of solar panels
 - Ground and/or Air Source Heat Pumps
 - Consideration given to the orientation of homes and sustainable layouts (preventing overheating, maximising solar gain, ventilation),
 - Insulation with high thermal performance,

- LED, low-energy lighting,
- Commitment to the provision of on-site renewable and low-carbon technology,
- Integrating green and blue infrastructure into the development,
- Provision of EV charging points (active and passive),
- Preparation and monitoring of a Travel Plan,
- Water consumption limit of 110 l/day per person (reduced-flow taps and showers, dual-flush toilets, moderately sized baths, water butt installed as a form of rainwater harvesting).

7.17.3. Whilst more details would be desirable, and the proposal does not go into detail about the percentage of carbon emission reduction to be achieved, it is considered that the above measures are sufficient to ensure policy compliance and a high standard of development. Officers are confident that this is deliverable, as the size of the site allows for a variety of options to be utilised. In addition, this is an application for outline planning permission and, as a result, precise details will be able to be submitted and approved before construction can begin under the terms of reserved matters applications. For these reasons, this matter can be reasonably dealt with via safeguarding conditions, which require a 50% carbon reduction over the building regulations requirements. The Sustainability Statement also confirms that the development, through the installation of water-efficient features, will be designed to reduce water usage. A safeguarding condition will ensure that the water consumption is no more than 110 litres per person per day to ensure policy compliance. Electric Vehicle charging provision will be secured via safeguarding conditions.

7.17.4. In summary, the proposed development includes adequate measures to address climate change and complies with Local Plan Policies DM19 and DM21.

7.18. Other matters

7.18.1. Comments received in respect of loss of a view of fields/countryside/open landscape is not a planning consideration when determining the planning application.

7.18.2. The proposed development would inevitably result in a loss of agricultural land (Grade 3b), but as this site is allocated for housing development, the loss has been accepted at the Local Plan stage. In addition, as the land is grade 3b it is not classed as best and most versatile agricultural land. Therefore, the proposal complies with policy DM 31 of the Local Plan.

7.18.3. Policy A17, criteria 6 requires the application to be accompanied by a Health Impact Assessment (HIA). The application is not accompanied by a HIA and, therefore, conflicts with this part of policy A17. Notwithstanding this, no unacceptable harm arising from not meeting this requirement has been identified, particularly given that the development provides adequate mitigation, including healthcare, community infrastructure and open space. As such, it would not be reasonable to refuse permission on this ground.

The Health and Safety Executive have not responded to the consultation request. Notwithstanding, the proposed development is unlikely to incorporate 'vulnerable buildings' (as defined by HSE), as all development is indicatively described as two-storey in the Design and Access Statement submitted with the application. To ensure no risk to future occupiers and in the visual interests of the surrounding area, a safeguarding condition has been imposed, which restricts storey height to less than what HSE considered acceptable on the hybrid application.

7.18.4. Concerns were raised that the vehicles parked along The Street are continuously damaged, and the proposal will contribute to this issue. KCC Highways confirmed that the proposal is safe on highway grounds.

7.18.5. In addition, some comments were received that this application should be considered in the context of the activities taking place within Raspberry Hill Farm. Raspberry Hill Farm is subject to enforcement investigation and is separated from the application site boundaries (approximately 450 metres away). As a result, it is not considered to have any material impact upon the consideration of this application.

7.19. Conclusion

7.19.1. The application site is allocated for housing in the adopted Local Plan, which establishes the principle of residential development on this site. Moreover, although the scheme is not reliant on the 'tilted balance' (NPPF paragraph 11), it is relevant that the Council is unable to demonstrate a 5-year housing land supply. This means that development should be approved unless the adverse impacts outweigh the benefits in a demonstrable and significant way. The above assessment demonstrates that the scheme would contribute positively to the Borough's housing supply and provide 6 affordable homes. There are no objections from technical consultees. There is a very limited conflict with criteria 6 of policy A17 in that a Health Impact Assessment has not been submitted, however for the reasons set out in the report this is given extremely limited weight that is significantly outweighed by the benefits of the proposal, which includes the delivery of housing on an allocated site. Consequently, it is recommended to grant planning permission subject to safeguarding conditions and s.106 agreement securing all planning obligations as set out in the report.

CONDITIONS

Reserved Matters

1. Details relating to the appearance, landscaping, layout, and scale of the proposed dwelling(s) (hereinafter called the 'reserved matters') shall be submitted to and approved by the Local Planning Authority before any development is commenced and the development shall be carried out as approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

Time Limit – Reserved Matters

2. The first application for approval of reserved matters referred to in Condition (1) must be made to the local planning authority no later than the expiration of three years beginning with the date of the grant of outline planning permission.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The first phase of development to which this permission relates must be begun not later than the expiration of two years from the final approval of the relevant reserved matters.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Phasing

4. No development shall take place until a Phasing Plan, which shall include justification for the proposed Phases, demonstrate the timescale for the delivery of the development and include the order of the delivery of the proposed phases, has been submitted to and approved in writing by the Local Planning Authority. The phasing of the development shall not be carried out otherwise than in accordance with the approved plan.

All reserved matters submissions shall be in accordance with the Phasing Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Phasing Plan submitted under this condition.

Reason: To ensure the development proceeds in a satisfactory manner. The objectives and purposes of this condition are such that it is required to be complied with before commencement. As such, those objectives and purposes would not be met if expressed other than as a pre-commencement condition.

Approved Plans

5. The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
- 2805-SK21D Site Layout (including application site boundaries)
 - 789/213B Swept Path Analysis - Turning
 - 789/212B Swept Path Analysis – Access

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with this application.

Housing Mix

6. Prior to submission of the first reserved matters for each phase, the details of housing mix shall be submitted to and approved in writing by Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that housing mix is aligned to housing need of the district as far as practicable and feasible.

Levels

7. Any reserved matters application(s) which covers the matter of 'scale' shall include a detailed levels survey of the site and cross-sections showing:
- Existing ground levels on site (spot heights) including a datum point that is located off site. Levels should be Above Ordnance Datum (AOD).
 - The level of the roads outside the site. (AOD)
 - The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).
 - The location and type of any retaining structures needed to support ground level changes.
 - Finished Floor Levels for proposed buildings.
 - The information supplied should clearly identify if land levels are being raised or lowered.

Reason: Understanding level changes and finished floor levels is necessary to ensure that the work is carried out at suitable levels in the interests of the character and appearance of the area, to safeguard wider views, and protect residential amenities.

Landscaping

8. Any reserved matters application(s) which covers the matter of 'Landscaping' shall include:
- Plans, drawings, sections, and specifications to explain full details of the hard and soft landscaping treatment and works including: planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes, numbers and densities where appropriate, materials (size, type and colour), proposed drainage arrangements, children's informal play equipment, street furniture, lighting columns, private and communal areas, open spaces, edges, boundary treatments, public rights of way and roads;
 - Tree planting details (including street trees and hedge rows) and specification of all planting in hard and soft landscaped areas, to include provision for advanced planting to the northern and southern boundary of the site.
 - The open space details shall demonstrate that there will be no Sustainable Urban Drainage Systems located within private gardens or play areas.
 - Details of the programme for implementing and completing the planting.
 - An Arboricultural Method Statement produced in accordance with BS5837.
 - A Tree Protection Plan showing trees that would be retained and the arrangement of temporary protection measures that would be installed prior to the commencement of development.

- A methodology for any special construction that is required to ensure the success of proposed tree retention.
- A detail for any temporary construction measures, products or construction methods that are specified.
- Details of a proposed watching brief, monitoring or reporting.
- Significant landscaping provided within the core of the site and internal streets and roads are tree lined.

Reason: In order that the Reserved Matters Applications can be properly considered and assessed, in the interests of proper planning.

9. All new planting, seeding or turfing comprised in the landscaping reserved matters shall be carried out in the first planting and seeding seasons following the completion of any particular phase. Any trees or plants, including retained trees and shrubs identified in the landscaping reserved matters, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

Secure by Design

10. The details submitted pursuant to condition (1) (the reserved matters) shall include details demonstrating how the development meets the principles of 'secure by design', particularly in relation to natural surveillance.

Reason: In the interests of crime prevention and safety.

Masterplan compliance

11. The details submitted pursuant to condition 1 (the reserved matters) shall show the general residential areas restricted to the area shown on drawing ref. 2805-SK21D (Proposed Site Layout).

Reason: In the visual interests, to protect the landscape setting and ensure high-quality development that provides adequate ecological mitigation and appropriate open space for future occupiers.

Maximum height

12. The details submitted pursuant to condition 1 (reserved matters) shall demonstrate that residential dwellinghouses shall be no more than two stories in height and apartment buildings shall be no more than three stories or 12 meters in height.

Reason: In the interest of visual amenities.

Details of Materials

13. No development above the construction of foundations in a particular phase shall commence until full details of the materials to be used in the construction of the external surfaces of the dwellings in that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to further secure good design and a satisfactory appearance.

Archaeology

14. To assess and mitigate the impacts of development on significant archaeological remains:
- A) Before the submission of the reserved matters application, the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.
- B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.
- C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policies in the Local Plan and the National Planning Policy Framework.

15. Within six months of the completion of archaeological works, a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
- a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
 - b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
 - c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policies in the Local Plan and the National Planning Policy Framework.

Water Consumption

16. The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwellings shall not be occupied unless the notice for that dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

Accessible and Adaptable Dwellings

17. At least one of the affordable units hereby permitted shall be built to M4(3) of building regulations standards and all of the remaining units will be built to M4(2) of building regulations standards.

Reason: In order to secure accessible and adaptable dwellings.

Energy

18. Prior to the commencement of development hereby approved, details of the materials and measures to be used to increase energy efficiency and thermal performance and reduce carbon emissions and construction waste shall be submitted to and approved in writing by the Local Planning Authority.

The details shall demonstrate that at least a 50% reduction in Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended) will be achieved.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of promoting energy efficiency and sustainable development.

Air Quality

19. The development shall deliver and install the costed and agreed on-site air quality mitigation as detailed in section 5 of the 'Emissions Mitigation Statement' V1.1 dated 28/08/2024 by Entran prior to occupation of each of the dwellings.

A verification report shall be submitted to the Local Planning Authority within 1 month of the approved measures being installed and approved in writing by the Local Planning Authority.

Reason: To ensure that the localised air quality impact is appropriately mitigated as a result of the proposed development.

Public Rights of Way Improvements

20. Details of improvements to public footpaths ZR91 and ZR93 within the application site boundary, to include resurfacing and to provide a minimum width of 2 metres, shall be submitted to and approved in writing by the Local Planning Authority prior to their implementation. The approved details shall be implemented in full prior to the occupation of the 45th dwelling within the development hereby approved.

Reason: To ensure that public footpaths within the site are adequately safeguarded.

Open Space

21. No development shall take place beyond the construction of foundations until a plan identifying the extent of all areas of public open space and communal landscaping, together with full details of hard and soft landscaping proposals (which for the avoidance of doubt shall include trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers, details of an entrance feature to the open spaces, play equipment, paths, bins, seating, lighting and enclosures) for such areas, maintenance, management and an implementation timetable, has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that appropriate open space and landscaping is provided within the development.

22. The informal play area, as shown on the indicative masterplan (ref 2805-SK21D (Site Layout)), shall include informal (natural) play equipment and street furniture (benches/picnic benches). The details of the play area shall be provided with any future reserved matters application for this land.

The details shall be implemented, and the play area created prior to the occupation of the 40th dwelling and thereafter retained and maintained.

Reason: To ensure that useable open space typologies are provided on-site in line with policy DM17 of the Local Plan.

Ecology

23. Prior to the commencement of development (including site clearance), an Ecological Mitigation and Management Plan (EMMP) shall be submitted to and approved in writing by the Local Planning Authority. The EMMP shall be based on the recommendations in Ecological Overview and Mitigation Report, Corylus Ecology, 30th April 2024. It shall provide detailed avoidance and mitigation measures to be carried out on site, together with a timetable for implementation. The development shall be carried out in accordance with the approved details. The EMMP shall include the following:

- a) Risk assessment of potentially damaging site clearance and construction activities;
- b) Further surveys, if required, to inform the measures within the EMMP;
- c) Extent and location of proposed mitigation measures, shown on appropriate scale maps and plans;
- d) Identification of 'biodiversity protection zones';
- e) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during site clearance and construction (may be provided as a set of method statements);
- f) The location and timing of sensitive works to avoid harm to biodiversity features;
- g) The times during construction when specialist ecologists need to be present on site to oversee works;
- h) Responsible persons and lines of communication;
- i) The role and responsibilities on site of an ecological clerk of works or similarly competent person;
- j) Use of protective fences, exclusion barriers and warning signs.
- k) The implementation of the mitigation prior to the work commencing on-site;

The approved EMMP shall be adhered to and implemented throughout site clearance and the construction period in accordance with the approved details.

Reason: To ensure that any adverse ecological impacts of development activities are avoided or suitably mitigated.

24. Prior to the commencement of the development (including site clearance), a Biodiversity Enhancement Plan (BEP), setting out details for the enhancement of biodiversity on the site, shall have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall consist of the enhancement of biodiversity through durable integrated methods into the design and appearance of the buildings by means such as swift bricks, bat tubes or bee bricks. The BEP shall be based on the outline proposals in Ecological Overview and Mitigation Report, Corylus Ecology, 30th April 2024.

The development shall be implemented in accordance with the approved details, and all features shall be maintained thereafter.

Reason: To ensure that the losses of biodiversity can be compensated for and a net gain in biodiversity delivered in accordance with the requirements of the NPPF, and that the proposed design, specification and planting can demonstrate this.

25. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the completion of site access works of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed, including ecological and habitat areas and
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions, together with a plan of management compartments;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for the implementation of the plan;
 - h) Monitoring measures to demonstrate that the aims and objectives of management are being achieved, including:
 - Identification of adequate baseline conditions prior to the start of development;
 - Methods for data gathering and analysis;
 - Location of monitoring and timing and frequency of monitoring;
 - Responsible persons and lines of communication.
 - i) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of ensuring positive management of habitat created to maintain their conservation value.

26. No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority.

This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction Of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill.

The lighting scheme shall be installed, maintained, and operated in accordance with the approved scheme.

Reason: In the interests of protected species, visual and neighbouring amenity.

Drainage

27. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall be based upon the Surface Water Management Strategy incorporating a Flood Risk Assessment (Amended, RMB Consultants (Civil Engineering) Ltd December 2023), 789/DSO/B Illustrative Drainage Layout Overview Drawing, Foul Water Drainage Strategy, RMB Consultants (Civil Engineering) Ltd December 2023 and subsequent Technical Drainage Note, 8th March 2024, and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall include details of measures to mitigate the risk of flooding along watercourse corridors and land low spots. The details shall include consideration of flood resilience measures, exceedance routes away from buildings and finished floor level for any dwellings close to these locations.

The drainage scheme shall also demonstrate (with reference to published guidance) that appropriate operational requirements for each drainage feature or SUDS component are adequately considered and that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

28. Prior to the commencement of development, a maintenance schedule for the surface water drainage system shall be submitted to and approved by the Local Planning Authority. The schedule shall specify ownership and any proposed arrangements for future adoption by a public body or statutory undertaker. The schedule shall specify a timetable for implementation, and it shall provide a management and maintenance plan for the lifetime of the development. All SuDS should be located in accessible areas, and the plan should include addressing the frequency of maintenance for each SuDS feature based on guidance in the CIRIA SuDS Manual 2015 as well as details of who will carry out the maintenance.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

29. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system, and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as-built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 175 of the National Planning Policy Framework.

Hours of Construction Activity

30. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 – 1900 hours,

Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

Contaminated Land

31. The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the Local Planning Authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a

verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

- 4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean; Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In order to adequately deal with any contaminated land.

32. If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority, details of how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Water.

Highways

33. Prior to the commencement of development (including any works of site clearance or preparation) a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include, as a minimum:
 - a) Construction phasing
 - b) Routing of construction and delivery vehicles
 - c) The parking and turning areas for vehicles of site operatives and visitors
 - d) Loading and unloading of plant and materials
 - e) Timing of deliveries
 - f) Recording the condition of the immediate local highway prior to commencement, and measures to make good any damage attributed to construction traffic
 - g) Wheel washing facilities
 - h) Temporary traffic management / signage.
 - i) Any requirements for temporary construction access

Reason: In the interests of the amenities of the area and highway safety and convenience and to mitigate any adverse impact from the development on the A249 in accordance with DfT Circular 01/2022 and section 10 of the Highways Act 1980. These details are required prior to commencement to ensure that satisfactory measures are in place prior to any construction activity.

34. No dwelling hereby approved shall be occupied until the access to the site and off-site highway works to The Street, as shown on plan D205/06 Rev E, have been constructed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

35. Any application submitted for the approval of Reserved Matters shall include details of areas for the parking and manoeuvring of vehicles in the development in accordance with the Council's adopted Parking Standards SPD.

No dwelling shall be occupied until vehicle parking and turning space for that dwelling has been provided and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

36. Prior to the occupation of any dwelling the following works between the dwelling and the adopted highway shall be provided:
- (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Reason: To ensure the development is accessible and safe for future occupiers.

37. Prior to the occupation of the 30th dwelling within the development hereby approved, a minimum of two footway links to Sanderling Way shall be provided, as shown on the drawing ref. 2805-SK21D (Site Layout).

Reason: To ensure high-quality design and sustainable, permeable and legible extension to the village is created.

Travel Plan

38. Prior to the occupation of the first dwelling a detailed Travel Plan, to reduce dependency on the private car, shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement.

Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In the interests of promoting sustainable travel.

Electrical vehicle charging

39. No dwelling shall be occupied until full details of the electric vehicle charging (which shall be in accordance with the details set out in the Swale Parking SPD) have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented for each house before the dwelling in question is first occupied. All Electric Vehicle chargers must be provided to Mode 3 standard (providing a minimum of 7kw). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-schemeapproved-chargepoint-model-list>

Reason: In the interests of encouraging sustainable modes of transport and minimising the carbon footprint of the development.

Cycle storage

40. No dwelling shall be occupied until covered, secured cycle parking facilities have been constructed and space has been laid out for cycles to be securely sheltered and stored for that dwelling within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of sustainable development and promoting cycle visits.

INFORMATIVES

Construction

As the development involves construction, it is recommended that the Applicant reviews the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

Ecology

The Applicant is advised that should the development not commence within two years, an updated Preliminary Ecological Appraisal is likely to be required in any future submissions (reserved matters and/or discharge of ecological mitigation conditions).

The Council's approach to the application

In accordance with paragraph 39 of the National Planning Policy Framework (2024), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a preapplication advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants/agents of any issues that may arise in the processing of their application. In this instance the applicant was provided with extension of time to allow opportunities to submit revised proposals and additional information to overcome concerns.

