



PLANNING STATEMENT

Reserved Matters application pursuant to Outline Planning Permission Y19/0071/FH for the approval of access, appearance, landscaping, layout and scale relating to the erection of 97 dwellings, offices (Class E) and a 66 bed care home.



Former Smiths Medical UK, Boundary Road, Hythe, Kent, CT21 6JL

Prepared by Hume Planning Consultancy Ltd.

On Behalf of Roddy New Homes and Boutique Care Homes

July 2023

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APPENDIX A – Outline Planning Permission Ref. Y19/0071/FH

1. INTRODUCTION

- 1.1 Outline planning permission (Y19/0071/FH) was granted in July 2021 for the mixed-used redevelopment of the former Smiths Medical site in Hythe for up to 97 dwellings, 153sqm of office space and a 66 bed care home, with all matters (access, appearance, landscaping, layout and scale) reserved for future consideration. A copy of the decision notice is appended to this Statement for reference at Appendix A.
- 1.2 This Statement has been prepared in support of the reserved matters submission pursuant to the above outline permission to Folkestone and Hythe District Council (FHDC) in respect of the development at Smiths Medical, Boundary Road, Hythe. The purpose of this reserved matters application is to seek approval from the Local Planning Authority (LPA) for the detailed matters relating to the development. In doing so, the submission also seeks to discharge a number of the planning conditions attached to the outline permission.
- 1.2 This application is made on behalf of Roddy New Homes who purchased the site following the outline approval and are seeking to deliver the proposed development alongside care provider and operator Boutique. Roddy New Homes are a family-owned regional housebuilder who operate across the South East of England and aim to provide high quality, sustainable homes for their residents. Boutique are experiencing in developing and operating care homes and currently operate three care homes in Shepperton, Newmarket and Broadstairs.
- 1.3 For the avoidance of repetition, matters relating to the principle of the development, including traffic generation impacts, are not evaluated within this submission. Such matters were considered at the outline application stage which remains extant. The structure of this submission is therefore based around the reserved matters and specific conditions of the outline planning permission.
- 1.4 The application is supported by the following documents which should be read in conjunction with this Statement:
 - Completed Application and CIL Forms
 - Drawing Package, Schedule of Accommodation, Design and Access Statement, including Custom-Build Design Code (Hudson & Madigan)
 - Care Home Drawings and Design Statement (Churchgate Services)
 - Landscaping Strategy, Planting Plans & Management Details (Harper Landscapes)
 - Drainage Strategy (Tridax)
 - Phase 2 Geo-Environmental Assessment (Ecologia)
 - Transport Statement (Stantec)
 - Construction Environmental Management Plan, including Ecological Design Strategy and Non Native Species Protocol (Aspect Ecology)
 - Arboricultural Impact Assessment (Aspect Arboriculture)
 - Lighting Plan (DFL)
 - BREEAM Pre-Assessment Report (Vision Energy)

- Construction Management Plan (TTP Consulting)
- Security Management Plan (Hudson & Madigan)

1.5 Overall, it is asserted that the reserved matters proposal represents a high quality and sustainable form of development. Allied to the recognised social, environmental and economic benefits of the scheme, and in the absence of significant and demonstrable harm to the Development Plan and NPPF objectives, it is submitted that the proposals are acceptable in planning terms and permission should be granted to enable the prompt delivery of an allocated and vacant brownfield site.

2. SITE DESCRIPTION & BACKGROUND

- 2.1 The site extends to approximately 3.2 hectares in area and was previously occupied by Smiths Medical UK; a research centre and manufacturer of speciality medical devices. Historically there have been a mixture of uses comprising of offices, research and development facilities, and some industrial/manufacturing operations. The site operation closed in 2017, with staff being relocated to a site in Ashford. Following the demolition of the employment buildings in 2018 (under LPA reference Y18/1129/FH), the site, which now comprises a large expanse of hardstanding, has since remained vacant.
- 2.2 The site is located within the policy defined Hythe Settlement Boundary, in close proximity to the town centre, and is allocated for mixed-use development under Policy UA13 of the adopted Local Plan. Whilst the overall type and scale of the policy allocation has been superseded by the outline permission at the site (ref. Y19/0071/FH), the reserved matters proposals have sought to address the criteria listed within Policy UA13 (see Figure 2).
- 2.3 To the north of the site are the established residential roads of Fort Road, Frampton Road and Nicholas Road, which predominately comprise of Victorian two-storey terraced houses. At the eastern boundary, the site adjoins Hythe Green, a large recreation ground which features a playground, multi-use games area and the recently planted Hythe Green Wood. Hythe Green provides pedestrian links between the residential areas to the west of Hythe and the town centre as well as Hythe Bay CoE Primary School. Range Road Industrial Estate and associated factory and warehouse buildings adjoin the south-eastern corner of the site at Range Road. South and west of the site is the Hythe Ranges, Ministry of Defence (MOD) land.



Figure 1: Aerial image of the application site

- 2.4 There are a limited number of existing trees along the northern boundary of the site as well as low quality ornamental scrub planting running across the centre of the site. The south-west and north-east boundaries are also lined with off-site trees and vegetation. The Hythe Ranges Local Wildlife Site designation partially extends into the south of the site, currently occupied by hardstanding, from the adjoining MOD Ranges.
- 2.5 There is an embankment as you move southwards within the site, separating the higher plateau in the south (land levels approximately 5.7m AODN) from the lower land to the north (land levels approximately 2.7m AOND) and representing a maximum levels difference of approximately 3m. A sewer runs east-west across the site at approximately this point of level change within the site. An easement either side of this sewer line has been allowed for by these proposals. The site is located within Flood Zones 1, 2 and 3 according to the Environment Agency mapping.
- 2.6 Hythe is one of the original Cinque Ports, with history stretching back to at least the time of Edward the Confessor in the mid-11th century. The Royal Military Canals were constructed between 1804 and 1809 and formed part of the defences built to resist Napoleonic invasion, with the military firing range coming into operation slightly earlier in 1794. The site lies within a potential archaeological area, however there are no listed buildings or conservation areas within the site itself or its immediate context.

Policy UA13

Smiths Medical Campus, Hythe

The site is allocated for mixed-use development with an estimated capacity of approximately 80 dwellings and 2,000sqm of B1 (business) / B8 (storage and distribution).

Development proposals will be supported where:

1. Primary vehicular access for residential and business is achieved from Fort Road with a secondary vehicular access connection to Range Road. There should be no vehicular access from Boundary Road;
2. Highway improvements at the junction of St Nicholas Road at Dymchurch Road are provided to the satisfaction of the Local Highways Authority;
3. The established factory unit and car park located at the southern extent of the site are retained or replaced;
4. Appropriate and proportionate contributions are made to the expansion of Oaklands Health Centre through a Section 106 agreement;
5. Appropriate and proportionate contributions, through a Section 106 agreement, are made towards the upkeep and/or improvement of open space and existing play facilities in the vicinity;
6. Ecological investigations are undertaken and adequate mitigation and enhancement measures are incorporated into the design to minimise effects on the Hythe Ranges Local Wildlife Site;
7. Proposals are accompanied by a Site-specific Flood Risk Assessment and demonstrate that any risks can be mitigated and/or safely managed;
8. Extra flood resistant and resilient construction measures are incorporated into the design of the development to reduce the risk of life to occupants in an extreme flood event and improve flood risk management;
9. The masterplanning of the site is informed by an odour assessment to take account of nearby wastewater treatment works in order to minimise land use conflict;
10. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes;
11. Any potential contamination from the former use is investigated, assessed and if appropriate, mitigated as part of the development;
12. The archaeological potential of the land is properly considered and measures agreed to monitor and respond to any finds of interest; and
13. At least 4 self-build or custom build plots are provided on site in accordance with Policy HB4: Self-build and Custom Housebuilding Development.

Figure 2: Extract of Policy UA13 'Smiths Medical Campus Hythe'

RELEVANT PLANNING HISTORY

- 2.7 Outline planning permission was granted on 27th July 2021 (reference. Y19/0071/FH) for the redevelopment of the former Smiths Medical site for up to 97 dwellings (Class C3), up to 153sqm of offices (Class E) and up to a 66 bed care home (Class C2), with all matters reserved for future consideration.
- 2.8 The technical reports which accompanied the outline submission addressed matters such as; transport, ecology, trees, flood risk, drainage, contamination, noise, odour and archaeology. This application is supported by the relevant updated and additional technical reports.
- 2.9 Whilst all details were reserved for future consideration, the application included a proposed site plan and house type plans for illustrative purposes to demonstrate that the approved quantum of the proposed development was achievable and set out a number of principles to meet the technical requirements. This is reflected by Condition 5 of the permission which requires the development to be carried out broadly in accordance with Site Plan Proposed (drawing no. P12 Rev B).
- 2.10 The illustrative site plan portrayed a strong linear pattern of development and a traditional style of architecture, influenced by the existing Victorian housing to the north as advised by the Council's Urban Design Officer during original pre-application discussions. Whilst the illustrative drawings provide a useful baseline taking account of the site constraints and surrounding character areas, following engagement and further investigations, the proposals have been reshaped and further refined in order to present a more varied and bespoke architectural approach and landscape-led layout on this opportunity site.
- 2.11 Together with the development being CIL Liable, it is also relevant that the permission was the subject of a Section 106 Agreement which covered the following matters:
- 30% of the dwellings should be Affordable Housing
 - A healthcare contribution of [REDACTED] towards the expansion of Oaklands Health Centre
 - An open space contribution of [REDACTED]
 - A play space contribution of [REDACTED]
 - The provision of four Self Build/Custom-Build Serviced Plots



Figure 3: Extract of Site Plan Proposed submitted under the outline planning application

3. STATEMENT OF COMMUNITY INVOLVEMENT

- 3.1 Paragraph 39 of the NPPF attributes significant weight to early engagement and collaboration with neighbourhoods, local organisations and businesses, as well as pre-application discussions between public and private sectors. The benefits of effective engagement include strengthening the evidence base for planning decisions, encouraging partnership working and helping to identify problems early on and allowing issues to be dealt with at an early stage.
- 3.2 The site represents an allocation (Policy UA13) in the adopted Places and Policies Local Plan for housing and employment development. Substantial feedback from the public and consultees was therefore collected by FHDC throughout the preparation of the adopted local plan, which was underpinned by a comprehensive evidence base and public consultation, as well as by the former Applicant during the outline application stage.
- 3.3 During the preparation of this reserved planning application itself, the following strands of engagement have been undertaken:
- A review of the representations made by local residents to the outline application at the site reference Y19/0071/FH;
 - Examination of the responses and specific issues raised by the statutory consultees to planning application reference Y19/0071/FH;
 - Engagement with representatives from Hythe Town Council;
 - Pre-Application engagement with Kent County Council Highways;
 - Pre-Application discussions with Planning Officers of FHDC; and
 - A Design Review Panel undertaken in April 2023.
- 3.4 The representations made by local residents and consultees can be found within the Council's Committee Report, dated July 2021, which provides a summary of the nine representations previously received. This comprised of four letters of objection, four letters of support and one letter of comment. The comments are summarised below alongside the Design Team's response to each matter:

- In the long term such housing is essential and will significantly improve this area.

Noted.

- Improvement to living opposite a disused factory.

Noted.

- Care home is much needed in Hythe and office space is useful.

Noted.

- Improvements to the green and play area would improve this area.

Noted.

- Roads will be unable to handle extra traffic as a result of this development & vehicular access appears to be via only one point resulting in all traffic movement going past 34 Fort Road.

The outline application was accompanied by traffic generation assessments which confirmed that there would be no significant harm and KCC Highways raised no objection on this basis. The allocation policy refers to no vehicle access should be taken from Boundary Road. A Travel Plan will be submitted to the Local Authority for approval prior to the occupation of the dwellings to encourage sustainable transport and active travel (as required by Condition 23).

- Poor design, layout and architecture.

The reserved matters scheme is different to the illustrative outline designs and seeks to enhance the quality of the development and balance the engagement undertaken with technical advice.

- No Design and Access Statement so it is not possible to see how the design has been derived.
This application is supported by a Design & Access Statement.

- Opportunities to enhance pedestrian and vehicular links to the Light Railway Station and the beach have been missed.

A direct pedestrian and cycle link is proposed north-south through the site which will connect the development and wider residential area to the seafront via Range Road and further pedestrian connection points are also to be created to The Green to the east.

- Time and scale of building works.

Further details can be found within the submitted Construction Management Plan and subject to approval, the works are anticipated to commence in Winter 2023.

- Noise.

The outline application was supported by an acoustic assessment and the noise mitigation measures therein have been incorporated into the proposals and are conditioned at Condition 25 of the permission.

- Must not be possible for vehicles to get through from Range Road to Fort Road.

Emergency vehicle access is only proposed from Range Road, along with proposed shared cycle and footpath.

- Part of the site is in flood zone 3a and therefore an exception test is required, and not convinced that the report adequately makes the case that the benefits of the development outweigh the flood risk.

The outline application was supported by a flood risk assessment and following several in-depth discussions with the Environment Agency, it was confirmed that the sequential and exception tests had been passed for the development of this site which remains relevant for the current application.

- 3.5 Pre-application discussions have taken place between the Applicant Team and LPA in the lead-up to the application submission. During an initial meeting in January 2023, the outline drawings were tabled as a starting point given the planning history, however the case officer was critical of these

earlier plans and the design approach which was previously taken. The main comments related to the following;

- How the open space is being addressed and functions throughout the site.
- Whether more links to The Green could be achieved through the site.
- Questioned the design approach, which they considered could have its own character and more variation.
- Queried the standard of living accommodation provided.
- Suggested that increasing the number of apartments could help to address flood level and parking concerns.
- Felt that the layout was too road and parking dominated and the overall amount of green space and landscaping should be increased.

3.6 Following this initial advice and subsequent exploration of design options, the proposed development benefited from a Design Panel Review (DPR) in April 2023. It is relevant that the LPA also attended the session. The discussions held during this DPR, and the report of the panel issued thereafter have informed the final proposal submitted under this application and are referenced in the accompanying Design & Access Statement.

3.7 The following key recommendations were made by the DPR in its written feedback, which the Applicant team has sought to address by this submission:

- Further analysis of the site and its wider context is recommended in order to inform a coherent placemaking vision and create a cohesive community.
- The proposal is inward looking and should do more to connect with and enhance its wider context.
- The site layout should prioritise people over cars, the parking should be reduced, and the housing layout should be less rigid, which could be helped by a mixed approach to housing typologies.
- Landscape design should help to draw the scheme together and ensure that play space is provided.
- Landscape character areas should be developed that relate to the surrounding context, boundary treatments softened, and the care home further integrated.
- The care home should be further integrated into the scheme, as far as management and security permit, and there should be a mesh between the architectural language of the care home and the housing.
- The raised rear gardens with parking beneath will create a dark passageway between the backs of houses that may feel unsafe, and should be reconsidered.
- The choice of materials should draw from the local context to ground this proposal in place.
- Sustainability and biodiversity have not yet been adequately considered or integrated.

3.8 It should be noted that there were also a number of comments made by the DPR which are unable to be accommodated given the on-site constraints and the technical and policy requirements which also need to be met by the scheme. This submission has sought to balance the design guidance received with the relevant technical factors in order to create a high quality and deliverable scheme.

3.9 The Applicant Team met with representatives of Hythe Town Council at the end of June 2023 to discuss the reserved matters proposals and explain the planning background to the outline application. At this meeting, Members were provided with an opportunity to comment on the proposals and raise any queries. As an allocated and vacant brownfield site, the Town Council welcomed the redevelopment of the site and development coming forward in this location. It was

discussed whether the Town Council, as owners of The Green, would be willing to allow connections from the development through to the park to the east. The Councillors at the meeting confirmed that such connections would be a positive addition to the local area and because of these discussions a connection point has been incorporated into the proposal to improve connectivity.

- 3.10 Prior to the submission of the application, the Applicant team discussed the affordable housing provision with the Council's Housing Strategy Manager who confirmed the preferred mix, tenure and location for the affordable units, which is met by this proposal. A pre-application meeting was also held with KCC Highways on 12th April 2023 to discuss highway matters relating to access, layout and parking, which has informed the submission.



Figure 4: A selection of design panel review drawings

4. RESERVED MATTERS PROPOSAL

4.1 This reserved matters application seeks approval of matters relating to access, appearance, landscaping, layout and scale of development pursuant to the outline approval (ref. Y19/0071/FH) at the former Smiths Medical site.

4.2 Specifically, the proposed development would yield a total of 97 dwellings across the site with a housing mix of:

14 x 1 bedroom apartments

28 x 2 bedroom apartments (6no.) and houses (22no.)

51 x 3 bedroom houses

4 x 4+ houses (custom-build units)

Total: 97 units

4.3 As part of the above housing mix, 30% affordable housing is proposed in line with the outline permission which consists of the following breakdown and are located throughout the site:

14 x 1 bedroom apartments

10 x 2 bedroom apartments (6no.) and houses (4no.)

5 x 3 bedroom houses

Total: 29 units

4.4 The proposed development would further include for the following built development and uses:

- Two offices (Use Class E) – circa 152sqm in area. It is proposed that one of the office units will function as communal desk space for the local community and residents of the development.
- 66 bed care home (Class C2) – to be delivered and operated by Boutique providing specialist care.

4.5 The site layout is built upon the following key principles:

- A single point of vehicle access onto Fort Road on the western boundary of the site and a secondary emergency only access point from Range Road to the south-east.
- Pedestrian and cycle connections are provided throughout the site as part of green corridors to provide links to the surrounding road and recreational networks. These include a direct shared route which runs north-south from Boundary Road to Range Road to provide connections towards the seafront and additional pedestrian connection points to The Green to the east.
- Reinforcement of existing green buffers to the site boundaries, including the retention of existing Category B trees to the north, and through the centre of the site where there is a sewerage easement.
- The northern part of the site seeks to address the formal street pattern to the north and frame the entrance of the development. The layout becomes less formal as you move southwards, with the dwellings arranged in smaller, more varied groupings and the road layout becoming a more

informal, shared-surface route. At the southern end of the site, there is an area zoned for four custom-build dwellings, which will be detached units with the potential for more individual designs.

- Creation of 'civic' space at the heart of the development which utilises the proposed offices in the ground floor of the apartment building, the care home and the landscaped areas of open space and play space, with a new footpath which links to The Green, to create a focal point.
- Creation of the key frontages throughout, including to the existing residential area off Boundary Road and the green corridor to the north, to the central areas of public open space and to the new access and pedestrian routes throughout the site.
- The care home is located within the southern portion of the site, within Flood Zone 1 and sited away from the industrial units on the Range Road Industrial Estate. The main façade faces towards a central area of public open space and outlook is provided to the coast in the southerly direction. The layout of the care home has been determined by the relevant care requirements and regulations.



Figure 5: Landscape Masterplan

- 4.6 The architectural approach to the scale and appearance of the dwellings and care home is explained in detail in the supporting Design & Access Statement and Care Home Design Statement. The scale of the development ranges between two and four stories, which is considered appropriate given its unique and individual setting, its separation to surrounding development and in the context of providing visual connections to Hythe Green and Hythe Seafront.
- 4.7 The materials have been chosen to reference the local vernacular whilst retaining a clean, modern appearance. A range of colours are used that give variation but also maintain continuity through

the development. A more traditional palette has been used to the north of the site to reference the historic town. More variation and colour are introduced through the central area and towards the south which abuts the industrial buildings and the seafront beyond.

- 4.8 Landscape planting throughout the site has been designed to inform and enhance the place-making framework. Please refer to the supporting Landscape Vision Strategy and planting plans which demonstrate how the landscape character areas have evolved to create a cohesive, high-quality aesthetic and biodiversity benefits of the scheme.
- 4.9 The development's parking provision is in line with standards set by Kent County Council. A full breakdown of the parking provision is provided for the whole site is contained within the Transport Statement and the Schedule of Accommodation.
- 4.10 The proposal will incorporate on-site SUDS in the form of permeable paving and soakaways which takes account of the underlying Storm Gravel Beach Deposits geology and rapid infiltration rates in this location. The finished floor levels have been set above the design flood level to ensure appropriate flood risk mitigation. A necessary easement is provided to the sewer line which crosses the site east-west. Foul drainage is proposed via connection to the existing network.



Figure 6: Proposed Streetscene of the proposed dwellings



Figure 7: CGI Visual of the proposed care home

SUSTAINABILITY STRATEGY

- 4.11 In planning for climate change, plans should take a proactive approach to mitigate and adapt to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures; in line with the objectives of the Climate Change Act 2008. In order to support this, paragraph 154 of the Framework states that new development should be planned for in ways that:
- a) Avoid increased vulnerability to the range of impacts arising from climate change; and
 - b) Can help to reduce greenhouse gas emissions, such as through its location, orientation and design.
- 4.12 The overall design of the scheme is aligned and informed by efforts to ensure principles of sustainable development and that of Condition 31 relating to carbon emissions are met, which includes:
- Redevelopment of a sustainably located brownfield site.
 - Landscape-led masterplanning to create an accessible and connected network of green spaces within the development offering ecological enhancements and for the enjoyment by residents and the wider community.
 - The provision of a new north-south pedestrian and cycle route to encourage safe and attractive journeys by foot or bike. In addition, the east-west link at the north eastern corner of the site has been reinforced along with an additional direct link from the development to the recreation ground to the east.
 - PV panels mounted to the roof of the care home.
 - Use of Air Source Heat Pumps within all of the dwellings.
 - Timber frame construction to achieve high insulation values and air tightness.
 - Use of SUDS and flood resilience measures.
 - Provision of Electric Vehicle charging spaces across the development.
 - Secure cycle storage provided for every household and the care home.
 - Minimisation of pollution during the construction stage, delivered through a Construction Management Statement (submitted in relation to Condition 13).
 - The creation of a Residential Travel Plan which will be submitted prior to occupation (as set out at Condition 23) along with a separate Travel Plan for the care home to encourage sustainable modes of transport.
 - The care home and office buildings will achieve an overall minimum 'Very Good' rating for BREEAM standards (in line with Condition 29 and Policy CC2 of the Local Plan).

5. PLANNING POLICY CONTEXT

- 5.1 Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise. In this instance, the Development Plan for the purposes of S38 (6) of the Planning and Compulsory Purchase Act (2004), comprises the Places and Policies Local Plan (2020) and the Core Strategy Review (2022).
- 5.2 In addition to the policies of the Development Plan, there is other guidance which is material to the determination of planning applications including the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the Kent Minerals and Waste Local Plan.
- 5.3 The most relevant development plan policies are identified below and these, together with relevant NPPF references, are addressed where appropriate within the planning assessment in Section 6 of this Statement.

CORE STRATEGY REVIEW (2022)

- Policy SS1 – District Spatial Strategy
- Policy SS2 – Housing & Economic Growth Strategy
- Policy SS3 – Place-Shaping and Sustainable Settlements Strategy
- Policy SS5 – District Infrastructure Planning
- Policy CSD1 – Balanced Neighbourhoods
- Policy CSD2 – District Residential Needs
- Policy CSD4 – Green Infrastructure
- Policy CSD5 – Water and Coastal Environmental Management
- Policy CSD7 – Hythe Strategy

PLACES AND POLICIES LOCAL PLAN (2020)

- Policy UA13 – Smiths Medical Campus, Hythe
- Policy HB1 – Quality Places Through Design
- Policy HB2 – Cohesive Design
- Policy HB3 – Internal and External Space Standards
- Policy HB4 – Self-build and Custom Housebuilding Development
- Policy HB12 – Development of New or Extended Residential Institutions (C2 Use)
- Policy C3 – Provision of Open Space
- Policy C4 – Children's Play Space
- Policy T1 – Street Hierarchy and Site Layout

- Policy T2 – Parking Standards
- Policy T5 – Cycle Parking
- Policy NE1 – Enhancing and Managing Access to the Natural Environment
- Policy NE2 – Biodiversity
- Policy CC1 – Reducing Carbon Emissions
- Policy CC2 – Sustainable Design and Construction
- Policy CC3 – Sustainable Drainage Systems
- Policy HW4 – Promoting Active Travel

NATIONAL PLANNING POLICY FRAMEWORK (2021)

- Paragraph 8: Achieving sustainable development – economic, social & environmental objectives
- Paragraph 11: Presumption in favour of sustainable development
- Paragraph 69: Importance of small and medium sized sites
- Paragraph 81: Significant weight should be placed on the need to support economic growth and productivity
- Paragraph 92: Safe and accessible places
- Paragraph 93: Provision of social, recreational and cultural facilities
- Paragraph 106: Promoting sustainable transport
- Paragraph 120: Making effective use of land
- Paragraph 130: Achieving well-designed places
- Paragraph 153: Proactive approach to mitigating and adapting to climate change
- Paragraph 169: Sustainable drainage systems
- Paragraph 174: Conserving and enhancing the natural environment

6. PLANNING ASSESSMENT

HOUSING MIX & AFFORDABLE PROVISION

- 6.1 Policy CSD1 of the Core Strategy advises that all housing development should include a broad range of tenures incorporating market housing for sale and affordable housing. The proposed housing mix reflects the Applicant's aspiration to balance market demands whilst addressing identified local housing needs and responding sensitively to the surrounding built form.
- 6.2 The Council's Strategic Housing Market Assessment (SHMA, 2017) revealed that since 2001, the number of purpose built flats has increased markedly in the District by 44.3% whereas the change in the number of houses has been less notable. This is evident in Hythe specifically, whereby a large proportion of new developments within the locality comprises of apartments. The SHMA found that the District has a smaller proportion of large properties and more small homes (one bedroom) than the South East region. Based on these findings, the SHMA recommends that new market dwellings should consists of high proportions of three (39.1%) and two (27.5%) bedroom dwellings). For affordable units, the SHMA recommends an overall more even split between dwelling sizes.
- 6.3 The mixture of unit sizes within the proposed development constitutes 14% one bedroom apartments, 29% two bedroom apartments and houses, 53% three bedroom houses and 4% four plus bedroom houses. It is anticipated that the custom-build zone at the southern end of the site will enable the delivery of four large detached dwellings, which will be built in accordance with the approved Design Code.
- 6.4 In accordance with the requirements of the accepted legal agreement which accompanied the outline application, the detailed scheme provides 29 units of affordable housing and will comprise of a mixture of one, two and three bed units, with a tenure split of 60% affordable rent and 40% shared ownership.
- 6.5 It is asserted that in complying with LPA requirements in respect of the range and mix of house types and sizes, including the provision of affordable units, the proposed development will contribute positively to the NPPF primary objectives of delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.

SITE LAYOUT & LANDSCAPE FRAMEWORK

- 6.6 Good design is recognised by the NPPF to be a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. (paragraph 126) balanced against the objective of optimising the potential of the site. Paragraph 130 of the NPPF states that the design of developments should be sympathetic to local character, including the surrounding built and environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 6.7 The proposed site layout and landscape framework has been influenced by a number of factors, comprising the on-site environmental constraints, the aspirations of the policy allocation, the design guidance received from LPA officers and the Design Review Panel, achieving sustainability credentials, the relevant care home regulations and meeting the quantum of development prescribed by the outline permission.

6.8 As a starting point, the existing environmental conditions have provided initial parameters for the layout of the proposed development. These include:

- More than half of the site (to the north) is in Flood Zone 3 which precludes habitable accommodation being provided at ground floor (as confirmed by the EA previously and conditioned under the outline permission). The care home is therefore required to be located on the higher ground to the south.
- Potential noise sources from Hythe Ranges and the Range Road Industrial Estate.
- A significant change on level through the centre of the site where there is currently a steep bank and steps.
- An easement running through the centre of the site for an existing main sewer.
- Change in level and heavy (off site) tree line to the eastern boundary with the recreation ground.
- Existing Category B trees to the northern end of the Site where there is also an existing sub-station which is unable to be relocated.
- No vehicle access is to be provided off Boundary Road as stipulated by Policy UA13 and also due to its narrow width. Only emergency vehicular access is to be provided through to Range Road as junction/highway improvements would be required at the Fort Road and Dymchurch Road junction before any future connection could be considered (as confirmed by KCC Highways previously and more recently during pre-application engagement).
- Whilst the Site's surrounding context has heritage interest (the Scheduled Monuments: Royal Military Canal and the Martello Towers) the Site has none and it does not have influence on the designations.

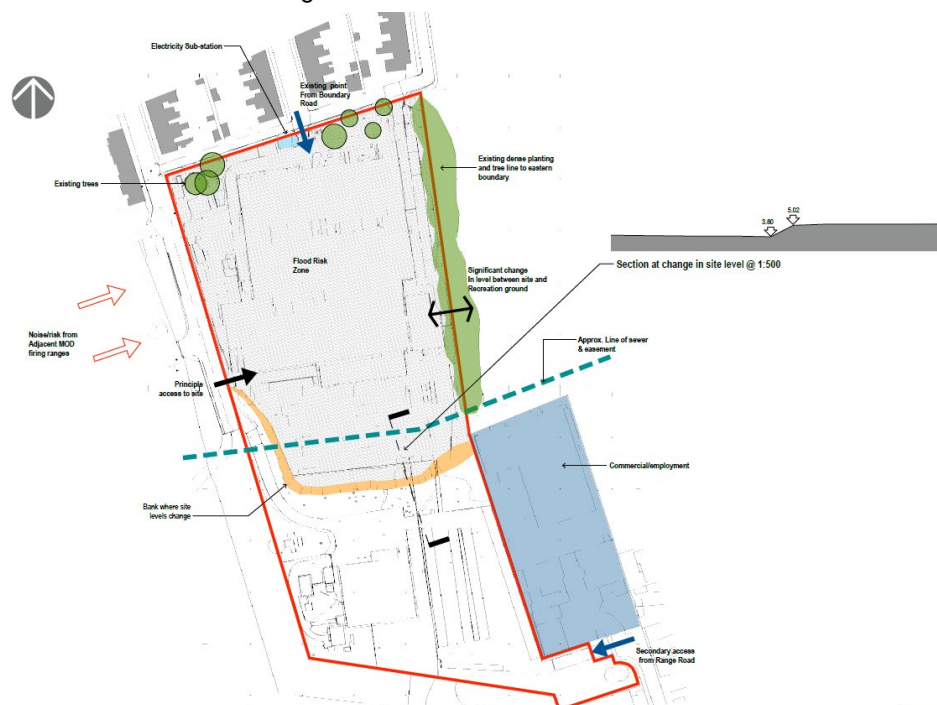


Figure 8: Existing Site Constraints

6.9 It is highlighted that the preamble to Policy UA13 considers that it is appropriate to allocate the site for a relatively high density of new housing given that the "site is sustainably located and previously-development" (paragraph 5.101 of the Local Plan). This Policy also envisaged that the southern

factory building would be retained for commercial use. This has now been superseded by the outline permission which now includes the care home sited in a similar location to the demolished factory building. Taking account of the fact that the Council envisaged high density development in this location and a commercial component occupying a large proportion of the southern portion, this has influenced how the layout has been developed in order to achieve the type and amount of development secured under the outline permission.

6.10 Following this technical baseline, a number of design opportunities have emerged alongside the creation of the strategic landscaped framework. Planting is proposed throughout the site to engender a strong sense of place that reflects the site's proximity to Hythe and to its coastal location. The location of the strategic landscaped areas has been chosen to make the most of the ecological and amenity benefits, these include:

- a) The tree and planted area along Boundary Road are to be strengthened and enhanced to act as an open buffer between the old and new housing areas. This will create an attractive, landscaped frontage to the development and this area of open space and planting also allows for a pedestrian and cycle connection to Fort Road (west), Boundary Road (north) and the Hythe Green Recreation Ground (east).
- b) A joined central and western area of open space which offers a focal point and meeting place for residents, the offices and the care home. It will contain an area of play space to complement the existing park facilities at the recreation ground, as well as seating. This area of open space also allows the site's change in level to be accommodated, connects to the new pedestrian link between the development and The Green to the east and frames the pedestrian and cycle route to the seafront.
- c) A 10m wide green planted swathe running along the south western perimeter of the site to provide a buffer to the Hythe Ranges MOD land and the Local Wildlife Site. This will connect to a wildlife area in the south-eastern tip of the site.
- d) Key boundaries will be enhanced with structural planting throughout the site, particularly at the southern end of the Site where the development site adjoins existing employment uses.

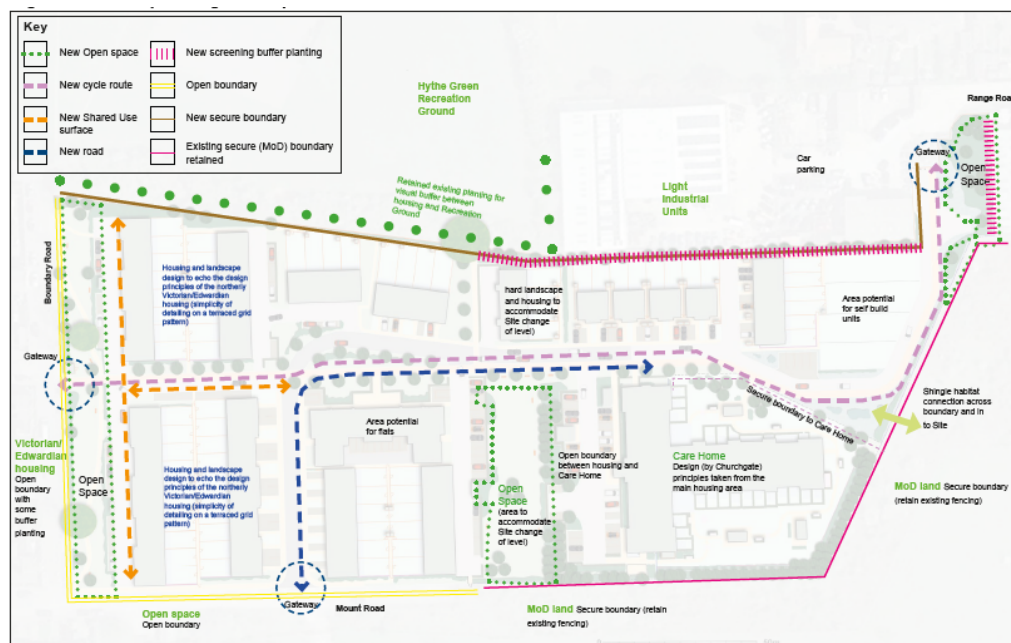


Figure 9: Landscape Design Principles

- 6.11 With these landscape design principles in place, the siting of the development has evolved taking account of the character of the surrounding area as explained further at paragraph 4.5 of this Statement and in the accompanying Design and Access Statement. The pre-application feedback received has helped to shape the layout in terms of adding more variation to the built form, creating attractive frontages onto the public open space and key routes within the site, reducing the amount of hardstanding as much as highway standards allow and creating a 'civic' centre to the development where the care home, offices, public spaces and dwellings are more closely linked and related to one another.
- 6.12 Taking account of the above, distinct landscape character areas have emerged. As explained in the Landscape Design Strategy, prepared by Harper Landscapes, Character Area 1 is on lower ground and relates to the housing to the north, the Victorian/Edwardian grid pattern with buildings using simplistic elevational detailing. As such the new layout, the built-form pattern, the architectural and landscape design would mirror the layout, scale and architectural and landscape design. There would be buffer planting between this Character Area and Boundary Road.
- 6.13 Character Area 2 is on the higher ground relates to the light industrial buildings to the south and is more open to views in from the north. As such the new layout can utilise more contemporary landscape and architectural design styles and should incorporate buffer planting to visually and physically divide the development from the industrial areas.
- 6.14 It is noted that the site is located in Landscape Character Area 'Romney Marsh Mixed Farmland' as described in the wider Landscape Assessments. At a local scale the character is best described as Hythe settlement edge defined by the local land uses (Victorian/Edwardian) residential terraced roads (north), open MoD landscape including Priority Habitat Coastal Vegetated Shingle (west), Hythe Green Recreation Ground, flat and green open space with many sports pitches and footpaths (including PRoWs) crossing it (north east), and light industrial estate (south and south east).
- 6.15 For these reasons, it is considered that the reserved matters proposal meets the expectations set out at Paragraph 130 of the NPPF by ensuring that the development will:
- a) will function well and add to the overall quality of the area;
 - b) is visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
 - d) establish 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;
 - e) 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
 - f) create a place that is safe, inclusive and accessible and which promote health and well-being.

SCALE & APPEARANCE

- 6.16 The application site is located towards the west of Hythe, adjacent to the Victorian terraces to the north, industrial buildings off Range Road to the south, Hythe Green recreational and park area to

the east and the expansive rifle ranges to the west. Beyond the south of the site towards the beach front is the recent Fisherman's Wharf development. The surrounding character is varied, comprising of a mixture of different types, ages, scales and appearances of development. This provides an opportunity for the application site to create its own individual and unique character, whilst also referencing typical features within Hythe to create a strong sense of place which have been used as design inspiration for the proposals.

- 6.17 The development ranges between two and four storeys, with the majority of the housing being three storeys due to the need to raise the accommodation above the flood zone in the northern portion of the site. The central block of apartments over the ground floor offices is four storeys which gives the building prominence and thereby creating the sense of 'civic' scale where it addresses the public space. The Care home is two storey plus accommodation in the roof and sits on the upper part of the site. The height is dictated by the plan form (itself the result of operational requirements) and current regulations which result in a floor to floor height of 3.15m. The scale is minimised by the use of central flat roofs behind 45 degree pitches with smaller projecting gables of 50 degrees to break-up the facade. It is considered that the proposed scale of the development embeds nicely between the two storey development to the north and the larger warehouses and taller seafront development to the south.
- 6.18 The architectural approach is bespoke for this site and its individual circumstances and the accompanying Design & Access Statement sets out the design precedents that have informed the proposals. In doing so, the proposals have also sought to address the comments of both the Design Review Panel and Planning Office, whilst also maintaining the sense of unified language that runs throughout the development. External materials include a range of different coloured brickwork, cladding and roof tiles.
- 6.19 It is considered that the height, massing and detailed elevational treatment of the development provide an appropriate response to the varied pattern and style of development within the immediate context. Given the stand-alone nature of the site, the design approach is considered to be acceptable and responds to its unique location and the environmental constraints.

ACCESS & PARKING

- 6.20 There are numerous pedestrian and cycle routes incorporated within the design of the scheme which includes pedestrian access adjacent to the vehicular access onto Fort Road, a shared pedestrian/cycle route running north/south through the site from Boundary Road to the southern end of the site (Range Road) and a pedestrian access to the recreation ground adjacent to the site.
- 6.21 The north south pedestrian/cycle route is proposed to be shared and 2.5m in width. This has developed from a Design Panel comment where they felt 'arranging the scheme around this north-south spine would encourage people to travel by more sustainable and active modes of transport to local amenities'.
- 6.22 The vehicular access will be from Fort Road which continues to Dymchurch Road in the north. The pedestrian/cycle access to Range Road will also serve as an emergency access. This route will be bollarded to prevent use by general vehicular traffic.

- 6.23 The internal road geometry of the proposed layout has been reviewed by Stantec, including swept path analysis and internal junction visibility in order to cater for a range of vehicle types and movements.
- 6.24 Car parking levels across the site are provided in line with the standards for a suburban location in the Kent Design Guide Residential Parking Guidance. It is also noted that Policy T2 of the Local Plan requires the Council to take account of local context when applying these standards and also considers the use of tandem arrangements as being acceptable in some cases. Policy T3 states that car port structures will be counted towards meeting the residential parking standard.
- 6.25 There are 136 residential parking spaces proposed plus an additional 20 visitor spaces. Each dwelling will have one dedicated EV charging point. There are 4 parking spaces proposed for the office space including 1 disabled bay. There will be 25 vehicle parking spaces for the care home, 8 of which are staff spaces, 8 visitor spaces, 6 communal EV spaces, 3 disabled spaces and the required ambulance layby. In addition, there are 8 Powered Two-Wheeler (PTW) spaces.
- 6.26 Secure cycle storage is also provided at a rate of one space per bedroom per dwelling. There are a total of 8 cycle spaces for the care home which exceeds the requirement for 1 space per 10 beds.

LIVING CONDITIONS

- 6.27 In accordance with the NPPF and in the interests of 'good planning' new development should be compatible with neighbouring buildings and spaces and safeguard the residential amenities of neighbouring occupants. Policy HB1 states that proposals should not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook.
- 6.28 In terms of safeguarding the privacy and living conditions of neighbouring occupiers and for future occupiers, the nearest neighbouring properties are located beyond the north of the site and are separated from the development by Boundary Road and the proposed green swathe running along the northern site boundary, therefore it is asserted that there is good separation from the nearest dwellings within the development site.
- 6.29 In terms of the internal layout, the separation distance between dwellings and care home are sufficient to prevent overlooking and loss of privacy. All of the proposed residential units meet the Nationally Described Space Standards and each dwelling will have their own private amenity space in accordance with Policy HB3. The care home has a generous communal garden area to the rear of the building to provide its residents with safe and sensory stimulating outdoor space and a secure wandering route within the grounds.
- 6.30 The site is adjoined to the Hythe Rifle Range to the west and the outline planning application was accompanied by a Noise Assessment which concluded that the overall noise levels recorded, including those relating to the MOD firing range, were modest and considered that adequate sound insulation measures can be readily incorporated within the housing units to achieve acceptable noise levels in line with BS 8233 at the site. In addition, a landscaped buffer has been introduced in between the care home and the MOD boundary to ensure a good living environment for residents. The south eastern corner of the site is adjoined to a commercial facility and the Range Road Industrial Estate beyond. The previous Noise Assessment considered this as a possible noise source, but concluded that "based on the measured level, no specific acoustic mitigation is

considered necessary, as adequate control of environmental noise in accordance with BS 8233 and WHO guidelines for internal noise will be achieved using standard thermal double glazing with standard non-acoustic trickle ventilators". The development will incorporate the noise mitigation measures set out in the previous Noise Assessment in accordance with Condition 25 of the outline permission.

- 6.31 It is asserted that the proposed layout has demonstrated that the level of development proposed can be accommodated within the site, allowing sufficient separation distances to boundaries, which provides a compatible form of development with the existing landscape. It is asserted the proposal therefore safeguards the living conditions of both existing and prospective residential occupiers.

DRAINAGE & FLOOD RISK

- 6.32 The reserved matters submission is accompanied by a Drainage Strategy, prepared by Tridax, which has been based upon the preliminary strategy (by Herrington Consulting, 2019) that was approved as part of the outline permission and Condition 16.
- 6.33 The surface water drainage strategy proposes to discharge surface water to conventional shallow cellular soakaway structures. Permeable paving will be used for the access road and parking areas with diffusers to take the roof water from the front of each building.
- 6.34 In terms of the foul water drainage strategy, it is proposed that the development will connect into an existing public sewer located within the site. A full detailed design of the foul drainage system will be required as part of an application to Southern Water Services, which will require a new connection to the public sewer via a manhole.
- 6.35 The site is located Flood Zones 1, 2 and 3, and therefore the outline application was supported by a Flood Risk Assessment and Flood Warning and Evacuation Strategy, prepared by Herrington Consulting. The proposals comply with the recommended flood mitigation measures and all residential living accommodation are located above the maximum predicted flood level.

BIODIVERSITY & TREES

- 6.36 The development presents a significant opportunity to create new habitats, given the current hardstanding which covers most of the land, and to safeguard the Local Wildlife Site in order to benefit biodiversity. The proposed development will involve the creation of new tree and shrub planting, amenity grassland and ornamental areas which will be subject to ongoing management activities.
- 6.37 In response to Conditions 14 and 15, and to meet the aim of achieving a net biodiversity increase at the site and improving the value of the site for wildlife, the application is supported by an Ecological Design Strategy which sets out the following key enhancements at the site (in addition to the proposed management and mitigation principles set out within the remainder of the Construction and Environmental Management Plan):
- New tree planting,
 - Bat and nesting bird boxes will be incorporated throughout the proposed development,
 - Bee nesting bricks will be included within the proposed development, and
 - Six loggeries will be installed to increase opportunities for invertebrates at the site.

- 6.38 This application is accompanied by an Arboricultural Impact Assessment (AIA), prepared by Aspect Arboriculture. The internal layout of the development has been informed by the desire to retain the framework of existing mature trees surrounding the site and recommendations are made for appropriate safeguards to their long-term welfare.
- 6.39 As set out in Policy HB2, in creating a cohesive design, proposals should advantage of trees which contribute positively to the landscape and wildlife habitats. The arboricultural survey identified two moderate quality, early mature silver birch trees (T5 and T10), which are to be retained as part of the proposals alongside new tree planting along this open space to the north of the site adjacent to Boundary Road which will create an attractive public link with the park land to the east.
- 6.40 The proposals include the removal of a limited number of low-quality trees and sections of scrub only to facilitate development. As concluded in the AIA, there is a requirement to compensate for this limited effect with new tree planting, and there is capacity within the layout for this to be delivered, building upon the important retained trees, without concern for the site's visual amenity. The strategy for achieving the uplift in tree cover is indicated within the landscape proposals. The strategy will provide a high-quality varied replacement canopy area which will enhance the quality of trees throughout the application area.

CONTAMINATION

- 6.41 A Phase 2 Geo-Environmental Assessment has been prepared by Ecologia, which follows on from the earlier Phase 1 report and responds to Condition 17. In summary, the report concludes that no significant contamination sources either on or off site have been identified that may impact the site. Moderate/Low contamination risks have been identified and, therefore, no specific remedial actions are considered necessary as part of the proposed development works for the Site.
- 6.42 The report makes recommendations relating to the construction phase of the development in order to minimise contamination risks which will ensure that the development accords with Policy NE7 of the Local Plan.

ARCHAEOLOGY

- 6.45 The site lies outside an area of Archaeological Potential according to the adopted Planning Policy map. Under the outline planning application at the site, an archaeological desktop report was submitted and KCC Archaeology considered that no archaeological measures were required.

7. RESPONSE TO OUTLINE PLANNING CONDITIONS

CONDITION	REQUIREMENT	REQUEST FOR DISCHARGE?
1	Approval of details of access, scale, appearance, layout and landscaping (including SUDS, boundary treatments and design code for self-build units)	Yes
2	Reserved matters submission deadline three years from the date of the permission (27 July 2024)	n/a
3	Development shall begin before the expiration of two years from the date of approval of reserved matters	n/a
4	Phasing Plan (including self-build units)	Yes
5	Quantum, location and broad principles of development	n/a
6	Landscape/Habitat Management Plan	Yes
7	Existing and Proposed Levels	Yes
8	Arboricultural Impact Assessment and Tree Constrains Plan	Yes
9	Parking details	Yes
10	Surface Water Drainage	Yes
11	External lighting details	Yes
12	Samples of materials	No
13	Construction Management Plan	Yes
14	Construction Environmental Management Plan	Yes
15	Ecological Design Strategy	Yes
16	Detailed Surface Water Drainage Scheme	Yes
17	Contamination investigation and remediation	Yes
18	Verification Report	No
19	Invasive Non-Native Species Protocol	Yes
20	Landscape and Ecological Management Plan	Yes
21	Access arrangements	n/a
22	Hard landscaping, access, street furniture and drainage details	No
23	Travel Plan	No
24	Verification Report (repeat of condition 18)	No
25	Noise Mitigation Measures	n/a
26	Hard landscaping, access, street furniture and drainage details (repeat of condition 22)	No
27	Footways and carriageways	n/a
28	Water Usage	No
29	BREEAM Report	Yes (part)
30	High Speed Fibre Optic	No
31	Carbon Emissions	No
32	Security Management Plan	Yes
33	Electric Charging Point details	No
34	Office Opening Hours	n/a

8. CONCLUSION

- 8.1 The outline planning permission established that the proposed development of 97 housing units, a 66 bed care home and offices would provide positive economic and social benefits through the delivery of sustainably located market and affordable housing, residential care provision and commercial space in Hythe. Within the context of supporting the delivery of sustainable development and that the site represents a significant opportunity to redevelop a vacant brownfield site, which is also allocated within the local plan, the LPA and Members found the principle of development to be acceptable.
- 8.2 The detailed plans, elevations and technical reports presented through this reserved matters application have developed the design and layout concept taking account of pre-application feedback and further analysis of the surrounding area. It is concluded that for the reasons outlined in this Planning Statement and the Design and Access Statement, the proposed design will create a quality sense of place for the mixture of uses set within a strong landscaped framework.
- 8.3 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). In this regard and with reference to the site-specific factors, it has been demonstrated through this application that:
- The submission has been shaped by the overarching principles established under the allocation policy and outline application, the specialist technical inputs and pre-application engagement with several different stakeholders,
 - The proposed development is a well-considered response to the specific characteristics and context, compatible with the design and landscape character objectives of the Local Plan,
 - The proposal includes the creation of multiple areas of public open space and has demonstrated that the development will provide improvements to the local active travel network, including connections to both the seafront and The Green in the west of Hythe,
 - New planting, landscaping and ecological benefits will be delivered by the proposal,
 - Safeguarding the living conditions of existing and future residential occupiers, in terms of the protection of privacy, standard of accommodation and provision of amenity space,
 - The scheme provides a viable and sustainable solution for discharging surface water-run-off from the proposed development and provides mitigation measures that ensure that the development will not result in increasing flood risk elsewhere meeting both sequential and exception tests,
 - The development provides for safe access and a policy compliant quantum of on-site car and cycle parking, including providing a proportion of EV spaces,
 - The development will deliver 29 affordable housing units on-site to meet the Council’s preferred mix and tenure.
- 8.4 Roddy New Homes are an established and high-quality provider of homes with a track record of delivery and seek to implement the permission alongside experienced care provider Boutique. Subject to an approval, construction is targeted to commence in the Winter of 2023. The delivery of the development would make a significant contribution to the district’s housing supply and care provision, with an added benefit of providing bespoke, small-scale offices.

- 8.5 Overall, there would be no 'significant and demonstrable' adverse impacts which would outweigh the benefits of the development. For this reason, and those outlined within this Statement, it is requested that officers view this submission favourably.

APPENDIX A - Outline Planning Permission Ref. Y19/0071/FH

**NOTIFICATION OF DECISION OF
THE LOCAL PLANNING AUTHORITY**

Date of Decision: 27 July 2021



Email: planning@folkestone-hythe.gov.uk

REWD Ltd
C/o Mr Alister Hume
Hume Planning Consultancy Ltd
Innovation House
Discovery Park
Innovation Way
Sandwich
Kent
CT13 9FF

Application Number: Y19/0071/FH

Proposal: Outline planning application for the redevelopment of the former Smiths Medical site for up to 97 dwellings (Class C3) up to 153sqm of offices (Class B1) and up to a 66 bed care home (Class C2), with all matters reserved for future consideration.

Site Location: Smiths Medical UK, Boundary Road, Hythe, Kent, CT21 6JL

DECISION: APPROVE WITH CONDITIONS in accordance with the planning application and plans.

Subject to the following conditions:

- 1 Approval of the details of the scale, appearance, layout (including location of SUDS) and the landscaping of the site (including boundary treatments), including design code for self-build units, hereinafter called "the reserved matters", shall be obtained from the Local Planning Authority in writing before any development of each phase/parcel is commenced. The submission of boundary treatments shall include the recommendations provided in paragraph 6.1.5 and 6.1.14 of the Ecological Appraisal, dated January 2019.

Reason: Such details are necessary for the full consideration of the proposal and have not, so far, been submitted.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended).

- 4 Prior to the commencement of any development hereby approved, a plan identifying the location, extents/boundaries of each self-build plot, and a phasing plan to detail the different phases (including self-build units) shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: Such details are necessary for the full consideration of the proposal and have not, so far, been submitted.

- 5 The development hereby permitted shall be limited to no more than 97 dwellings, a 66-bed care home and 153sqm of office space, and shall be carried out in accordance with the Location Plan (drawing no. P_02 Rev A) and broadly in accordance with the Site Plan as Proposed (drawing no. P12 Rev B).

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Policy SS1 of Local Plan Core Strategy (2013) and Policy UA13 of the adopted Local Plan (2020).

- 6 The reserved matters application(s) to be submitted pursuant to condition 1 above shall include details of a Landscape/Habitat Management Plan to include long-term design objectives, timings of the works, habitat creation, enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens). Such details shall be submitted for the written approval of the Local Planning Authority. The requirements of the Landscape/Habitat Management Plan shall be informed by the submitted Ecological Appraisal (dated January 2019) and the approved measures shall be carried out in accordance with the approved Plan.

Reason: In order to ensure matters of ecological interest are preserved and enhanced.

- 7 The details to be submitted pursuant to condition 1 above shall include drawings showing existing and proposed ground levels and finished slab and floor levels together with the roof ridge lines and eaves levels of the proposed buildings in relation to the neighbouring buildings bordering the site. The

finished floor levels of non-habitable levels shall be a minimum of 300mm above the design flood level (at 2.9maODN) with all habitable accommodation a minimum of 600mm above at 3.2maODN. Such details as may be approved in writing, by the Local Planning Authority shall be undertaken fully in accordance with the approved plans and thereafter floor levels shall be maintained in accordance with the approved details.

Reason: In the interests of risk to life and property.

- 8 The details submitted pursuant to condition 1 above shall include an Arboricultural Impact Assessment and Tree Constraints Plan to include existing hedgerows. The assessment shall include details of all root protection measures which shall accord with BS5837 "Trees in Relation to Demolition, Design and Construction" and a timetable for the implementation and retention of such works linked to the proposed phasing and completion of construction work. The development shall be carried out in strict accordance with the approved assessment.

Reason: In the interests of the visual amenities of the area.

- 9 The reserved matters application(s) to be submitted pursuant to condition 1 above shall include details of vehicular and cycle parking, including visitor parking, and turning facilities. The provision of vehicular and cycle parking and turning facilities as approved for each reserved matter and in any phase or sub-phase of the development hereby approved, shall be implemented, in full, prior to the first occupation of the units they serve. These facilities shall be kept available for parking and turning purposes in connection with the units they serve at all times thereafter.

Reason: In the interests of highway safety and convenience.

- 10 No development shall take place until the details required by Condition 1 above shall demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

Reason: To ensure development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

- 11 The reserved matters application(s) to be submitted pursuant to condition 1 above shall include details of a scheme for any external building or ground mounted lighting/illumination and such lighting shall be in accordance with guidance from an ecologist to minimise impacts on wildlife. Such details shall be submitted for the written approval of the local planning authority and shall include luminance levels and demonstrate how any proposed external lighting

has been designed and located to avoid excessive light spill/pollution. The submitted details shall also demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting strategy shall;

- a) Identify those area/features on site that are particularly sensitive;
- b) Show how and where external lighting will be installed in accordance with the recommendations in section 6.1.6 of the Ecological Appraisal dated January 2019.

Thereafter any lighting erected as part of the development shall only be erected in accordance with the approved details.

Reason: In order to minimise light pollution and protect wildlife.

- 12 No work on the construction of the building(s) hereby permitted shall take place until samples of the materials and details of the windows and doors to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include a schedule and plan indicating the materials to be used for each plot within the phase, or sub-phase. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the completed development and in the interests of visual amenity.

- 13 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Plan shall provide for:
- a) Working hours and arrangements for the delivery and storage of materials for the off-site highway works.
 - b) The parking and turning for on-site of vehicles of site operatives and visitors.
 - c) The loading and unloading of plant and materials.
 - d) The storage of plant and materials proposed to be used in the construction of the development.
 - e) The design, erection and maintenance of site perimeter fencing and security hoardings.
 - f) Details of working and delivery hours including details to avoid/minimise deliveries during peak hours and school opening/closing times.
 - g) The display of contact details of the site manager.
 - h) Routes to be taken by vehicles carrying plant/materials to and from the site.
 - i) Measures to ensure that construction plant and vehicles and delivery vehicles do not impede access to nearby properties.
 - j) Details of wheel washing facilities and other measures to prevent the deposit of mud and debris on the public highway.
 - k) Details of any temporary traffic management/ signage to ensure delivery routes are adhered to.
 - l) Details of piling methods and timings.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of the amenities of the area and highway safety and convenience.

- 14 No development shall take place (including any ground works, site or vegetation clearance) until a construction environmental management plan (CEMP (Biodiversity)), for the protection of:
- Hythe Ranges Local Wildlife Site;
 - Coastal vegetated shingle priority habitat;
 - Badgers;
 - Reptiles;
 - Hedgehogs; and
 - Nesting birds
- during the construction works has been submitted to and approved in writing by the Local Planning Authority. The CEMP (biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities, including any need for lighting during construction;
 - b) Identification of 'biodiversity protection zones' (on and off-site);
 - c) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - d) The location and timing of sensitive works to avoid harm to biodiversity features;
 - e) The times during construction when specialist ecologists need to be present on site to oversee works;
 - f) Responsible persons and lines of communication;
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar competent person;
 - h) Use of protective fences, exclusion barriers and warning signs.

A suitably experienced and qualified ecologist or Ecological Clerk of Works must carry out the role of maintaining ecological watching briefs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: In order to ensure biodiversity within the site is preserved and enhanced.

- 15 14. No development shall take place until an ecological design strategy (EDS) addressing the provision of compensatory habitat and ecological enhancements, as outlined in Section 6 of the Ecological Appraisal dated January 2019, has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:
- Purpose and conservation objectives for the proposed works
 - Review of site potential and constraints
 - Detailed design(s) and/or working method(s) to achieve stated objectives
 - Extent and location/area of proposed works on appropriate scale maps and

plans

- Type and source of materials to be used where appropriate, eg. Native species of local provenance
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
- Persons responsible for implementing the works
- Details of initial aftercare.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to ensure biodiversity within the site is preserved and enhanced, and to include the provision of compensatory habitat for the loss of Local Wildlife Site.

- 16 Development shall not begin in any phase until a detailed sustainable water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be passed upon the FRA by Herrington Consulting (February 2019) and shall demonstrate that the surface water generated by this development (for all rainfall to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on off-site.

The drainage scheme shall also demonstrate (with reference to published guidance) that:

- Silt and pollutants resulting from the site can be adequately managed to ensure there is no pollution risk to receiving waters
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

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

- 17
- a) The development shall be carried out in accordance with the submitted Phase I Land Contamination Assessment, by Ecologia dated 10/08/2017).
 - b) If the desk top study shows that further investigation is necessary, an investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall include; - A survey of the extent, scale and nature of contamination - An assessment of the potential risks to - Human health - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - Adjoining land, - Ground waters and surface waters, - Ecological systems, - Archaeological sites and ancient monuments and - An appraisal of remedial options and identification of the preferred option(s).
 - c) All work pursuant to this Condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).
 - d) If investigation and risk assessment shows that remediation is necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
 - e) Prior to commencement of development, if remediation works are required following investigation carried out as per d) above, a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
 - f) In the event that, at any time while the development is being carried out, contamination is found that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared. The results shall be submitted to the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority.

Reason: To protect the environment and human health against contamination and pollution.

- 18 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a verification report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the LPA which demonstrate the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by The LLFA. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; topographical survey of 'as constructed' features; and an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from the development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework (2019).

- 19 Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority, detailing the containment, control and removal of cotoneaster on site. The measures shall be carried out in accordance with the approved scheme.

Reason: In order to control invasive species within the site.

- 20 Prior to occupation of the development hereby approved, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following;
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions, together with a plan of management compartments;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period);
 - g) Details of the body or organisation responsible for the implementation of the plan;
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation

aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In order to control invasive species within the site.

- 21 Prior to the first use of the site or occupation of any dwelling, care home or office space hereby permitted, the access arrangements (including visibility splay) shall be implemented in full accordance with the details as approved under Condition 1 of this permission, and shall be opened to vehicular and pedestrian traffic. Thereafter the approved visibility splays shall be maintained at all times.

Reason: In the interests of highway safety and convenience.

- 22 Prior to the first occupation of any dwelling, care home or office space hereby permitted, the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the LPA. Thereafter the approved details shall be maintained at all times.

Reason: In the interests of highway safety and convenience.

- 23 Prior to the occupation of any dwelling hereby permitted a residential travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include initial baseline targets based on the agreed trip rates for the site, measures to encourage sustainable transport to/from the site and modal share targets for a 5 year period upon the last occupation on the site. The approved measures shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of sustainable development and highway safety and convenience.

- 24 No building hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures, extent of planting; details of materials utilised in construction

including subsoil, topsoil, aggregate and membrane liners; as built drawings; topographical survey of 'as constructed' features and an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised.

- 25 The approved noise mitigation measures shall be implemented in accordance with the recommendations set out within the Noise Assessment Report by Hepworth Acoustics (dated July 2018) unless otherwise previously agreed in writing by the Local Planning Authority. All habitable room windows to be standard thermal double glazing, comprising two 4mm thick standard panes with a minimum 122mm air cavity,

Reason: In order to protect amenity of future occupiers.

- 26 Prior to the occupation of any dwellings, office or care home hereby approved, the proposed internal road, footways, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, access, carriage gradients as appropriate, shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose plans and sections indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the roads are constructed and laid out in a satisfactory manner.

- 27 Prior to the occupation of any dwelling hereby approved the following works between each dwelling and the highway shall be carried out:

(a) Footways and/or footpaths, with the exception of the wearing course;

(b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates, and highway structures (if any).

Reason: In the interest of highway safety and amenity.

- 28 (a) Construction shall not proceed beyond slab level until written documentary evidence has been submitted to, and approved in writing by, the local planning authority proving the development will achieve a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a design stage water efficiency calculator.
(b) The development hereby permitted shall not be occupied until written documentary evidence has been submitted to, and approved by, the local

planning authority, proving that the development has achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a post-construction stage water efficiency calculator.

Reason In accordance with the requirements of policies CSD5 and SS3 of the Shepway Core Strategy Local Plan 2013 which identify Shepway as a water scarcity area and require all new dwellings to incorporate water efficiency measures.

Water efficiency calculations should be carried out using 'the water efficiency calculator for new dwellings' <https://www.gov.uk/government/publications/the-water-efficiency-calculator-for-new-dwellings>

- 29 The non-residential uses of the development hereby permitted shall be constructed to secure an overall minimum Very Good rating for BREEAM standards. Full details shall be submitted, for consideration, to a BRE trained and licensed independent assessor, these details and the assessors report shall then be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details before occupation.

Reason: To ensure the development contributes to the principles of sustainable development as outlined in Local Plan policy CC2.

- 30 No work above slab level on the construction of the buildings hereby permitted shall take place until a copy of formal confirmation has been supplied to the Local Planning Authority confirming that High Speed Fibre Optic that meets the Department for Culture, Media and Sport requirement that 'fibre to the premise' broadband connections are available to all premises of gigabit capacity will be provided to all dwellings. Prior to the first occupation of any of the dwellings hereby approved, confirmation shall be submitted to the Local Planning Authority that the infrastructure to allow 'fibre to the premise' broadband connections are available to all premises of gigabit capacity has been laid out in the site.

Reason: In order to ensure the future provision of superfast fibre optic broadband for occupants in accordance with emerging policy E8 of the Places and Policies Local Plan.

- 31 Details of how the development as a whole will reduce carbon emissions by a minimum of 10 percent above the Target Emission Rate, as defined in the Building Regulation for England approved document L1A: Conservation of Fuel and Power in Dwellings, shall be submitted to the Local Planning Authority for approval, in writing, prior to progression of development beyond foundation level, with such details as approved implemented in full and thereafter retained and maintained.

Reason: To support the transition to a low carbon future through the use of on-

site renewable and low-carbon energy technologies.

- 32 Prior to commencement of any onsite works of the development hereby approved, a Security Management Plan shall first be submitted to, for the prior written approval of, the Local Planning Authority. The Security Management Plan must adhere to the requirements of Secure by Design to ensure protection from crime and anti-social behaviour. Upon approval, the Security Management Plan shall be carried out as approved and thereafter maintained.

Reason: To ensure the development is secure from crime in accordance with Local Plan Policy BE1 and on Secure by Design grounds.

- 33 Prior to the commencement of any works above slab level hereby permitted, details of electric charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved electric charging points shall be implemented in full accordance with the approved details and maintained as such thereafter.

Reason: In accordance with Local Plan policy T2 and to support the transition to a low carbon future.

- 34 The offices (use class B1) hereby permitted shall not be open to customers outside the following times 08:00hrs - 18:30hrs Mondays to Saturdays and 10:00hrs -16:00hrs on Sundays and Bank Holidays.

Reason: In the interest of neighbouring amenity.

Informatives and notes

- 35 Your attention is drawn to the need to contact the Council's Street Naming and Numbering Officer on 01303 853418 in order to have the new properties formally addressed.

- 36 Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

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.

- 37 This decision is also conditional upon the terms of the Planning Agreement which has been entered into by the developer and the Local Planning Authority under Section 106 of the Town and Country Planning Act 1990. The Agreement runs with the land and not with any particular person having an interest therein.
- 38 Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please Liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk.
- 39 In relation to condition 32 above, it is advisable, where appropriate, to install one electric charging point per dwelling, or as a minimum, ensure there is infrastructure put in place to allow electric charging points to be installed at a later date.
- 40 In preparation of the required Security Management Plan, the Applicant must have regard to Secure by Design. Secured by Design (SBD) www.securedbydesign.com is the not for profit UK Police flagship initiative combining designing out crime and security. They list accredited products and suppliers that are independently certificated to recognised security standards. They have been responsible for consistently high reductions in crime as verified by numerous independent academic research studies.

Details of how to ensure products are certified are on the SBD website. Sold Secure is also a testing and certification house for security products. On their website: www.soldsecure.com you will find a range of products tested and approved by Sold Secure to provide you with the best in security for a variety of applications.

Kent Police, through their comments in relation to this proposal, has requested that the security for the development meets or exceed the standards of SBD and Sold Secure silver, this is to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

In determining this planning application, the Council has had due regard for all relevant matters and particularly the National Planning Policy Framework. This includes the duty to work positively with the applicant to resolve potential issues and seek acceptable solutions.

This decision relates ONLY to the requirements of . Separate determinations are required for other aspects of the planning regime, building regulations and environmental legislation. Any other permissions must be obtained separately from the relevant body.

The Council as Local Planning Authority expects the above Conditions to be complied with promptly. Where Conditions require details or other matters to be approved by the Council prior to commencement or occupation of the development, these must be submitted to the Council for its consideration well in advance, to ensure that there is no delay or loss to your project. Failure to observe the Conditions may result in enforcement action by the Council

Approved Documents

A handwritten signature in black ink, appearing to be 'H. G. G.', written in a cursive style.

Issued by the Chief Planning Officer

This decision notice consists of 15 pages

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority then you may be able appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so promptly.

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.gov.uk/government/organisations/planning-inspectorate.

The Inspectorate's website also gives details of timescales and the processes which would apply to this type of application.