



PLANNING, DESIGN & ACCESS STATEMENT

For the erection of 14 bungalows, which will provide age-restricted general market accommodation for those over the age of 55, together with 21 communal car park spaces and amenity space.

 Land off Sheppey Way, Iwade

Prepared by Hume Planning Consultancy Ltd.

On Behalf of Plaxtol Investments Ltd.

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1 INTRODUCTION & PROPOSAL

1.1 This Planning Statement has been prepared in support of a full planning application for the erection of 14 bungalows, which will provide age-restricted general market accommodation for those over the age of 55, together with 21 communal car park spaces and amenity space.

1.2 The proposal;

- Provides an opportunity to improve the availability and quality of purpose-built accommodation for older people in the village of Iwade responding to a increasingly recognised need for specialist housing accommodation,
- Provides smaller units of accommodation for those wanting to downsize and will free up larger family homes helping to promote “housing churn”
- Represents an effective use of land which is compatible with the surrounding residential uses,
- Makes effective use of the opportunity this pocket of land offers to meet the housing needs of Iwade and the wider borough, an area of land that has not come forward despite marketing for a number of years since being allocated for development,
- Occupies a sustainable location close to the central services of Iwade and within close proximity to the Iwade doctor’s surgery nearby which is relevant given the age restricted housing proposed,
- Does not lie within a conservation area, nor is subject to flood risk and whilst enclosed on three

sides by existing/planned development has been designed to ensure good distances of separation from adjoining residential properties,

- Retains all boundary trees and hedgerows,
- Provides green infrastructure also capable of surface water attenuation,
- Provides 1.5 car park space per unit – which will be unallocated,
- Shares a vehicle access with the recently approved nursing home site,
- A pedestrian footpath will be provided adjacent to the new vehicle access,
- Provides bike storage to promote sustainable travel modes.

1.3 The Swale Annual Monitoring Report 2016-2017 highlights at paragraph 3.9 that ‘the population is ageing’ and this demonstrates that there will be a need for this form of accommodation in the Borough. The provision of smaller purpose-built units in Iwade will provide the opportunity for existing ageing residents to downsize but remain in the local area. This is recognised as promoting “housing churn” and is considered a strongly positive aspect of this proposal.

1.4 Iwade has been and continues to be identified as a focus for sustainable development within Swale Borough. The village has historically accommodated significant amounts of growth and the adopted local plan (2017) recognises Iwade’s ability to accommodate further expansion, it is widely recognised that Iwade village lies represents a sustainable location and has a variety of facilities

and services within its centre to be able to support growth and development. Recent expansion of Iwade demonstrates that it is a place where people want to live and past housing delivery records have been strong which is a significant issue for development in the Thames Gateway (western portion) of the Borough.

1.5 Policy AAP9 of the 2008 Swale Borough Local Plan allocated land for approximately 400 new dwellings on two sites at Iwade: land to the south west, in the vicinity of Coleshall Farm (Hillreed Homes); and land to the east of the village, east of Woodpecker Drive (Ward Homes). Before planning permission was granted on these sites (where development has now come forward) there was a requirement for a development brief to be approved by the Council, to inform the development control process.

1.6 The proposed site falls within the Hillreed Homes development area. The key features of the development brief were:

- Provision of 327 residential units
- 1ha of land for B1 development (access off Sheppey Way)
- Extension to the existing School Lane recreation ground (0.1ha)
- Affordable housing will be provided at a rate of 28% (in accordance with Policy H5)
- Provision of areas of informal and formal open space.

1.7 A draft development brief 'Hillreed Homes – Land to the south west, near Coleshall Farm' (May 2009) (adopted 25th June 2009) is available on Swale Borough Council website. Taken from the development brief is figure 1 which shows an opportunities and constraints plan relevant to this planning application and indicates that the application site could be 'possible employment site'. The AAP9 required 3,000m² of employment area and Policy B14 of the Local Plan confirmed an indicative area of 0.9ha would be provided to accommodate this. The development brief clarifies

that an area of 1ha will be made available for employment purposes.



Fig 23. opportunities and constraints plan

Figure 1: Opportunities and constraints plan from Hillreed development brief.



Figure 2: Proposed employment area within the development brief with access off Sheppey Way.

1.8 The Swale Borough Local Plan 2008 has now been replaced with Local Plan 'Bearing Fruits 2031' (2017), the AAP9 policy has not been rolled over into the new plan, because most of the development within the Action Plan area has been completed or has planning permission.

1.9 The aerial image at figure 3 shows that the majority of the land within the development brief area has been developed and the AAP9 policy has been successfully implemented.



Figure 3: Shows that the land within the development brief (outlined in blue) has been developed in accordance with Policy AAP9. The recently approved nursing home (outlined in pink) and the application site (outlined in orange).

2 SITE DESCRIPTION & CONTEXT

2.1 The application site comprising part of a wider network of arable fields has not been cultivated for a number of years and is allocated for development. It is located on the southern edge of Iwade on land to the west of Sheppey Way and also known as land adjacent to Coleshall Farm.

2.2 To the north and west of the site is the recently built residential development known as Nutmeg Crescent and Green Oak Crescent just off Peach Blossom Drive. Beyond the south west boundary of the site some 140 metres from the nearest boundary of the application site and located beyond the established tree and hedgerow boundary and at a lower ground level there is a designated heritage asset known as Coleshall Farm. To the east there is a parcel of land some 0.44 ha in area which has outline planning permission for a care home (See appendix 1 decision notice 16/505299/OUT) and a recently approved reserved matters permission (See appendix 2 decision notice 19/501160/REM).

2.3 The southern boundary of the site is lined with poplar trees and beyond this open farmland. There is a public right of way (ZU52) which runs parallel with the poplar trees along the southern boundary of the site (see figure 4 site photo of public right of way) and provides a connection to Sheppey Way.



Figure 4: Site photo of footpath (ZU52)

2.4 The proposed siting, design and scale of the detailed approval of the adjoining nursing home is a material consideration to the context and character of the application site. Figure 5 identifies the site area which now has full planning permission for the erection of the nursing home and figure 6 shows the footprint of the nursing home as proposed in the reserved matters applications (LPA ref: 19/501160/REM).



Figure 5: Shows the nursing home site outlined in pink in relation to the application site outlined in red



Figure 6: Shows the proposed footprint of the nursing home

2.5 The nursing home building is two storeys in height and measures 2,917m² in floor area with a depth of 29.3m and a width of 72m. The design of the building combines both traditional and modern elements of design such as gable features and large expanses of glazing in parts, and materials including brown brick and black weatherboarding. Figures 7-10 show the approved elevation plans. At the rear of the building there is a communal landscaped garden and at the front of the building is a communal car park. The row of poplar trees along the southern boundary are to remain with a 4m buffer strip retained.

2.6 The officers report to planning committee confirmed that 'The layout of the development in general is considered to be of a good standard and in accordance with the relevant elements of the NPPF and the corresponding Local Plan policies... the building is considered to be an example of good design, which together with the proposed hard and soft landscaping will result in a sympathetic addition to this important site on the edge of Iwade village'. The approval of this scheme on the front, and more prominent portion of this site, has created an enclosed pocket of land served by a joint accessway from Sheppey Way which is the subject of this submission.



Figure 7: North elevation



Figure 8: West elevation



Figure 9: East elevation



Figure 10: South elevation

3 RELEVANT PLANNING HISTORY

- 3.1 There is a lengthy planning history relating to this site as advised in the Section above. A development brief was prepared ten years ago which indicated that this application site and the nursing home site could be used for employment B1 use.
- 3.2 LPA Ref 19/501160/REM – Reserved matters relating to layout, scale and appearance of the proposed building and the landscaping of the site pursuant to outline application 16/505299/OUT for construction of a 60 bed care home (within Class C2) – was granted on the 22nd July 2019.
- 3.3 LPA Ref 16/505299/OUT - Outline application for the erection of a 60-bed care home with amenity space, car and cycle parking, associated development, landscaping and access. Approval was granted for the detail of the vehicular access on 7th December 2017.
- 3.4 LPA Ref SW/12/1392 - Outline planning permission granted for a 60-bed care home. (Details of access only were approved) was granted on the 15th February 2013.
- 3.5 SW/08/1127 - Outline application for development of housing, employment up to 3000sqm, public open space and pavilion (up to 110sqm), with access from School Lane and Sheppey Way, including roads, cycle paths, foot paths, stream crossings, landscaping and ancillary works. (The application is sited on land that falls within the site boundary for this permission, the housing, open space and pavilion have now been built out). Granted 6th June 2011.

4 PLANNING POLICY CONSIDERATIONS

- 4.1 The Development Plan for the purposes of S38 (6) of the Planning and Compulsory Purchase Act (2004) comprises the adopted Local Plan 'Bearing Fruits 2031' (adopted July 2017) and the Faversham Creek Neighbourhood Plan 2016-2031.
- 4.2 In addition to the policies of the development plan there are a number of policies and standards which are material to the determination of this planning application including the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG).
- 4.3 The settlement hierarchy identifies the function of Iwade as the primary focus of growth for the rural area and the tertiary focus for growth in the Borough. The excellent connectivity of the site to the village centre and its services and the close proximity to wider employment areas and the town of Sittingbourne adds to the opportunities that the site offers for the provision of a range of much needed housing. As a site within the designated urban confines, the sustainable qualities of the site are accepted.

LOCAL PLAN ADOPTED 2017 - 'BEARING FRUITS 2031'

Policy ST1 – Delivering sustainable development in Swale: states that all development proposals should take account of the broad aim of sustainable development to ensure that development contributes to meeting various economic, social and environmental objectives.

Policy ST3 – The Swale settlement strategy seeks to focus on using previously developed land within defined built up area boundaries and sets out the identification of settlement tiers. Iwade is listed within tier 4 as a rural local service centre. It will provide the tertiary focus for growth in the Borough and the primary focus for the rural area. Its role and

character have changed dramatically with 20 years of expansion. The village is located close to the A249, although the Grovehurst junction requires significant upgrading, public transport services for the village require enhancement as do links to rail services. The policy acknowledges that there is further potential to expand the village in such a way as to sensitively improve integration with the countryside and create major new areas for open space, landscape and biodiversity enhancement without significant harm to international biodiversity designations. These areas will also enable further growth to safeguard land important to the separation of the village with Sittingbourne.

Policy CP 2 – aims to minimise the need to travel for employment and services and facilitates sustainable transport. An integrated approach to the provision of transport infrastructure is encouraged, the policy lists 8 criteria which should be met where it is appropriate to do so. The application site is within a sustainable location.

Policy CP 3 – this policy aims to deliver a wide choice of high quality homes. This first part of the policy aims to steer development to sustainable locations in accordance with the settlement hierarchy and the second part of the policy requires that proposals should be tailored to meet the objectives within the local housing market area. It is acknowledged by the Council that Iwade represents a sustainable location and the proposed age restricted accommodation is meeting an identified need of providing housing for an ageing population.

Policy CP4 – Requiring good design: which sets out the importance of achieving high quality design and different objectives of good design which development proposals should meet, including creating safe, accessible and attractive places, promoting and reinforcing local distinctiveness, and to be appropriate to the context in respect of

materials, scale, height and massing. The design assessment below will demonstrate how the proposal has been carefully prepared and how the design respects and reinforces the local character of the site.

Policy CP 5 – aims to promote health and wellbeing throughout the community, amongst other things by encouraging healthier options of transport including cycling and walking and creating social interaction and safe environments through mixed uses and in the design and layout of new development. The site is within a sustainable location, where there is a real choice of transport options and the occupiers do not have to rely on the private car to access everyday amenities. Provision will also be made on site for the storage of bicycles. The site lies within walking distance of many amenities including: 200m of the Health Centre, 600m of convenient store, 630m of the village hall and within 800m of a village pub and Church.

Policy CP 7 - considers how natural assets should be considered across a range of issues; more specifically how together their protection, enhancement and management can contribute to quality of life, as well as benefiting the natural environment. The site is already allocated for development and the main natural assets within the application site are the tree lined boundaries. An arboricultural impact assessment has been carried out which has influenced the layout of the site to ensure that the boundary trees are retained and protected.

Policy CP 8 – advises 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. Coleshall Farm is a listed building beyond the established tree and hedgerow boundary to the application site, the proposed low scale form of development and the separation distance will ensure that the development will not harm the setting of the listed building. It should be noted that permission has recently been granted for 8 dwellings 60m to the south west of Coleshall Farm. The Council concluded that because of the relationship and in combination

with the quantum of surrounding development at Coleshall Farm the development would not harm the special architectural or historic interest of the listed building, or impact significantly upon its setting. It is therefore asserted that the same conclusion should be reached with this proposal which has a greater separation distance.

Policy DM 7 – Vehicle parking. The proposal is in accordance with this policy, 21 communal car parking spaces will be provided for the proposed 14 units, in addition each unit will be provided with a secure bicycle store.

Policy DM 8 – Affordable Provision. For development proposals of eleven or more dwellings this policy requires that sites in Iwade provide 10% Affordable Housing and amongst other things where possible design homes for use by disabled, elderly and vulnerable residents. This policy requires 10% or 1.4 of the proposed dwellings to be affordable housing. The application proposes one affordable housing unit and will ensure that the homes are designed for disabled and elderly residents.

Policy DM14 – General development criteria: which provides a general development management checklist for development proposals.

Policy DM 17 – Open space, sports and recreation provision. The development of this site does not result in the loss of designated open space and each unit will be provided with its own private amenity space. Recently there has been an extension to the existing School Lane recreation ground (0.1ha) as part of the expansion of Iwade.

Policy DM 19 – Sustainable design and construction which seeks to ensure that development will include measures to address and adapt to climate change and will, where appropriate incorporate the features listed in criteria a-f. It is asserted that this development is highly sustainable. The site will promote waste reduction by providing recycling bin storage during the lifetime of the development. The provision of compost bins and water butts can be secured by a planning condition. Each unit is provided with private outside amenity space where

clothes drying and bicycle storage can be provided. Eight of the properties would have a roof slope which faces south to encourage solar gain.

Policy DM 21 – Water, flooding and drainage. The site is not located within a flood zone, but a surface water drainage strategy has been prepared, which identifies that surface water will be dealt with in a sustainable manner.

Policy DM 28 – Biodiversity and geological conservation. This policy advises that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated. A Preliminary Ecological Appraisal (PEA) is submitted in support of this application. The report provides recommendations for biodiversity enhancements which can be secured by a planning condition.

Policy DM 29 – Woodlands, tree and hedges – seeks to safeguard trees, woodlands, old orchards and hedgerows as features, habitats and areas to ensure that they continue to be an essential part of the environment. The policy supports the establishment of new sites. An arboricultural impact assessment has been carried out which has influenced the layout out of the site to ensure that the boundary trees are retained and protected in the future.

by identifying and co-ordinating the provision of infrastructure.

A Social Objective: to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well-designed, safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

An Environmental Objective: to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.5 With reference to the above objectives, the NPPF states that they are not 'criteria against which every decision can or should be judged', and that planning policies and decisions should 'play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities in each area' (paragraph 9). There is a 'presumption in favour of sustainable development' at the heart of the NPPF (paragraph 10).

4.6 Paragraph 11 of the NPPF cements this approach by confirming that for decision making purposes this means approving development proposals that accord with an up-to-date development plan without delay (C).

Decision-making

4.7 The NPPF requires LPAs to 'approach decisions on proposed development in a positive and creative way... and to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area' (paragraph 38).

Housing

4.8 The delivery of sustainable housing developments

NATIONAL PLANNING POLICY FRAMEWORK 2019

Sustainable development

4.4 The NPPF defines the purpose of the planning system as contributing to the achievement of sustainable development and divides this principal objective into three overarching and interdependent objectives, that need to be pursued in mutually supportive ways. The three objectives are:

An Economic Objective: to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity, and

remains a priority of the NPPF to 'significantly boost the supply of homes' (paragraph 59). Paragraph 68 emphasises the important contribution that small and medium sites can make to meeting the housing requirement of an area stating "they are often built out relatively quickly", the LPAs are encouraged to accommodate at least 10% of their housing requirement on sites no larger than one hectare and to support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Making effective use of land

- 4.9 Paragraph 117 states that "planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions". One of the ways in which planning policies and decisions should make effective use of land is through the encouragement of multiple benefits from both urban and rural land, including mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.
- 4.10 Paragraph 121 encourages local planning authorities to take a positive approach to applications for alternative uses of, where this would help to meet identified development needs. In particular, they should support proposals to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework. This is particularly relevant to this submission given that the site has been allocated for development for over a decade and the land has been subject of previous marketing for employment without attracting interest.

Health and social

- 4.11 Chapter 8 of the NPPF highlights the important of facilitation social interactions and creating healthy

communities. In order to enable and support healthy lifestyles, paragraph 91 highlights the importance of safe and accessible green infrastructure, sports facilities and layouts that encourage walking and cycling. The Framework also promotes mixed-use developments, stating that they can help to achieve healthy, inclusive and safe places by promoting social interaction and creating opportunities for meetings between people who might not otherwise come into contact with each other (paragraph 91). The proposed specialist age restricted accommodation has been identified as a response to the opportunity arising from the nursing home adjacent to the application site.

- 4.12 Through planning decisions, the NPPF seeks to ensure that new developments have access to a network of high quality open spaces, presenting opportunities for sport and physical activity, which is important for the health and well-being of communities (paragraph 96).

Transport

- 4.13 The sustainable location of developments is an important consideration in locating and designing developments. Paragraph 103 of the NPPF outlines that "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes". As identified in the site description section above, this site is located within an accessible and sustainable location, with easy access to alternatives to the private car to provide for movement and has previously been allocated for development.

Design

- 4.14 One of the core principles is to always seek to secure high quality design. The NPPF identifies that good design "is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (Paragraph 124). It is asserted this proposal would secure good design on this site respecting the character of the area and creating a high-quality residential environment.

4.15 It is asserted that this proposal is one that that would satisfy Paragraph 127 of the NPPF which aims to ensure that “developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.16 The design rationale for the development proposal is evaluated within the Assessment section.

Conserving and enhancing the historic environment

4.17 Paragraph 189 and 190 requires an applicant to describe the significance of the heritage assets affected by a proposal, the level of detail should be proportionate to the assets importance and no more than is sufficient to understand the impact on their significance.

4.18 Paragraph 193 – 194 advises that great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight

should be). This is irrespective of whether any potential harm amounts to substantial, total loss or less than substantial harm to its significance.

4.19 Paragraph 196 and 202 advises that where a proposal will result in less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this application it is asserted that the setting of the nearby listed building will not be harmed and will result in less than substantial harm, the benefits of the development are highlighted in the assessment below and on balance justify the development.

NPPG - HOUSING FOR OLDER AND DISABLED PEOPLE (26 JUNE 2019)

4.20 Paragraph 001 advises ‘the need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems’.

4.21 Paragraph 003 goes onto confirm that ‘The health and lifestyles of older people will differ greatly, as will their housing needs, which can range from accessible and adaptable general needs housing to specialist housing with high levels of care and support’.

4.22 The NPPG recognises that older people have a diverse range of extra needs and provides an indication of four different types of specialist housing which aim to meet the needs of the ageing population. The housing type ranges from age-restricted general market housing to residential/nursing care. This application proposes age restricted accommodation and the NPPG advises that this type of housing is generally for people aged 55 and over and the active elderly.

5 PLANNING ASSESSMENT

PRINCIPLE OF DEVELOPMENT

5.1 The application site is located within the defined urban confines of Iwade, as demonstrated by figure 11 below and Iwade as a settlement is identified as a focus for growth within the Borough of Swale. It is common ground that the site represents a sustainable location and the general principle of development is acceptable.

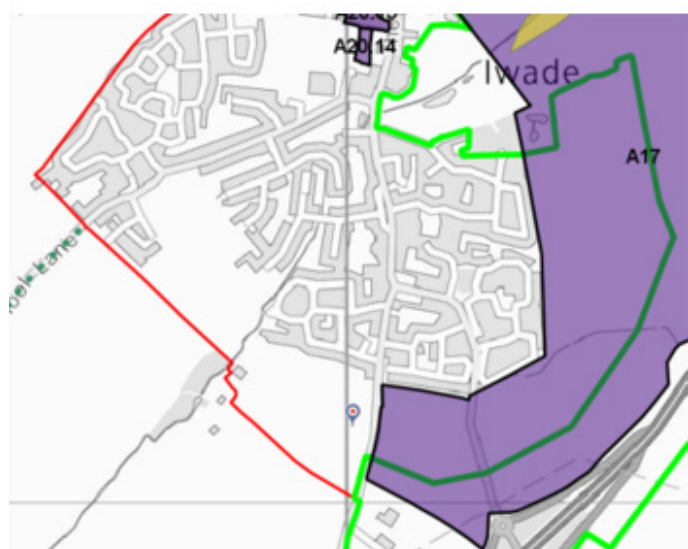


Figure 11: Extract from interactive policy map shows the urban confines of Iwade

5.2 Within the Introduction it was explained that this site formed a small part of a much wider area subject to a development brief as required by Policy AAP9 of the then adopted Local Plan 2008. Policy B14 of the 2008 Local Plan listed Iwade as one of the allocated employment sites which would provide 3000sqm of employment floor space. In paragraph 4.56 of the adopted Local Plan 2008, the Borough Council advises that B1 use classes would be the most appropriate employment use in this location. This is likely to be because of the proximity of residential housing. It is asserted that the policy

requirements are “out of date” and it is relevant that the 2017 adopted Swale Local Plan includes a strategic housing allocation at Iwade as part of the eastward expansion of the settlement for up to 572 dwellings. This allocation includes a country park and a site for a new community hall in a gateway position to the village. It is relevant that this allocation does not include any provision for employment provision as part of the approved mix of uses instead recognising the close proximity of the Ridham and Kemsley employment areas on the east side of the A249 in meeting existing and future employment demand. This approach is consistent with historic marketing feedback for the whole 0.9 ha site (of which the application site comprises a part of).

5.3 In 2013 (LPA ref: SW/12/1392) the Council concluded that a nursing home would be acceptable on the adjoining site within the AAP9 brief, the case officer advised that ‘Although the care home would not constitute a traditional B1, B2 or B8 use as envisaged under SW/08/1127, it would provide employment (the equivalent of 54 full-time jobs), and given the thrust of the NPPF, which encourages development that would boost employment and economic activity generally. I consider that the development is in accordance with this objective, and also note that the level of development envisaged is just under the 3000 square metres previously envisaged for non-residential development on the site. As such, I consider it to be acceptable in principle’. The planning application demonstrated that the nursing home would equate to 54 full and part time jobs based on a 37.5hr per week and as such would have a positive effect on the local economy. For these reasons the Council was satisfied that the nursing home complied with the

policies in the 2008 Local Plan.

- 5.4 As Policies B14 and AAP9 of the 2008 Local Plan are no longer adopted policies, the associated design brief now has very limited weight. It should be noted that the policy sought the provision of 3000sqm of employment floor space, as it was accepted by the LPA that the nursing home provides circa 2878sqm of the equivalent of employment floor space in terms of job creation it is asserted that the objective of the original brief are in any event satisfied. The policies were not rolled forward into the Swale Local Plan adopted in 2017 because the development within the allocation area had been completed.
- 5.5 It is also relevant that chapter 6 of the adopted Swale Local Plan (2017) provides a list of existing and proposed employment allocations, which includes sites which have been reviewed from the 2008 Local Plan. It is relevant that the application site is not listed within the policies as now contributing to the boroughs employment supply. It is relevant that the strategic allocation for the eastward expansion of Iwade (for a further 572 dwellings) in the later adopted Swale Local Plan of 2017 includes no on site employment provision within it because of the acknowledged proximity of the site to the employment opportunities at Ridham and Kemsley. This makes the case for maintaining employment provision within a previously allocated site (in the 2008 plan) that is 50% smaller in area as part of a mixed use area, particularly when the site has been marketed to identify employment interest and 50% of this site has been granted permission for a nursing home use more difficult to sustain.
- 5.6 As it was accepted by the LPA that the provision of the nursing home achieved the floorspace requirements of the earlier Policies B14 and AAP9 and there is no longer a policy requirement for an employment use at this site, the application site in policy terms should be considered as a windfall site within the urban confines and in accordance with Policy ST3 of the Local Plan.
- 5.7 The advice at paragraph 120 of the NPPF should also be given some considerable weight when considering the principle of this development. Paragraph 120 advises that planning policies and decisions need to reflect changes in the demand for land... where

is no reasonable prospect of an application coming forward for the use allocated in a plan the LPA should reallocate the land for a more deliverable use that can help to address an identified need. In this instance the land was allocated for employment for longer than 10 years and no employment use has been forthcoming. Part b or paragraph 120 advises that applications for alternative uses on the land should be supported where the proposed use would contribute to meeting an unmet need for development in the area. In this instance, Iwade has an identified need for additional accommodation for elderly people.

- 5.8 In addition this Planning Statement will demonstrate that an employment use is not compatible with the surrounding residential development (as was also confirmed by the consultation with immediate neighbours of the application site) and the recently approved nursing home. It is asserted that the proposed age restricted residential accommodation would be compatible with the surrounding land uses, would be complimentary to the adjoining nursing home and provide a specialist form of residential accommodation that would also safeguard the residential amenity of properties which surround the site.

NEED

- 5.9 The NPPG was updated in June 2019 and recognises that the UK does have an ageing population and to cater for the health and lifestyles of older people a variety of housing is required. The 2011 census demonstrates that the percentage of older person household (where all members are 65 or over) in Swale is higher than the national average and that over 50% of the households contained only one person. The projections show that the older population is likely to increase dramatically over the plan period to 38,132 in 2031, a rise of 46.2%. The SHMA (2015) highlights the greatest future demand is for two/three-bedroom owner-occupied dwellings and one/two bedroom private rent and affordable dwellings. This planning application is aimed at meeting this identified need, the proposed units are a mix of 8 x 1 bedroom and 6 x 2 bedroom units and will be age restricted (55+) general market accommodation.

- 5.10 The SHMA (2015) identified that older person households were also more likely than average to have multiple spare bedrooms in their home. This development will offer an opportunity for downsizing which will free up family sized accommodation which is currently underutilised. This is an important material consideration as it will help to allow a "housing churn" that will free up larger family accommodation.
- 5.11 It is submitted therefore that this development will help to meet an identified need within the Borough in accordance with Policy CP3 of the Local Plan. At present Swale Borough Council cannot demonstrate a 5-year housing land supply, it is asserted that the housing land supply policies are out of date. Paragraph 11 of the NPPF advises that where the policies which are the most important are out of date planning permission should be granted ..."the tilted balance". This site was first allocated for development more than 10 years ago and represents a parcel of land that is enclosed by existing residential development and a recently approved nursing home, the NPPF recognises that long standing employment sites (particularly where there is not a 5 year land supply in place) should be reviewed in order that land opportunities are brought forward and land used efficiently and opportunities are not sterilised by out dated policies. This is set out at paragraph 121 of the Framework. In this case it is also relevant that later adopted local plan policies do not maintain the employment safeguard and the site has previously been marketed without attracting interest from employment investors.
- 5.13 The development has been designed to respect the adjacent residential properties which surround the site to the north and west. The height and scale of the proposed development is low key and will be single storey with accommodation within the roof space. Plots 10-14 have rear gardens that back onto dwellings 20-34 Nutmeg Crescent to the north, there will be a back to back separation distance ranging from 13m - 20m. Plots 6-9 have rear gardens that back onto the new dwellings numbered 9-23 Green Oak Crescent, these properties will have a separation distance of 20m. The recently approved nursing home site and this development will be separated by over 20m with communal gardens and car parking serving as a buffer in this direction.
- 5.14 The reduced scale of the proposed dwellings together with the separation distance will ensure that the proposed dwellings will not result in a loss of natural light, will not be overbearing and would not be a dominant form of development vis a vis the neighbouring development surrounding the site.
- 5.15 The single storey form will ensure that all principal windows are sited at ground floor level. Plot 6 and 9 will have a window above ground level in the rear elevation, however the window will only serve the stairwell and therefore will not result in overlooking. Plots 7, 8 and 10-14 will not have windows above ground floor level in the rear elevations, the internal layout ensures that the outlook from the plots are over the communal garden space. The boundary treatment around the site will ensure overlooking and loss of privacy onto the adjacent residential properties is restricted to an acceptable level. For these reasons it is asserted that the residential amenities of the surrounding neighbours will be appropriately safeguarded. It is concluded that the development will comply with Policy DM14.
- 5.16 The future occupiers of the proposed dwellings will have a good quality of amenity, the dwellings will be designed in accordance with Technical Housing Guidelines, which will ensure ample space and natural light for the end users. In addition, it is proposed that all units will comply with Part M4 (2) of the building regulations which will ensure that all the units will be wheelchair accessible and adaptable. All of the units will be provided with

AFFORDABLE HOUSING

- 5.12 Policy DM8 requires for sites of 11 or more dwellings within Iwade to provide 10% affordable housing and where possible for these dwellings to be designed for use by disabled, elderly and vulnerable residents. In this case the application will provide 1 unit of affordable accommodation which equates to the required 10% and all of the units will be designed to be suitable for elderly residents.

RESIDENTIAL AMENITY

private amenity space and a communal garden will be located centrally within the site. This provides the residents with choice and will help to promote social interaction amongst the residents, in accordance with Policies CP5 and DM14 which encourages health and wellbeing.

5.17 Dedicated refuse and recycling facilities and a bicycle store will be provided within the curtilage of each plot, this meets the objectives of Policy DM19.

5.18 This Planning Statement has demonstrated that the proposed use would safeguard the residential amenities of the surrounding neighbours. It is asserted that an employment use on this site would not be a compatible land use. An employment business would have to be mindful of causing noise and disturbance to adjacent residents and the operations of the business would be severely curtailed due to these considerations. The access to the site is shared with the recently granted nursing home, it submitted that commercial traffic regularly using the access would cause disturbance to the residents of the nursing home, who might reasonably expect to enjoy a quiet and peaceful environment. However, a residential scheme for the over 55's as well as meeting a specialist need is considered to be wholly compatible with the surrounding land uses. This is confirmed by the neighbour feedback at the pre-application stage.

SITING & DESIGN

5.19 The dwellings would be sited in a courtyard arrangement, with the majority of the primary outlook fronting onto a communal garden in the middle of the site, figure 12 shows the layout. This form of arrangement helps to promote social interaction and community cohesion. The courtyard arrangement will also promote natural surveillance and would reduce the fear of crime amongst the residents with communal parking creating a buffer from the adjoining nursing home. It is asserted that the layout of the development complies with paragraph 127 (f) of the NPPF.



Figure 12: Proposed site layout

5.20 Car parking has been provided in a communal area at the front of the site, this was dictated by a design-led approach to the development, which has allowed the pedestrian courtyard/communal space to be created. The provision of soft landscaped areas within and around the site are important to the character of the development and the wider area at the edge of the village.

5.21 The scale of the dwellings has been influenced by the sites position at the edge of the settlement confines, it is asserted that this low scale form of development provides a soft transition from the built up settlement to the countryside beyond the established tree and hedgerow separating the site from Coleshall Lane and more expansive landscape beyond this point.

5.22 The proposed dwellings would be single storey design but all plots apart from units 3 and 4 would have steep pitched roofs with accommodation within the roof space. The design of the dwellings are bespoke to this sit and reflect design influences of the adjacent approved nursing home. The building incorporates many traditional features such as the roof design and fenestration and materials (see figure 13).



Figure 13: Proposed elevations

HERITAGE

5.23 The application site is not located within or adjacent to a Conservation Area. There is a Grade II designated heritage asset some 250m to the west of the application site which is known as Coleshall Farmhouse.

5.24 It is important to understand the significance of the Heritage Asset to understand the impact that the development would have on it. Coleshall Farmhouse dates from the 16th Century with later additions. The list entry (1116241) describes the building as:

"Farmhouse. C16, clad C18 and extended C19. Timber framed and clad with painted brick and plain tiled roof, and painted brick and slate roofed extension. Entrance front: 2 storeys on plinth, with slate roofed C19 wing left, 1 glazing bar sash to each floor, 2 storey gabled porch, with half-glazed door, and wood casement on first floor, returned hip of C16 building to centre and C18 hipped wing recessed with 1 wood casement to right. Stacks rear centre and right front. Left return: 2 storeys, hip and gabled roof, central stack, 3 glazing bar sashes on each floor, with centre-right oriel on first floor, and central glazed door with open pediment on fluted pilasters. C19 wing to right. This is the original, possibly a Wealden, wing. Interior: evidence of jettied front, possibly Wealden or continuous jetty. Curved braces, coupled rafter roof, probably later."

5.25 The site is a significant distance away from Coleshall Farm and set at a lower ground level relative to the application site. Long distance views are screened by the Poplar tree bands, together with the low scale form of development that is proposed, and it is concluded the proposal would not have an impact on the setting of the listed building and complies with Policy DM32 of the Local Plan.

5.26 It is acknowledged that the application site has the potential for archaeological remains. Trial Trenching was carried out in past years by Hillreed Homes and archaeological remains dating from Neolithic times (c5000 years old) through to medieval period have been identified. Subsequent to the evaluation a second stage of a programme of strip, map and sample excavation has been completed across the majority of the already developed residential site.

5.27 The site of the proposed residential care home has confirmed significant archaeological potential for remains from the Neolithic, Bronze Age, Iron Age, Later Prehistoric and medieval periods. It was accepted at the adjoining nursing home site that further work involving the stripping of the overburden to reveal archaeology, mapping and excavation of that archaeology to be then followed by post excavation works, reporting and publication of the results was acceptable to KCC Archaeology. This work has been secured by way of a planning condition and it is suggested that the same condition could be applied to the application site. This approach would be in accordance with Policy DM34 of the Local Plan.

SUSTAINABLE TRAVEL & HIGHWAY SAFETY

5.28 The site is located close to the A249, which is reached via Sheppey Way. There are good links to public transport within the village with bus stops located approximately 60m from the site entrance, there is a train station at Kemsley, providing links to Sittingbourne and Sheerness. It is recognised that Iwade occupies a sustainable location within the borough. Swale Local Plan Policy ST3 defines Iwade as a Rural Local Service Centre and its strategic role is to provide the tertiary focus for growth in

the Borough and the primary focus of growth for the rural area. The site is regionally well-located on the northern edge of Sittingbourne, which is identified as the 'Main Borough Urban Centre' under Policy ST3 and is within close proximity to large employment areas. Swale Local Plan Policy A17 identifies a strategic level of housing growth on the east side of Iwade which acknowledges the sustainability credentials of the settlement stating it "is identified for a further phase of growth in recognition of its location close to Sittingbourne, employment opportunities at Ridham/Kemsley and the strategic road network".

5.29 In addition to Iwade's recognised sustainable location, the site itself is close to bus routes and walking and cycling routes that connect the site to Sittingbourne, the village centre and other nearby settlements. A range of existing local facilities exist within the village including schools, small shops and community facilities. The application site lies 200m of the Iwade Health Centre which is relevant to the age restricted accommodation that is proposed. The route to the health centre is along Sheppey Way which as a wide pavement and street lighting, which makes for an attractive safe route for elderly pedestrians (Figure 14 demonstrates distance and route).

5.30 The application site will share the access which has recently been approved for the adjacent nursing home, figure 15 demonstrates that the access road would be 5.5m wide and would have verge planting either side. The highway authority has confirmed that the design of the access and the access road is acceptable.



Figure 14: Demonstrates the close proximity of the Health Centre and the safe pedestrian route from the site.



Figure 15: Approved access road (planning permission LPA ref: 19/501160/REM)

5.31 At the present time the Council does not have an adopted vehicle parking standard and relies on the extant KCC vehicle parking standard. The Council has produced a draft Supplementary Planning Document (SPD) for car parking provision within the District, as it will be formally adopted in November this year it can be given some weight. Appendix A of the SPD advises that in this suburban location a minimum standard should be applied and advises that 1 and 2 bedroom houses should be provided with one space per unit. This would amount to 14 car parking spaces being provided.

5.32 The KCC guidance provided a maximum standard and advises that 1 bedroom dwellings should be provided with 1 car parking space and that 2 bedroom dwellings should be provided with 2 car parking spaces. A footnote clarifies that for 1 bedroom dwellings the parking will usually be provided as communal spaces and for other dwelling sizes part or all of the parking can be provided on a communal basis.

5.33 Based on the KCC standard 20 car parking spaces are required a total of 21 spaces for residents has been shown (figure 16) which allows one space for visitors. Due to the accessible location of the site and the emerging SPD it is submitted that the non-allocated provision off 21 car parking spaces is acceptable in this location.



Figure 16: Proposed car parking provision

BIODIVERSITY AND TREES

5.34 The application is supported by a Preliminary Ecological Appraisal (PEA) which has considered the full extent of the site and which should be read alongside this statement. A walkover survey was carried out by Tom LaDellWood and a Preliminary Ecological Appraisal has been undertaken in order to assess the habitats within the site and its surroundings and to determine the ecological value.

5.35 The Preliminary Ecological Appraisal recommended a number of biodiversity enhancement measures that will be incorporated into the scheme in which to improve the ecological potential of the site in accordance with Local Plan Policy DM 19 (e). These biodiversity enhancements include the following;

- Native planting
- Installation of bird and bat boxes
- Sensitive Lighting Strategy

These recommendations can be secured by planning permission.

5.36 Tom LaDellWood has also provided an Arboricultural Impact Assessment (AIA), the assessment confirms that the only significant trees on the site are on the south and west boundary, (figure 17) they are Lombardy Poplars and were originally planted as field boundaries and wind breaks. The presence of these trees not only screen the site but form a soft transition from the countryside to the built up area of Iwade. Their preservation is therefore considered to be important and the identified RPA of the tree will not be encroached upon by the proposed development with a buffer of 4m to be provided which will safeguard the existing natural boundary on this side.

5.37 Full details of hard and soft landscaping for the site will be designed with the objective of both landscape and biodiversity enhancement as well as visual amenity, and these details can be secured through the attachment of a planning condition.

5.38 Natural England consider that the assumption should be made of a 'Likely Significant Effect' on the SPA for all North Kent Local Plans and relevant planning applications. Natural England advised that a Strategic Access Management and Monitoring (SAMM) strategy should be put in place to identify measures that can be implemented with a monitoring process developed. Unless the Council has determined otherwise (via a developer prepared Habitats Regulations Assessment and Appropriate Assessment), it is noted that the Council will require developer contributions from proposals within 6 km of an access point onto the SPA, via S106, to secure wider mitigation measures within and adjacent to the SPA.

5.39 The Council will seek Natural England's advice for any such developments within the local authority's area, so that these can be considered on a case-by-case basis. As the site is just over 1km from Coldharbour marshes then the tariff is applicable in this case and will be provided by way of a Unilateral Agreement.



Figure 17: Lombardy Poplar tree boundary

FLOOD RISK AND DRAINAGE

5.40 The site is not located within a flood zone, but a Surface Water Management Strategy has been provided by PFA Consulting and has been submitted in support of this application. The NPPG advises that the aim should be to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration)
- to a surface water body
- to a surface water sewer, highway drain, or another drainage system
- to a combined sewer.

5.41 A sustainable drainage strategy, involving the implementation of SuDS, is proposed for managing the disposal of surface water runoff from the proposed development on the site. The strategy has regard to the advice in CIRIA C753 'The SuDS Manual' and Kent County Council's requirements as set out in its 'Drainage and Policy Statement'. Based on the ground conditions the use of soakaways will not provide a suitable means of draining surface water runoff from the development on the site. It is therefore necessary to use flow balancing methods in order to store and attenuate surface water runoff to greenfield runoff rates (or minimum practicable controlled flow rate of 2 l/s). The required storage to achieve the restricted runoff rate will be provided using oversized pipes and an underground geocellular tank. Outflow from the storage facilities is controlled by means of suitable vortex flow control device. Car parking bays will be formed of 'lined' pervious pavement as a means of a collection of rainfall/runoff and as Source Control.

5.42 A direct outfall to the Iwade Stream some 200m to the north is not achievable and therefore a connection into the local sewer network in the development area to the north of the site is proposed. The proposed drainage strategy would ensure that surface water arising from the developed site would be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development, while reducing the flood risk to the

site itself and elsewhere, taking climate change into account.

COMMUNITY FACILITIES

- 5.43 The NPPF requires the timely provision of all types of physical infrastructure, including transport, and communications, water and energy. Local plans are also required to take account of the need for strategic infrastructure, including those of national significance. One of the core principles of the NPPF requires account to be taken of local strategies to improve health, social and cultural well being and deliver sufficient community and cultural facilities and services to meet local needs.
- 5.44 Local Plan Policy CP6 seeks to deliver community facilities and services to meet local needs. The proposed development will meet all reasonable requests for contributions towards community facilities to mitigate the impact of the development. The detailed terms of which are to be framed within a legal agreement that will be discussed with LPA Officers during the course of this application.

COMMUNITY ENGAGEMENT

- 5.45 Hume Planning Consultancy has consulted with the local residents that abut the boundary of the application site. The consultation was carried out by a letter drop in July 2019 (see letter at appendix 3). Residents were asked what form of development they thought would be preferable for the site, the options were given as: employment or age restricted residential accommodation.
- 5.46 Out of the twenty residents that were consulted 75% of the respondents were in favour of a residential use as proposed in this application. Hume Planning and the consultant team have taken into account these views during the design stage and this feedback also confirms that a residential use is the most compatible land use for this site.

6 CONCLUSION

- 6.1 This Planning Statement has demonstrated that the previous allocated employment use of the site in policies AAP9 and B14 have now been superseded by the adopted Local Plan 'Bearing Fruits 2031' (2017). The site has been allocated for over a decade without coming forward for development and the proposal represents a practical response to make use of this land opportunity, which is within the urban area and now surrounded by existing development in line with Paragraph 121 of the Framework. The principle of residential development is acceptable and in accordance with Policies ST3 and CP3 of the Local Plan.
- 6.2 The proposal would deliver much needed housing within the confines of the built up area, in an area which is predominantly residential in character. This form of development is also something that local residents have expressed a preference for rather than employment use. The proposed specialist residential development would be consistent with the presumption in favour of sustainable development in accordance with Local Plan Policy ST1 and NPPF paragraphs 117 and 121.
- 6.3 The mature trees on the site boundaries provide natural screening to the site, which limits the direct views of the development from the countryside. Given the modest scale and height of the dwellings, the low density and the palette of materials proposed the development would not affect the setting of Coleshall Farm and accords with the advice in paragraphs 189 -194 of the NPPF and CP8 of the Local Plan.
- 6.4 Age restricted housing would be the most compatible land use on this site and would not give rise to harm to residential amenity to both existing and future residents. The residential amenity of adjacent occupants would be protected by the single storey/ chalet style of the plots, where first floor windows would face into the site. The proposals fully satisfy Policy DM14 of the Local Plan and the Framework's core principle in relation to ensuring a good standard of amenity for existing and future residents.
- 6.5 Safe access to the site for vehicular traffic and pedestrians and on site parking for each dwelling would be provided. The access would be shared with the recently approved nursing home, such that the provision would not result in a significant change to the access as already approved. The proposed age restricted residential use is likely to generate less heavier traffic than an employment use.
- 6.6 For these reasons it is respectfully requested this application is supported by officers.

APPENDIX 1

Decision notice ref. 16/505299/OUT for outline planning permission for nursing home.

Middlefields Limited
C/O DHA Planning
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
Kent
ME14 3EN



7 December 2017

PLANNING DECISION NOTICE

APPLICANT:	Middlefields Limited
DEVELOPMENT TYPE:	Large Maj Dwellings
APPLICATION REFERENCE:	16/505299/OUT
PROPOSAL:	Outline application for erection of a 60 bed care home with amenity space, car and cycle parking, associated development, landscaping and access (Access being sought)
ADDRESS:	Coleshall Farm Ferry Road Iwade Kent ME9 8QY

The Council hereby **GRANTS** OUTLINE planning permission subject to the following Condition(s):

- (1) Details relating to the layout, scale and appearance of the proposed building(s), and the landscaping of the site shall be submitted to and approved by the Local Planning Authority before any development is commenced.

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

- (2) Application for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of three years beginning with the date of the grant of

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.gov.uk

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 development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be 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.

- (4) The development hereby approved shall be carried out in accordance with the following approved drawings in so far as it relates to access, as detailed on indicative drawing numbers:
A-596 O1 Rev A; A-596 02 Rev P7; A-596 03 Rev A; A-596 04 Rev A and A-596 OS-B.

Reason: For the avoidance of doubt and in the interests of proper planning.

- (5) No development shall take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved by the Local Planning Authority. The measures shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority

Reason: In the interests of residential amenity

- (6) The details submitted pursuant to condition (1) shall show a buffer strip of no less than 4 metres as separation distance of the proposed development from the root protection zone of the line of poplar trees running parallel to the southern boundary of the application site and shown on indicative drawing no. A-596 Rev A. Thereafter development shall be implemented and maintained as approved.

Reason: In the interests of visual amenity and landscape quality and to protect the mature trees.

- (7) The details submitted pursuant to condition (1) shall show the care home set back from the site frontage with the Sheppey Way by a minimum of 10 metres, and extending to no more than two storeys in height.

Reason: In the interests of visual amenity and the character and appearance of the area.

- (8) The landscaping details submitted pursuant to condition (1) shall include full details of both hard and soft landscape works including existing 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 where appropriate, means of enclosure, hard surfacing materials, and an implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the

Local Planning Authority. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

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

- (9) No development shall take place until a tree protection plan; arboricultural impact assessment and arboricultural method statement in accordance with the recommendations of BS 5837:2012 have been submitted to and approved in writing by the Local Planning Authority. The method statement shall detail implementation of any aspect of the development that has the potential to result in the loss of or damage to trees, including their roots, and shall take account of site access, demolition and construction activities, foundations, service runs and level changes. It shall also detail any tree works necessary to implement the approved scheme.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- (10) Prior to the commencement of the development hereby approved full details of the method of disposal of foul and surface waters as part of a detailed drainage strategy shall be submitted to (and approved in writing by) the local planning authority. This detailed drainage scheme 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 100yr storm) can be accommodated and disposed of within the curtilage of the site. The risk of ground instability associated with discharge of surface water into the underlying soils should be assessed and the infiltration rates confirmed with a suitable ground investigation.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- (11) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i) a timetable for its implementation, and
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

- (12) The details submitted pursuant to condition (1) shall include biodiversity enhancements, and a lighting scheme designed to minimise impact on any bats within

the surrounding area in accordance with the Bat Conservation Trust's Bats and Lighting in the UK. The details as agreed shall be implemented in full prior to the first occupation of the development.

Reason: In order to secure biodiversity enhancements and to ensure no harm to commuting/foraging bats in the area and to ensure that such matters are dealt with before development commences.

- (13) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and to ensure that such matters are dealt with before development commences.

- (14) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times :-
Monday to Friday 0900 - 1700 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.

- (15) No demolition or 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 - 1800 hours, Saturdays 0830 - 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.

- (16) Before any work is commenced on site, a Construction Management Plan, including details of delivery routes and the timing of these, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not proceed other than in accordance with the approved programme.

Reason: In the interests highway safety and amenity.

- (17) As an initial operation on site, adequate precautions shall be taken during the progress of the works to prevent the deposit of mud and similar substances on the public highway.

Reason: In the interests of amenity and road safety, and to ensure that such matters are agreed before work is commenced.

- (18) The development hereby permitted shall not be occupied until space as shown on the approved drawings has been laid out within the site in accordance with the approved

drawings for refuse storage, car and cycle parking, and vehicle loading and unloading areas. Thereafter development shall be maintained as approved.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cars and cycles in the interests of highway safety.

- (19) The building hereby approved shall be constructed to BREEAM 'Good' Standard or an equivalent standard and prior to the use of the building the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved unless otherwise agreed in writing by the Local Planning Authority.

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

- (20) The premises shall be used for the purpose of a care home and for no other purpose, including any other purposes in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Amendment Order 2010.

Reason: In the interests of the amenities of the area

- (21) Details of any mechanical ventilation system that is to be installed shall be submitted to and approved by the Local Planning Authority and upon approval shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Reason: In the interests of residential amenity

Informative(s):

- (1) All nesting birds and their young are legally protected under the Wildlife and Countryside Act 1981 (as amended) and as such any vegetation must be removed outside the breeding bird season, and if this is not possible an ecologist must examine the site prior to works starting and if any nesting birds are recorded all works must cease within that area.
- (2) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement.
- (3) The applicant or developer should enter into a formal legal agreement with Southern Water to provide the necessary sewerage infrastructure required to service the development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 3030119 or www.southernwater.co.uk).

- (4) A formal application for connection to the public sewerage system is required in order to service the development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 3030119 or www.southernwater.co.uk).
- (5) This development is also subject to an agreement under Section 106 of the Town and Country Planning Act

Please note you must comply with all the conditions attached to this permission. Otherwise the permission may not be valid and any development may be unauthorised.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by: <https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>
Where possible, suggesting solutions to secure a successful outcome.
As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.



James Freeman
Head of Planning Services
Swale Borough Council

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks in the case of a householder or minor commercial application decision]** of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

APPENDIX 2

Decision notice ref. 19/501160/REM for reserved matters permission for nursing home.

Frontier Estates (Frome) Ltd -
C/O Gillings Planning Ltd
FAO Mrs Emma Patchell
First Floor
13 Oakmount Road
Chandlers Ford
Hampshire
SO53 2LG



22 July 2019

PLANNING DECISION NOTICE

APPLICANT:	Frontier Estates (Frome) Ltd -
DEVELOPMENT TYPE:	Large Major Other
APPLICATION REFERENCE:	19/501160/REM
PROPOSAL:	Reserved Matters relating to layout, scale and appearance of the proposed building and the landscaping of the site pursuant to outline application 16/505299/OUT for construction of a 60 bed care home (within Class C2).
ADDRESS:	Coleshall Farm Ferry Road Iwade Kent ME9 8QY

The Council hereby **APPROVES** the reserved matters subject to the following Condition(s):

- (1) No development shall commence at the site before a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include the following:
- (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage
 - (f) suppression of dust during the construction of the development.

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.gov.uk

The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority

Reason: In the interests of highway safety and convenience.

- (2) Prior to the occupation of the building hereby approved, the car parking spaces, turning area, and vehicle loading/unloading shown on drawing no 1827/PA/003/Rev C, shall be provided on site as specified, and thereafter shall be retained for such purposes to the satisfaction of the Local Planning Authority.

Reason: To ensure there is sufficient space for car parking, turning and vehicle loading / unloading.

- (3) Prior to the occupation of the building, details of a secure and covered cycle parking facility shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason: To ensure there is sufficient cycling parking provision in the interests of sustainable travel.

- (4) Prior to the occupation of the building, details of electric vehicle charging facilities shall be submitted to and approved in writing by the Local Planning Authority. The agreed facilities shall be implemented in accordance with the agreed details and retained in perpetuity.

Reason: To encourage sustainable modes of transport.

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

Site Location Plan

Existing site plan and topographical survey (1827/PA/002)

Proposed first floor plan (1827/PA/020)

Proposed roof plan (1827/PA/030)

Proposed elevations (1827/PA/040)

Proposed elevations and sections (1827/PA/041)

Proposed elevations (1827/PA/042)

Proposed elevations sections - illustrative (1827/PA/043)

Proposed site plan (1827/PA/003 Rev C)

Proposed ground floor (1827/PA010 Rev C)

Swept path analysis (402.05494.00006.14.TR01.1)

General Arrangement Plan (Colour) SLR-06594-0001 P04

General Arrangement Plan (SLR-06594-0002 P07)

Softworks Plan (SLR-06594-0003 P06)

CGI View from NE

Arboricultural Development Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

- (6) With the exception of the facing brick and the roofing material, the proposed development shall be constructed in the materials shown on plan numbers

1827/PA/040, 1827/PA/041 and 1827/PA/042, unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of visual amenity.

- (7) Details of the proposed facing brick and roofing material shall be submitted to and approved in writing by the Local Planning Authority before any development beyond the construction of the foundations takes place. The development shall then be constructed using the agreed facing materials.

Reason: In the interests of visual amenity.

- (8) 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 - 1800 hours, Saturdays 0830 - 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.

- (9) Details of any mechanical ventilation system that may be installed shall be submitted to and approved in writing by the Local Planning Authority and upon approval shall be installed, maintained and operated in a manner which prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Reason: In the interests of residential amenity.

- (10) Prior to the occupation of the building details of the lighting columns, the type and luminance of the lighting units with glare shields and details of lux levels both inside and outside the site, shall be submitted to and approved in writing by the Local Planning Authority. All external lighting shall be switched off (with the exception of any agreed security lights) when the site is not in use.

Reason: In the interests of residential amenity.

Informative(s):

- (1) Attention is drawn to the conditions imposed under the outline planning permission, namely planning reference 16/505299/OUT.

Please note you must comply with all the conditions attached to this permission. Otherwise the permission may not be valid and any development may be unauthorised.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 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 pre-application 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.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.



James Freeman
Head of Planning Services
Swale Borough Council

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

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APPENDIX 3

Neighbour Consultation Letter

Date:

Dear X,

Re: Development at land west of Sheppey Way

Hume Planning Consultancy are working with the landowner to prepare a planning application for the area of land outlined in red on the aerial photograph below.

You have been contacted because your property immediately abuts the site and therefore, we would like to ascertain your view regarding the development options for this site.

The Swale Borough Local Plan (2008) allocated this site for development and specifically an employment use (use Class B1) which can include any of the following uses: offices, research and development of products and processes and light industry.



The site is surrounded by residential properties to the north and west and a nursing home has recently been granted planning permission on land to the east of the site. Hume Planning

Consultancy are of the opinion that an employment use in this location is not compatible with the surrounding land uses.

A proposal being considered is the development of age-restricted (for the over 55's) residential accommodation. The scale of the dwellings would range between single storey to single storey with accommodation in the roof space.

Before a planning application is submitted your opinion would be appreciated. You can respond by ticking you preferred option below and posting it back to us or by visiting the Hume Planning Consultancy website <https://www.humeplanning.co.uk/consultations>

We would be grateful to receive your response within 10 days of the date of this letter.

Please note that no personal details are required, and all comments are anonymous.

Yours sincerely,



A J Hume
Hume Planning Consultancy Ltd

As a local resident immediately abutting the site, I would prefer the site is developed for:

☐

Option A: Employment use

☐

Option B: Age restricted (Over 55) residential accommodation