

2.2 REFERENCE NO – 25/504418/REM		
PROPOSAL - Approval of Reserved Matters (Layout, Scale, Appearance and Landscaping) for residential development comprising 70no. dwellings, together with associated landscaping, drainage, and ancillary works, pursuant to 25/501335/HYBRID.		
SITE LOCATION - Land At Lady Dane Farm, Love Lane, Faversham, Kent, ME13 8YN		
RECOMMENDATION - Grant the Approval of Reserved Matters subject to conditions.		
APPLICATION TYPE - Reserved Matters		
REASON FOR REFERRAL TO COMMITTEE The recommendation of Officers is contrary to an objection received from Faversham Town Council, who have requested that the application be determined by the Planning Committee.		
CASE OFFICER Ben Oates		
WARD Watling	PARISH / TOWN COUNCIL Faversham Town Council	APPLICANT Fernham Homes Operations Limited AGENT DHA Planning
DATE REGISTERED 28 Oct 2025		TARGET DATE 27 Jan 2026
BACKGROUND PAPERS AND INFORMATION: The full suite of documents submitted and representations received pursuant to the above application are available via the link below: - https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T4U1AQTYN1J00		

1. **SITE LOCATION AND DESCRIPTION**

- 1.1 The application site is located to the eastern side of Faversham. It forms part of a wider development site of the Lady Dane Farm redevelopment, whereby hybrid consent was originally granted in May 2023 (23/500867/HYBRID) for a mixed-use redevelopment of the site.
- 1.2 The site is within the Local Plan defined Built-Up Area Boundary and forms part of the site allocation MU6 (Land at Lady Dane Farm). A Public Right of Way adjoins the site running alongside the northern boundary. The site does not contain any listed buildings and is not within or adjoining a conservation area.
- 1.3 The site is designated as a safeguarded area for Brickearth and within an area of potential archaeological interest. The site is also within a Site of Special Scientific Interest Impact Risk Zone, and approximately within 2km of the Swale Ramsar and Special Protection Area.

- 1.4 The application site is surrounded by residential development under construction to the north and west, whilst to the south is vacant land awaiting development of employment use as granted under the parent outline consent. The land to the east is in agricultural use whilst nearby to the southeast is a campsite with mobile homes.

2. PLANNING HISTORY

- 2.1 25/501335/HYBRID - Section 73 Application for amendments to conditions 6 and 7 (to enable the relevant plans to be updated to allow for the relocation of the pumping station on the site, adjusted footpath alignment, updated drainage basins, sub-station relocation and 2 additional parking spaces) pursuant to planning permission ref: 23/504707/HYBRID.

Approved Decision Date: 09.12.2025

- 2.2 23/504909/REM - Approval of Reserved Matters of access, appearance, landscaping, layout and scale for the erection of a 67-bed care home, pursuant to hybrid application 23/500857/HYBRID for - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

Approved Decision Date: 29.11.2024

- 2.3 23/504754/REM - Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale being sought) for the Phase 1 Open Space area pursuant to application 23/500857/HYBRID for - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

Approved Decision Date: 30.10.2024

- 2.4 24/502500/NMAMD - Non Material Amendment to application 23/504707/HYBRID: To amend the wording of condition 49 on decision notice issued for 23/504707/HYBRID.

Approved Decision Date: 21.06.2024

- 2.5 23/504707/HYBRID - Section 73 - Application for minor material amendment to approved plans condition 6 (To improve quality of amenity space, security and safety. To increase in the amount of independently accessible parking spaces. To revise the arrangement and distribution of house sizes and types, and to amend the design of Blocks A and B) pursuant to 23/500857/HYBRID for - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

Approved Decision Date: 28.05.2024

Approved Decision Date: 22.11.2023

- 2.6 23/500857/HYBRID - Hybrid Planning Application consisting of a: Full planning application for 84no. residential dwellings, 3no. commercial units for Class E uses, access off Love Lane, and site infrastructure. Outline Planning Application (with all matters reserved) for 70no. residential dwellings, enterprise land development (including Class E uses), a Day Nursery and a Care Home, together with open space, sports provision, and associated works.

Approved Decision Date: 26.05.2023

- 2.7 Details for Conditions 2 (Phasing Plan), 8 (Housing/Wastewater Infrastructure), 9 (Sustainable Construction Techniques), 10 (Water Consumption), 13 (Telecommunications / Fixed Telecommunication Infrastructure), 14 (Crime Prevention), 18 (Construction Management Plan), 25 (Public Footpath), 28 (Temporary Vehicle Turning Head), 34 (Drainage Scheme), 36 (Surface Water Management), 38 (Contamination / Contaminated Land), 43 (Construction Method Statement), 45 (Ecological Mitigation and Enhancement Strategy), 46 (Habitat Creation, Management and Monitoring Plan) and 49 (Archaeology Evaluation Report / Archaeological Evaluation Scheme) have been approved, either wholly or in part as appropriate, under the terms of applications 24/505130/SUB, 24/503898/SUB, 24/502678/SUB, 24/502004/SUB, 24/500622/SUB, 24/502585/SUB and 23/503742/SUB.

3. PROPOSED DEVELOPMENT

- 3.1 The approval of Reserved Matters (Layout, Scale, Appearance and Landscaping) is sought for residential development comprising 70no. dwellings, together with associated landscaping, drainage, and ancillary works, pursuant to permission reference: 25/501335/HYBRID. The application represents the fulfilment of the outline residential element of the parent Hybrid permission and is the final residential part of the approved development. The other residential elements are currently under construction in line with the detailed element of the parent Hybrid permission.
- 3.2 Condition 3 of the parent permission secures the submission of details for Reserved Matters, whilst Condition 7 requires the Reserved Matters to accord with the approved Parameter Plan. Additional details to be submitted within the Reserved Matters application include the following:
- Condition 17 – details to meet needs of older and disabled persons
 - Condition 22 – details of parking and manoeuvring
 - Condition 37 – details of surface water drainage
- 3.3 Affordable housing details and tenure are secured within the s106 legal agreement attached to the parent Hybrid permission. All other details are secured within other conditions, which is set out in further detail in section 7.12.
- 3.4 The proposal comprises 70 dwellings including 23 affordable homes which, when added to the 31 affordable homes being delivered within the detailed element of the development, equates to a total of 54 affordable homes (35% across the wider site). A

breakdown of the proposed housing mix within this Reserved Matters application is provided below:

	Unit Size	Affordable Homes	Private	Total
Houses	2 bed	11	0	11
	3 bed	12	28	40
	4 bed	0	19	19
	Total	23	47	70

- 3.5 The proposed development within the site is restricted to the areas approved for residential use within the Outline parameter plan, whilst strips of land along the northern and eastern boundaries are restricted to structural open space. An area of open space to the central eastern side of the site was also secured within the Outline stage parameter plan.
- 3.6 The proposed Reserved Matters development is laid out within the confines of the approved Outline parameter plan. The proposal continues the access road from the detailed element to the north-west, which runs through the site with private drives running off it and connects to the primary access road to the south. The street hierarchy is reinforced by the proposed design of the street typologies through variation in street widths, treatment and landscaping.
- 3.7 The proposed dwellings are provided within a loose perimeter block typology with outward facing elevations and direct access to car parking from the vehicular access routes. The proposed dwellings are two-storeys in height with adjoining single storey garages or open car parking areas. Dwellings are arranged in a variety of house types including detached, semi-detached, and small terraces, ranging from 2- 4 bedrooms in size and are provided with private rear gardens. Built forms include projecting bays, porches; roof forms include a mix of hipped and half-hipped forms and materials comprise brick banding including headers/arches, chimneys, hanging tiles and weatherboarding. All dwellings are provided with an electric vehicle charging point and secure cycle parking.
- 3.8 Structural landscaping comprises street tree and garden planting, and buffer planting along the northern and eastern boundaries, providing a soft, landscaped edge along with pedestrian pathways. An area of open space to the central eastern part of the development includes tree and garden planting, benches and a modest play space area.
- 3.9 During the course of the application revised drawings were provided to make minor changes to the car parking within the proposal to address comments from KCC Highways. A letter from the applicant's Ecologist was also provided to clarify BNG matters and a cover letter from the agent to clarify / address points raised in comments from SBC Urban Design, SBC Greenspaces Manager and Faversham Town Council.

4. **REPRESENTATIONS**

4.1 **Public Consultation**

- 4.1.1 One round of public consultation has been undertaken, during which letters were sent to neighbouring occupiers. A notice was displayed at the application site, and the application was advertised in the local newspaper. There were no representations received from members of the public during the application.

4.2 **Parish / Town Council Response**

- 4.2.1 The Faversham Town Council object to the application on the following grounds:

First Round Comments	Report Reference
Insufficient boundary treatment details for public vs. private spaces and within the public realm.	This is discussed in section 7.5 of this report.
Poor on-plot parking design , especially linear three-space arrangements and undersized garages/carports that do not meet modern vehicle dimensions.	This is discussed in section 7.7 of this report.
Concern over natural surveillance in some parking court areas; fencing height should be reduced and additional tree planting considered.	This is discussed in section 7.5 of this report.
Lack of clarity on affordable housing distribution and whether tenure mix meets FAV3 policy requirements.	This is discussed in section 7.12 of this report.
Excessive refuse drag distances , particularly for Plot 142, making the layout impractical; suggestion to remove this plot.	This is discussed in section 7.7 of this report.
No details on secure cycle storage or bin stores , contrary to policy requirements.	This is discussed in section 7.7 of this report.
Generic house designs with disproportionate roof heights and insufficient response to design codes and FAV10 policy requirements.	This is discussed in section 7.5 of this report.
Hard-landscaping may not be permeable , conflicting with climate resilience policies (FAV8).	This is discussed in section 7.5 of this report.
Limited contribution to carbon-zero development , with minimal eco-design features beyond Part L standards.	This is discussed in section 7.12 of this report.

Biodiversity Net Gain (BNG) submission inadequate or outdated, lacking required evidence and failing to meet the 20% BNG requirement for greenfield sites.	This is discussed in section 7.6 of this report.
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5. **CONSULTATIONS**

- 5.1 **Southern Water** – There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.63 l/s for the development. Note that no surface water flows can be accommodated within the existing foul sewerage system. General comment regarding surface water drainage advising that the details should specify the responsibilities and timetable for implementation and include a management and maintenance plan for the lifetime of the development.
- 5.2 **Local Lead Flood Authority (KCC Flood and Water Management)** – No objection at the Reserved Matters stage. Expect that the final drainage calculations will be submitted as part of the detailed design planning stage.
- 5.3 **KCC Highways** – Consulted twice: Initially requested revisions to the proposal including additional parking spaces, removal of triple tandem arrangements, clarification of visibility splays and clarification of the road adoption. Following receipt of revised drawings and further information, KCC Highways noted the internal roads will remain private and the applicant has made reasonable amendments to respond to the comments raised and therefore confirmed that they have no objection to the proposal.
- 5.4 **KCC Ecological Advice Service** – Consulted twice: Initially requested that the BNG be recalculated due to changes in the landscaping since the original parent planning permission was granted. Upon receipt of updated details KCC Ecology advised that the proposal would meet the required BNG on the basis that 56 trees are included within the proposal, although they were unable to count this number of trees on the plan.

Officer response:

An updated Landscape Plan was provided that indicated 56 trees are included within the proposal, which addresses the comment from KCC Ecology.

- 5.5 **KCC Public Rights of Way (PROW)** – No comments to make in relation to this stage but provides informatives to remind the developer to avoid disruption to the PROW.
- 5.6 **SBC Urban Design** – Consulted twice: Advised that the reserved matters proposal aligns closely with the approved hybrid masterplan, maintaining its design principles, street hierarchy, landscape structure and overall character to ensure continuity with earlier phases. It provides a varied and well-articulated housing mix with appropriate materials, active frontages, and coherent landscaping, creating a responsive and well-integrated place. However, initially requested some minor amendments to better animate parking court facing elevations, and clarification of roofing materials, boundary treatment and refuse collection drag distances. Following the receipt of

further information and confirmation from the applicant to secure further details by conditions, the Design officer confirmed that he has no objections.

Officer response:

The refuse drag distances have been confirmed with the SBC Waste Services team to be acceptable.

- 5.7 **SBC Housing** – No objection raised noting that the parent permission secures 35% affordable housing across the wider site, including 23 homes within this phase.

Officer response:

The affordable housing is not shown within this application but will need to be submitted separately to discharge the s106 requirement for an Affordable Housing Scheme.

- 5.8 **SBC Greenspaces** – Consulted twice: Confirmed that the open space provision conforms to the approved parameter plan. Initially requested that further details of bins, boundary treatment and path surfacing be shown on the Landscape Plan. However, following receipt of further information, confirmed that further details secured by condition in relation to the open space/play elements is acceptable.
- 5.9 **SBC Tree Officer** – No principle objections to the development layout. Confirmed the planting proposals are acceptable subject to more detailed plans listing plant sizes, densities and numbers together with a management plan that will ensure successful establishment of the planted stock, secured by way of suitable conditions.
- 5.10 **Mid-Kent Environmental Protection** – Environmental Health have reviewed the submitted documents for the approval of the reserved matters and raised no concern in relation to these.
- 5.11 **Kent Police** – No objections subject to a condition to secure by design measures being incorporated into the development.

6. **DEVELOPMENT PLAN POLICIES**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Kent Minerals and Waste Local Plan 2024-39 (2025)

Kent Mineral Sites Plan (2020)

Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 (the ‘Local Plan’)

- | | |
|------|--|
| ST 1 | Delivering sustainable development in Swale |
| ST 2 | Development targets for jobs and homes 2014-2031 |
| ST 3 | The Swale settlement strategy |
| ST 4 | Meeting the Local Plan development targets |
| ST 7 | The Faversham area and Kent Downs strategy |

CP 2	Promoting sustainable transport
CP 3	Delivering a wide choice of high quality homes
CP 4	Requiring good design
CP 5	Health and wellbeing
CP 7	Conserving and enhancing the natural environment - providing for green infrastructure
MU 6	Land at Lady Dane Farm, east of Love Lane
DM 6	Managing transport demand and impact
DM 7	Vehicle parking
DM 14	General development criteria
DM 17	Open space, sports and recreation provision
DM 18	Local green spaces
DM 19	Sustainable design and construction
DM 20	Renewable and low carbon energy
DM 21	Water, flooding and drainage
DM 24	Conserving and enhancing valued landscapes
DM 28	Biodiversity and geological conservation
DM 29	Woodlands, trees and hedges
DM 34	Scheduled Monuments and archaeological sites

Neighbourhood Plans

Faversham Neighbourhood Plan – Note this was not adopted at the time that planning permission was granted for the original hybrid application.

FAV2 Housing Development

FAV3 Residential Mix and Standards

FAV4 Mobility and Sustainable Transport

FAV6 Public Rights of Way, National Trails, Promoted Routes and Cycleways

FAV7 Natural Environment and Landscape

FAV8 Flooding and Surface Water

FAV10 Sustainable Design and Character

Supplementary Planning Guidance / Documents (SPG / SPD)

Parking Standards SPD (2020)

7. ASSESSMENT

7.1 Main Considerations

7.1.1 The main considerations involved in the assessment of the application are:

- Principle
- Size and type of housing
- Landscape and visual
- Design, character and appearance
- Ecology
- Transport and highways
- Public rights of way
- Living conditions
- Flood risk and drainage
- Designing out crime
- 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 NPPF 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 The principle of the overall proposed development on this site has been established as being acceptable through the Hybrid planning permission (ref: 23/500857/HYBRID and subsequently via 23/504707/HYBRID and 25/501335/HYBRID). Furthermore, the site is part of a wider site allocation for development supported by Local Plan policy MU6.

7.2.4 The current Reserved Matters application proposes residential development and an area of open / green space in accordance with the Parameter Plan approved in the parent Hybrid permission. The proposal therefore accords with the principle of development already established on site.

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, based on demographic trends, market trends, and the needs of different groups, should be provided.

7.3.2 The Local Plan Policy CP3 seeks the delivery of a wide choice of high quality homes that extend opportunities for home ownership and create sustainable, inclusive and

mixed communities. It requires developments to achieve a mix of housing types and sizes, reflecting the local needs and the Strategic Housing Market Assessment.

- 7.3.3 The supporting text to Local Plan Policy CP3 sets out requirements for market and affordable housing by size (given the development does not meet the threshold for affordable housing provision only the market housing requirements are considered in this application). However, the Council's Housing Market Assessment (HMA) was prepared in 2020, which is more recent than the Local Plan, and after the introduction of the standard method for calculating the objectively assessed need. A comparison of the figures from these analyses are presented in the following table:

Housing Need	1-bed	2-bed	3-bed	4-bed
Market – Local Plan	7%	36%	42%	15%
Market - HMA	7%	33%	41%	19%
AH – Local Plan	8%	20%	36%	36%
AH – HMA	27%	23%	30%	20%

- 7.3.4 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.
- 7.3.5 Policy FAV3 of the Faversham Neighbourhood Plan seeks residential schemes to include predominantly family sized housing (3-beds) as well as smaller dwellings for renter, first time buyers or those seeking to downsize.
- 7.3.6 The proposed mix of housing is set out below:

Tenure	1-bed	2-bed	3-bed	4-bed	Total
Market no.	0	0	28	19	47
Market %	0%	0%	60%	40%	
AH no.	0	11	12	0	23
AH %	0%	48%	52%	0%	
Total no.	0	11	40	19	70
Total %	0%	16%	57%	27%	

- 7.3.7 There are notable divergences in the proposed housing mix from the preferred mix within the Local Plan and HMA. However, the proposed housing mix predominantly provides 3-bed dwellings in accordance with the Faversham NP and reflects the relatively low density of the proposal, which responds to its location towards the rear of an allocated site on the peripheries of Faversham. Furthermore, the detailed part of the parent Hybrid permission includes apartments with 1-bed and 2-bed units. For these reasons, the lack of 1-bed units and low number of 2-bed units within this phase of the development is considered acceptable.
- 7.3.8 Overall, when considering the context of the site and the wider development the proposed mix is considered to be acceptable in accordance with policies CP3 and DM8 of the Local Plan and FAV3 of the Faversham NP.

7.4 Landscape and Visual

- 7.4.1 Paragraph 187 of the NPPF requires that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of BMV agricultural land, and of trees and woodland.
- 7.4.2 Local Plan Policies ST1 and DM14 both contain parts that seek to conserve and enhance the natural environment. Policy DM24 of the Local Plan supports the NPPF and seeks to conserve and enhance valued landscapes.
- 7.4.3 The land within the site boundary and surrounding it was previously used as farmland and the site is currently vacant awaiting redevelopment. The Hybrid application was supported by a Landscape Visual Impact Assessment, which set out the following principles relevant to this specific part of the site:
- Sensitively locate buildings across the site to reduce their impact in longer distance views.
 - Ensure development is located away from root protection areas, with the taller and larger massing adjacent to Love Lane and the railway corridor rather than at the eastern edge of the site
 - Reinforce existing boundary vegetation with new planting to aid in softening views of the proposed development from close range locations; and
 - Implement new planting across the site to increase the vegetation cover and opportunities for biodiversity, along with reinforcing the existing vegetation patterns across the site where practicable.
- 7.4.4 The proposal aligns with the approved parameter plan and established principles set out in the Hybrid application. It retains building heights at a maximum of 2-storeys and reinforces existing boundary vegetation with new planting. The proposed landscape design is discussed in detail in the following section; however it is considered to be well-designed, follows the outline stage illustrative masterplan and incorporates the anticipated biodiversity improvements.
- 7.4.5 It is considered that the proposals would protect the landscape character of the area, and the proposed soft landscaping will serve to soften the impact and improve the setting of the development. Officers consider the proposal accords with the requirements of policies ST7, CP4, CP7, DM24 and DM29 of the Local Plan, policy FAV7 of the Faversham Neighbourhood Plan and relevant provisions of the NPPF, in so far as they have regard to matters of landscape visual impact.

7.5 Design, Character and appearance

- 7.5.1 Local Plan Policies CP4 and DM14 and the NPPF attach great importance to the design of the built environment and that design should contribute positively to making places better for people.
- 7.5.2 The reserved matters submission for appearance, landscaping, layout and scale appears largely in accordance with the design principles, parameter plans, and

illustrative layout established by the approved hybrid planning permission. The current reserved matters application adheres to the overall design narrative and illustrated masterplan that formed part of the hybrid application. This ensures clear continuity between the hybrid and detailed applications.

- 7.5.3 The layout would align closely with the illustrative masterplan submitted as part of the hybrid application. The movement framework (Primary Street, Access Road A, and private drives) provides a hierarchy of streets, which combined with new pedestrian and cycle access/links, delivers a legible and permeable structure that integrates positively with the surrounding area. Street sections illustrate compliance with the street typologies and design principles set out in the Hybrid Design & Access Statement. The variation in street widths, treatment and landscaping reinforces distinct characters, aids wayfinding, and creates a clear sense of place.
- 7.5.4 The reserved matters proposal adopts a loose perimeter block typology that is consistent with the illustrative masterplan and best practice. The pattern, grain, building lines and arrangement of built/unbuilt space respond directly to the established character of earlier phases and the surrounding context. Dwellings are outward facing with active elevations addressing the public realm, delivering active frontages to streets, and open spaces. Corner plots are occupied by multi-aspect units, ensuring natural surveillance and avoiding inactive or blank elevations at prominent locations. This approach reinforces legibility, provides surveillance and accords with the National Design Guide's emphasis on well-overlooked, animated streets.
- 7.5.5 Car parking is provided through a balanced mix of on-plot, on-street and a rear parking court. This varied approach accords with the established design principles and ensures that parking is well-distributed and does not dominate the street scene. The proposed parking court is relatively small-scale and overlooked by flank windows to units 91 & 92. Although it would be desirable for these elevations to be further animated in place of multiple 'tax' windows, the internal layout of the dwellings is not conducive to provide further openings, and it is considered there is an acceptable level of passive surveillance provided in the proposal.
- 7.5.6 The proposed parking court also incorporates soft landscaping in accordance with the Council's Parking Standards SPD, which ensures that hard landscaping is softened, and vehicles are partially screened when viewed from the public realm.
- 7.5.7 The reserved matters submission introduces a range of house types (detached, semi-detached, and small terraces, ranging in size from 2 - 4 beds), which provide variety in scale and form across the site. Elevations to the dwellings are designed with articulation and depth by using projecting bays, porches, brick banding including headers/arches, chimneys, hanging tiles and weatherboarding which directly reference the language established in earlier phases and prevalent in the surrounding area. The proposed material palette of red and buff brick, hanging tile and weatherboard will ensure visual continuity across the wider development and surrounding context. Whilst limited detail is provided in the application regarding roofing materials, details of all materials will be secured by condition 15 of the parent Hybrid permission.

- 7.5.8 The proposed dwellings are two storeys in height, which is appropriate in the context of the site's topography and the prevailing height of approved properties within the wider development. Roofscape interest is achieved through a mix of hipped and half-hipped forms, together with the selective introduction of chimneys on larger house types. Changes in ridge direction, roof material and elevational treatment at key corners provide further articulation. The resulting composition would deliver an attractive, varied and contextually responsive scheme that successfully integrates with earlier phases while creating its own character.
- 7.5.9 The reserved matters application is underpinned by a landscape framework that follows the illustrative masterplan. Structural landscaping forms the primary organising element of the layout, comprising buffer planting along the northern and eastern boundaries, providing a soft, landscaped edge at the interface with the wider countryside. A suitably positioned area of open space is proposed at the heart of the phase, which provides identity and a focal point in this part of the development.
- 7.5.10 The proposed public realm is supported by tree and garden planting with indicative species provided on the Landscape Masterplan, which has been confirmed by the SBC Trees officer to be acceptable. More detailed plans listing plant sizes, densities and numbers together with a management plan that will ensure successful establishment of the planted stock will be secured through further details under the parent Hybrid permission conditions. The proposal, therefore, has a strong landscape structure within the site and to the boundaries which aligns with the parameters, helps define character and links to the landscape beyond the site boundary.
- 7.5.11 The boundary treatment strategy appears coherent from the plan submitted with close boarded fence, wall and double stacked hedgerows appropriately located and responsive to those approved in Phase 1. A condition is recommended for further details for approval of its the material, colours and detailing.
- 7.5.12 The Council's Urban Design officer has reviewed the Reserved Matters proposal and offers his support, advising that the proposal delivers a well-designed place that follows the principles envisaged in the hybrid consent while responding positively to detailed site constraints and opportunities. The resulting development would successfully integrate with the established and emerging character of the wider development while creating a distinctive and coherent sense of place for this phase. The proposed development is therefore acceptable in design terms in accordance with policies MU6 and DM14 of the Local Plan and policy FAV10 of the Faversham Neighbourhood Plan.

7.6 Ecology

- 7.6.1 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.
- 7.6.2 Section 40 of the Natural Environment and Rural Communities Act (2006) states "*For the purposes of this section "the general biodiversity objective" is the conservation and*

enhancement of biodiversity in England through the exercise of functions in relation to England” and “A public authority which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.”. Furthermore, paragraph 187 of the NPPF states that “the planning system should contribute to and enhance the natural environment by (d) 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”.

- 7.6.3 NPPF paragraph 193(a) 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.”
- 7.6.4 National planning policy aims to conserve and enhance biodiversity and encourages opportunities to incorporate biodiversity in and around developments.
- 7.6.5 In terms of 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.
- 7.6.6 The parent Hybrid application was accompanied by an Ecological Assessment, which was reviewed by the KCC Ecology team who raised no objections to the proposal subject to conditions to secure ecological mitigation and enhancement measures, mitigation of impacts from lighting, and a habitat creation, management and monitoring plan. These conditions were secured accordingly (Conditions 45, 46 and 47). Condition 45 in particular requires details of ecological mitigation and enhancement, which will identify measures to prevent nesting birds from potential harm.
- 7.6.7 KCC Ecology confirm that they are satisfied that the layout remains consistent with the parent Hybrid permission and the ecological mitigation previously approved under conditions (ref: 24/500622/SUB) is still achievable.
- 7.6.8 The BNG assessment approved in the parent Hybrid application demonstrated that the development could achieve an anticipated 10.06% net gain across the wider site. It is important to note that due to the timings of these applications there is no statutory requirement to achieve 10% on site BNG as the statutory requirement for this only came into effect for applications submitted after 12 February 2024. It also pre-dates the 20% requirement under the Faversham Neighbourhood Plan. Furthermore, there is no condition in the Hybrid permission that secures the BNG level from the outline stage and it is not appropriate to impose new or more onerous restrictions through conditions at the Reserved Matters stage that effect the established principle of development.
- 7.6.9 Notwithstanding this, the applicant submitted a BNG letter detailing that the proposed layout will not significantly change the BNG calculations for the whole development site. The letter was updated to refer to the latest revision of the site layout to address comments from KCC Ecology and confirm that 56 trees will be planted throughout the scheme, which is comparable to the outline scheme. KCC Ecology advise on this basis

they accept the whole site will continue achieve the anticipated BNG. The Landscape Masterplan was updated to clearly indicate all 56 trees and therefore will continue to achieve the anticipated BNG.

- 7.6.10 The proposal would therefore have an acceptable impact on ecology and biodiversity in accordance with Policies CP7 and DM28 of the Local Plan and the NPPF.

7.7 Transport and Highways

- 7.7.1 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm.

- 7.7.2 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is 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.”

- 7.7.3 A detailed Transport Assessment was submitted with the parent Hybrid application to which the trip generation and development impact of the proposal were assessed and demonstrated to be acceptable. The proposed residential phase remains at the same quantum as approved and therefore the proposals will not present an increase in vehicle movements to that previously agreed. KCC Highways confirm that on this basis the considerations in this Reserved Matters application are limited to the specific design and layout of the development itself.

- 7.7.4 The proposal continues the access road from the detailed element to the north-west, which runs through the site with private drives running off it and connects to the primary access road to the south. The internal road layout will not be adopted and KCC Highways have raised no concerns with its design.

- 7.7.5 The proposed parking provisions were updated to address comments from KCC Highways and now includes a total of 169 parking spaces, which comprises of 151 allocated spaces, 14 visitor spaces and 4 unallocated spaces. The applicant does not propose triple tandem parking, and clarified that some longer driveways were included to reduce the dominance of parking in the street scene, which is supported by officers. The applicant further clarifies that they only allocated one parking space within the proposed garages and therefore these are measured as single garages. KCC Highways have reviewed the updated layout and confirmed it to address their comments and therefore is acceptable.

- 7.7.6 Electric vehicle charging facilities are proposed for each dwelling and within the proposed parking court, which includes 2 unallocated parking spaces. Whilst the installation of EV charging is secured through Building Regulations, this provision accords with the Parking SPD requirements in any event.

- 7.7.7 Cycle parking is proposed for each dwelling either within garages or via external cycle stores within the rear gardens. Condition 23 of the parent Hybrid permission secures

the cycle parking to be provided within secure and covered facilities. A Refuse Plan is provided to demonstrate suitable vehicle turning and collection arrangements. Whilst comments were raised by Faversham Town Council in regard to excessive drag distances, particularly for plot 142, SBC Waste Services have confirmed that the proposed arrangements are acceptable.

- 7.7.8 The proposal is therefore considered acceptable in terms of parking, servicing and the impact on the local highway and in accordance with Policies DM6 and DM26 of the Local Plan, FAV4 of the Faversham NP and the NPPF.

7.8 Public Rights of Way

- 7.8.1 NPPF paragraph 105 seeks to protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails. This is reinforced through the Local Plan under Policies CP4 and CP7.
- 7.8.2 PROW ZF28 adjoins the northern boundary of the site and has been retained as part of the wider development of the allocated site. The proposal includes boundary planting along this northern edge and therefore will have no adverse impact on the PROW.
- 7.8.3 KCC PROW officers have raised no concerns but wish to remind the developer to avoid any disruption to the PROW. An informative will be included to ensure this information is relayed to the development.
- 7.8.4 As such, the proposal will preserve the PROW in accordance with paragraph 105 of the NPPF, Policies CP4 and CP7 of the Local Plan and FAV6 of the Faversham NP.

7.9 Living Conditions

- 7.9.1 The NPPF and Policy DM14 of the Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.

Existing residents

- 7.9.2 There are no existing residential properties adjoining or nearby the site and therefore the proposal will not have any adverse impacts on neighbouring residential amenity. There is a campsite nearby to the south-east of the site, which is associated with the adjoining farm. However, the proposal will not adversely impact the amenity of this site given the nature and scale of the proposal and intervening boundary planting.

Future residents

- 7.9.3 The internal floor plans indicate that the proposed dwellings would be provided with functional layouts with adequate space generally in line with the Nationally Described Space Standards. The proposed dwellings are all at least dual aspect with good access to daylight and sunlight. All habitable spaces are also provided with an acceptable outlook and all dwellings are provided with private rear gardens of acceptable proportions. The proposed dwellings are also well separated to provide acceptable levels of privacy between the properties. In this regard the proposal is considered to provide a good standard of accommodation for future occupiers.

- 7.9.4 The proposed dwellings are also designed to M4(2) accessibility standards, which ensures the dwellings will be wheelchair accessible and therefore addresses the requirement under Condition 17.
- 7.9.5 The layout of the development is also considered to provide sufficient communal open space to serve future occupants in line with the approved Parameter Plan. The proposal is supported by structural landscaping including strong buffer planting to the north and east and a central open space, all with access and linking footpaths and a small level of “play on the way” provision, which is supported. The SBC Greenspaces Manager advises that the open space provision is acceptable with further detail to be provided in relation to planting and play elements as secured by the conditions within the parent Hybrid permission.
- 7.9.6 There are no sources of unacceptable adverse noise emissions nearby the site and the future commercial and employment uses as part of the wider parent Hybrid permission will be subject to mitigation measures secured by conditions. Environmental Health have reviewed the submitted documents for the approval of the reserved matters and raised no concerns in relation to these. External lighting details are also secured by conditions within the parent Hybrid permission.
- 7.9.7 The proposal would deliver a development which will provide acceptable living conditions for future occupiers and will not harm the amenity of existing residential properties. The proposal is therefore in accordance with Policy DM14 of the Local Plan and the NPPF.

7.10 Flood Risk, Drainage and Surface Water

- 7.10.1 Policy DM21 of the Local Plan and the NPPF requires that Local Planning Authorities should ensure that flood risk is not increased elsewhere and that any residual risk can be safely managed.
- 7.10.2 The drainage system approved (ref: 24/502004/SUB) and implemented for Phase 1 of the wider development was designed to accommodate for the Phase 2 residential part of the wider site. It is therefore proposed that all surface water from Phase 2 shall flow via a positive drainage network to the basin (Attenuation Basin (ATT1)) within the approved Phase 1 drainage layout.
- 7.10.3 KCC Flood and Water Management have reviewed the submitted Drainage Statement and raised no concerns, noting that the final drainage calculations will be submitted as part of the detailed design planning stage, which is secured via Condition 34 of the parent Hybrid permission.
- 7.10.4 The foul drainage network for Phase 1 was also designed to accommodate Phase 2, and the proposal would connect to the foul drainage network via ‘Lateral F7’. Southern Water advise that there is currently adequate capacity in the local sewerage network to accommodate the proposal but warns that this cannot include surface water. The drainage system has been designed to keep these separated and therefore will be acceptable.
- 7.10.5 The proposal is considered acceptable and in accordance with Policy DM21 and the NPPF.

7.11 Designing Out Crime

- 7.11.1 The NPPF aims to achieve healthy, inclusive and safe places, so that crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The Local Plan reinforces this requirement through Policy CP4.
- 7.11.2 Kent Police request that a condition be included for this site to follow Secured By Design (SBD) Homes 2019 guidance to address designing out crime and show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety. However, Condition 14 of the parent Hybrid permission already secures this matter. As such, another condition is not required and the proposal does not pose an unacceptable crime risk in accordance with Policy CP4 of the Local Plan and the NPPF.

7.12 Other matters

- 7.12.1 As mentioned earlier in this report, affordable housing details and tenure are secured by the s106 legal agreement attached to the parent Hybrid permission. The details are therefore not required within this application.
- 3.10 Other details secured by separate conditions (but not required to be provided within an application for Reserved Matters) include the following:
- Condition 9 – sustainable construction techniques
 - Condition 10 – water consumption
 - Condition 11 – BREEAM (non-residential buildings)
 - Condition 12 – site levels
 - Condition 13 – high speed fibre
 - Condition 14 – crime prevention
 - Condition 15 – materials
 - Condition 18 – construction management
 - Condition 20 – pedestrian crossing
 - Condition 23 – cycle parking
 - Condition 25 – public footpath
 - Condition 28 – turning head
 - Condition 29 – emergency vehicle access
 - Condition 31 – landscaping
 - Condition 34 – sustainable surface water drainage scheme (SUDS)
 - Condition 35 – SUDS verification
 - Condition 36 – infiltration
 - Condition 38 – contamination
 - Condition 43 – construction method statement
 - Condition 45 – ecological mitigation
 - Condition 46 – habitat management and monitoring
 - Condition 47 – external lighting
 - Condition 49 – archaeology
- 7.12.2 It is noted that the Faversham Town Council raised concern that the proposal does not include details of permeable paving or sustainable design, however these details are

secured by conditions as set out above and therefore are not required to be replicated in a decision for this application.

7.13 Conclusion

- 7.13.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Under s70(2) of the Town and Country Planning Act 1990, the decision-maker needs to have regard to the provisions of the development plan and any other material considerations.
- 7.13.2 In this case the application accords with the Development Plan and no other material considerations indicate that a different conclusion should be reached. As such it is recommended that application for the approval of reserved matters is granted subject to the recommended conditions.
- 7.13.3 In considering the application, account has been taken of the information included with the application submission, the National Planning Policy Framework and the Development Plan, and all other material considerations including representations made including the views of statutory and non-statutory consultees and members of the public.

7.14 RECOMMENDATION

- 7.14.1 GRANT the Approval of Reserved Matters subject to the conditions set out below.

Conditions / Reasons

1. The development hereby permitted shall be carried out and maintained in accordance with the following approved plans:
 - 100 P1 Site Location Plan
 - 100 P12 Site Plan
 - 102 P12 Coloured Site Plan
 - 104 P2 Refuse Plan
 - 106 P2 Fire Strategy Plan
 - 108 P2 Parking Strategy Plan
 - 112 P2 Boundary Treatments Plan
 - 120 P2 Air Source Heat Pump Plan
 - 122 P2 Building Heights Plan
 - 124 P2 Housing Mix Plan
 - 200 P1 Plots 85-86, 95-96, 109-110, 137-138
 - 201 P1 Plots 87-88, 143-144, 149-150
 - 202 P1 Plots 89-91
 - 203 P1 Plots 92-94, 102-104
 - 204 P1 Plots 97, 134
 - 205 P1 Plots 98-99, 100-101
 - 206 P1 Plots 105-106
 - 207 P1 Plots 107-108, 121-122, 151-152
 - 208 P1 Plots 111, 153

- 209 P1 Plot 112, 115, 133
- 210 P1 Plots 113-114, 131-132
- 211 P1 Plots 116-117
- 212 P1 Plots 118-119, 147-148
- 213 P1 Plot 120, 123, 136
- 214 P1 Plot 124
- 215 P1 Plot 125, 154
- 216 P1 Plots 126, 130, 135
- 217 P1 Plots 127, 140, 142
- 218 P1 Plot 128
- 219 P1 Plot 129
- 220 P1 Plot 139
- 221 P1 Plot 141
- 222 P1 Plots 145-146
- 300 P1 Detached Garage
- 1561/001 Rev F Landscape Masterplan

Reason: For the avoidance of doubt.

2. No development above slab level shall take place until details of the materials to be used for boundary treatments as shown on drawing 112 P2 Boundary Treatments Plan have been submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development.

3. Prior to development above slab level details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be in general accordance with the approved drawing 1561/001 Rev F, including details of benches, bins and footpath surfacing. The development shall be built in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development.

4. The areas shown on the approved drawing ref: 1561/001 Rev F for open space and play areas shall be surfaced and equipped with play equipment, in accordance with a schedule and timetable to be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwellings within the phase. The open space and play areas shall be built in accordance with the approved details, in accordance with the approved timetable and retained as such thereafter.

Reason: To ensure that sufficient open space and play areas are made available in the interests of the residential amenities of the area.

