

REPORT SUMMARY

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| REFERENCE NO - 14/503305/REM | | | | | |
| APPLICATION PROPOSAL Application for the approval of reserved matters of appearance, landscaping, layout and scale for 12 no. dwellings pursuant to outline planning permission MA/10/0220 for the erection of up to 14 no. dwellings. | | | | | |
| ADDRESS Homeleigh Timber Supplies Station Road Staplehurst Kent TN12 0PY | | | | | |
| RECOMMENDATION - Approve subject to conditions | | | | | |
| SUMMARY OF REASONS FOR RECOMMENDATION The principle for this development has been established with the approved Outline planning permission MA/10/0220. The application site is sustainable and appropriate in scale and detail. | | | | | |
| REASON FOR REFERRAL TO COMMITTEE Staplehurst Parish Council has requested the application is reported to the planning committee if approval is recommended. The Parish Council's comments are outlined later in this report. | | | | | |
| WARD Ward | Staplehurst | PARISH/TOWN COUNCIL Staplehurst | | APPLICANT Homeleigh Timber Supplies Ltd | AGENT David Hicken Associates Planning |
| DECISION DUE DATE 12/12/14 | PUBLICITY DATE 12/12/14 | EXPIRY | OFFICER | SITE VISIT DATE 20/10/14 | |
| RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): | | | | | |

MA/10/0220 - Outline planning permission for erection of up to 14no. dwellings with associated works including parking with access to be considered at this stage and all other matters reserved for future consideration - Approved with conditions

There is extensive planning history at this site, although the above listed application is the only history which specifically relates to this proposal.

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The application site has an area of approximately 0.27hecatres, and is located within the village confines of Staplehurst upon land which has no specific designation within the Maidstone Borough-Wide Local Plan (2000). The site currently runs as a timber merchant's yard (sui generis), with much of the site given over for the storage of timber. To the front of the site is a two storey property which is utilised as the shop and office space. Behind this, there are a number of metal clad sheds, and storage

containers, which vary in size from 2metres in height, to over 6metres. These are concentrated within the southern end of the site, with the northern part given over more to open storage and car parking.

- 1.02 The site also includes a detached bungalow, which is set back from the road by approximately 10metres. The front of this property has a hedge of approximately 3.5metres in height. To the north of the application site is a further bungalow which has substantial trees within the frontage of the property. Again, this bungalow is set approximately 10metres back from the highway, and is 3metres from the site boundary.
- 1.03 The main A229 runs to the front (east) of the application site, with a mixture of residential properties opposite. These are all either two or three storey properties, and predominantly brick built (although there is a timber clad building to the north-east of the application site). There is a relatively strong building line along the eastern side of the highway, with properties set back approximately 10-12metres.
- 1.04 To the south of the application site is a row of terraced properties. The property is immediately adjacent to the site and is a three storey brick built dwelling, with a two storey timber clad element attached. These properties are set close to the highway, being only some 1-2metres back from the pavement. They have rear gardens that run alongside the application site. Further south, there are two storey timber clad, and painted brick properties, which are set back from the road, and splayed to address the corner. The closest property is approximately 3.5metres from the application site.
- 1.05 To the west of the application site, is Brooks Close, which contains both two storey dwellings, and chalet bungalows. This development dates from the mid 20th Century, and consists of brick properties, that incorporate tile hanging. Along the western boundary of the site is a row of high conifers that rise to approximately 5-6metres in height. The closest property to the application site is some 18m from the site boundary.

2.0 PROPOSAL

- 2.01 This application seeks the approval of reserved matters of appearance, landscaping, layout and scale for 12 no. dwellings pursuant to outline planning permission MA/10/0220 (Outline planning permission for erection of up to 14no. dwellings with associated works including parking with access to be considered at this stage and all other matters reserved for future consideration).
- 2.02 This proposal sees a reduction in the number of units to 12 from the previous outline but retains a similar layout to the scheme overall. This includes a centrally located access, 3no three storey dwellings to the southern side of the access and 3no two storey dwellings to the northern side all fronting Station Road. Within the development, this design includes a further 6no semi detached two storey dwellings.

- 2.03 Each property would have 2 car parking spaces provided within the scheme which will include garaging and open spaces. Rear private amenity space is also provided for each property.
- 2.04 The appearance of the dwellings would include a mix of gable end and barn hip roofs to the dwellings as well as pitched and hipped garages. The front elevations of many of the dwellings would also include a projecting pitched frontage. The scheme would include a mix of weatherboarding and tile hanging to the elevations with slate and clay tiles to the roofs.

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Wide Local Plan 2000: Policies T13 and ENV6
Supplementary Planning Documents: Kent Design Guide 2009, Landscape Character Assessment 2012

6.0 LOCAL REPRESENTATIONS

9 neighbour representations have been received raising a number of issues. These comments include parking provision to the site, drainage, water pressure, loss of trees, flooding, visual appearance and the impact upon the character of the area, scale of the buildings proposed, number of dwellings within the site, impact upon amenity for neighbouring properties, access and design of the buildings proposed.

7.0 CONSULTATIONS

Staplehurst Parish Council - Raise objections to this proposal with the following comments:-

"Councillors voted to recommend REFUSAL and requested that the application be reported to MBC Planning Committee. Councillors felt that concerns expressed by the Parish Council regarding outline application MA/10/0220 remained valid and they further highlighted over-intensive development, excessive building height and consequent overshadowing of neighbouring properties, unsympathetic design and layout not in keeping with neighbouring properties on Station Road, insufficient parking provision, increased likelihood of surface water flooding, the loss of substantial and mature trees and general negative impact on biodiversity".

Environment Agency - Do not wish to comment

Environmental Health - Raise no objections with the following comments:-

Environmental Protection has no comments to make in respect of the application for approval of these reserved matters.

REQUESTED CONDITIONS:

None

INFORMATIVES

As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

KCC Highways - Raise no objections with the following comments:-

I have the following comments to make with respect to highway matters:-

Parking within the site is not in accordance with IGN3 which requires 2 independently accessible spaces for each 3 and 4 bedroom house. A tandem arrangement for some of the properties is proposed and no visitor parking spaces are provided. However the proposed development is an improvement on the previous use of the site which frequently led to on street parking on the A229 and on occasion caused obstruction to both drivers and pedestrians. Ideally additional parking spaces would be provided, however I do not wish to raise objection subject to the following conditions:-

A construction management strategy is required prior to the commencement of works on site details to be agreed with KCC Roadworks Coordination Team.

Provision of measures to prevent the discharge of surface water onto the highway.

Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.

Provision and permanent retention of the turning facilities shown on the submitted plans prior to the use of the site commencing.

Use of a bound surface for the first 5 metres of the access from the edge of the highway.

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

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.

INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Southern Water - Raise no objections

Landscape Officer - Raises the following comments:-

I have a number of issues with the proposed landscaping as follows:

- *There is no information on the proposed retention of the existing tree line to the rear of the development and the landscaping plan states that a proposed soakaway is to be constructed to the rear gardens of plots 7 to 11. The applicant needs to submit an Arboricultural Method Statement (AMS) in accordance with BS5837: 2012 which includes details of the soakaway, a methodology for the excavation of hard surfacing within the root protection areas of trees to be retained and tree protection details.*
- *No specification has been provided for the proposed canopy reduction work to these boundary trees and shrubs.*
- *The proposed Ash trees need to be substituted with another appropriate species (due to current restrictions imposed in relation to Ash Die back). I would suggest Acer campestre (Field Maple) and Carpinus betulus (Hornbeam) varieties are planted instead of Ash and Beech. The proposed Hawthorn hedge is not particularly appropriate in this restricted location and I would suggest that this is also replaced, possibly by Ligustrum vulgare (Privet).*
- *There are few sizes and numbers of shrubs and trees specified.*

Therefore, alongside an AMS, a detailed landscape scheme is required which addresses the above and clearly marks those trees to be retained. It should also show the location of tree protection fencing and include a plant specification, implementation details and a long term management plan.

8.0 CONSIDERATIONS

Principle of Development

- 8.01 In terms of the principle for development, the site is within the village boundary of Staplehurst and is not designated for specific uses within the Maidstone Borough Wide Local Plan 2000 for any specific uses. At a national level, the National Planning Policy Framework (NPPF) does encourage new housing in sustainable locations as an alternative to residential development in more remote countryside situations; and according to the NPPF;

“Housing applications should be considered in the context of the presumption in favour of sustainable development”.

- 8.02 I have no argument against the site being in a sustainable area in the sense that it is in walking distance of the village centre with its services, amenities and public transport links.
- 8.03 The NPPF does consider there to be 3 dimensions to sustainable development (economic, social and environmental), and these dimensions give rise to the need for the planning system to perform a number of roles (paragraph 7). In terms of the environmental role, development must

contribute to protecting and enhancing the built environment, and paragraph 64 of the NPPF states;

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

- 8.04 This is clearly a fundamental element of successful development and quality design should address the attributes of the site as well as offering enhancements in appearance and responding to local character. The specific design quality of this proposal will be assessed later in this report.
- 8.05 An important element in the principle to this development is the previously approved outline application for the construction of up to 14 dwellings on this site. This was considered under MA/10/0220 which included details of access. The principle of residential development here is therefore acceptable.
- 8.06 With regard to housing supply, at present the Council does not have a 5 year housing supply and therefore, further housing development is required to achieve this figure. This issue is a material consideration in the determination of this application and should be considered in the context of the development being proposed and in the balance of relevant issues.

Visual Impact

- 8.07 Station Road itself is lined by large detached and semi detached properties within the vicinity of this site therefore frontage development is a key part of the local character. This proposal maintains this feature framing the entrance to the site. The depth of the site lends itself to Cul-de-sac development which is present elsewhere within Staplehurst, most notably Cornforth Close to the south of the site. Whilst this would project the frontage dwellings closer to the highway itself, this layout would follow the building line set by the building immediately to the south of the site. This creates a greater presence to the development which can be accommodated within this area of Station Road. As such, I consider this general approach to be acceptable.
- 8.08 With this layout, plots 1 to 6 would face east addressing Station Road and creating an active frontage with this street. Amenity space and parking is provided to the rear with principle entrances accessed from the front. Plots 1 to 3 are three stories again continuing from the existing building adjoining the south of the site. Plots 4 to 6 then continue to the north at two stories. This is an important feature of this development which in my view, helps to create identity and articulation within this prominent frontage.
- 8.09 Plots 7 to 12 would be two stories and inward facing accessed via the central driveway. The dwellings are well spaced allowing for a sense of openness centrally within the scheme. This is also assisted with the removal of two plots from the original Outline consent. The dwellings have varied but adequate rear amenity gardens (of approximately 10m in length) with plots 7 to 12 backing on to western boundary. The gardens

of plots 1 to 6 would back on to the central access road, however, the prominent boundaries would be finished with suitable walling with brick piers and fencing to improve the appearance of this central space. A number of trees and low level landscaping is also proposed to soften these boundary treatments and add to the character of this central space. This is shown on the submitted layout plans and whilst this does lack detail with regard to landscaping, a condition will be imposed to secure further details in this respect.

- 8.10 With regard to the design and appearance of the dwellings, the development would comprise a mix of 3 and 4 bedroom dwellings with a variety of designs and floor layouts. The appearance of the dwellings would include a mix of gable end and barn hip roofs as well as pitched and hipped garages. The front elevations of most of the dwellings would also include a projecting pitched frontage. This breaks up the front elevations and gives articulation to the frontage. The mix of materials would also assist to distinguish these elements including weatherboarding and tile hanging. The roofing material would comprise slate and clay tiles to both the dwellings and garages. This would create a suitable finish blending with the facing brick and weatherboarding. Samples and details of this will be secured by condition to ensure appropriate colouring and quality. Overall, I am satisfied with the appearance and elevation designs of the dwellings.
- 8.11 Overall, I consider the layout and appearance of the development to be appropriate and I do not consider there would be a detrimental visual impact upon the surrounding area.

Residential Amenity

- 8.12 The rear of plots 11 and 10 would face west towards several neighbouring properties within Corner Farm Road. However, there is a suitable distance (of approximately 15m) between these properties and the proposed dwellings to ensure appropriate amenity is maintained. There is a similar relationship to neighbouring dwellings to the south of the site and therefore I do not consider there would be any significant loss of light, privacy, outlook or overshadowing. In terms of the impact upon Silverwood to the north, this property is the closest to the site being adjacent to the northern boundary. Whilst several of the proposed dwellings are beyond the rear of this property, I consider there is a suitable separation between this property and the proposed dwellings (of approximately 13m) so as to not cause significant loss of privacy or overlooking to this property. Similarly, I do not consider there would be any significant loss of light or outlook to this property.
- 8.13 In terms of the impact for future occupants of the development, I am satisfied that the fenestration arrangements of the new dwellings would result in acceptable levels of outlook, daylight and privacy. Appropriate boundary treatments would also maintain acceptable levels of privacy for future occupants at ground floor level; and I do consider the level of proposed outdoor amenity space to be acceptable for properties of this size. I am also satisfied that the residential amenity of future occupiers

would not be significantly affected by the existing surrounding properties, given their separation distances and orientation.

Highways

- 8.14 The central access to the site was considered under the approved outline application (MA/10/0220) which is maintained within this proposed scheme. As such, this access arrangement is acceptable.
- 8.15 In terms of parking provision, KCC Highways have raised some concerns with regards to the level of parking provision within the development (2 spaces per dwelling) as there are some tandem spaces suggested. However, they do acknowledge that the site is close to the village centre and within walking distance of bus routes and the train station. Therefore it is considered a sustainable site. Members are aware that Maidstone Borough Council has not adopted any Kent Guidance on parking standards, and as such are able to accept tandem parking spaces within residential developments as proposed under the original outline permission for this site.
- 8.16 In addition to this, this parking provision is an increase on the 1.5 spaces per dwelling proposed under the original outline permission (which was secured by condition). Members should be aware that a further variation of condition application has been submitted to allow additional parking within the scheme which was restricted to 1.5 spaces under the outline permission.
- 8.17 I am therefore of the view that there would not be a significant highways impact as a result of this development.

Landscaping

- 8.18 In terms of landscaping, a number of comments have been received regarding the existing landscaping within the site and whether this is to be retained as well as issues concerning the proposed planting scheme. Following the comments from the Landscape Officer, discussions have taken place with the agent regarding these points. It is confirmed that the boundary planting running along the western boundary (to rear of plots 7 to 9) will be retained although pruning would be required. Details of which can be secured by condition. Additional planting is also proposed further to the south of this boundary within rear gardens to continue this line of planting. This vein also continued along the southern boundary with the retention of existing trees as well as additional trees within plot 12. The landscape officer has also made comments regarding the position of the soakaway within this site which is proposed to the rear of plot 10. Although no details have been submitted on this element, I consider this can be suitably secured by condition together with root protection and an Arboricultural Method Statement. The landscape officer agrees with this approach.
- 8.19 Planting is also proposed within the scheme to the frontage of plots and centrally within the development screening parking areas and acting as a focal point to the entrance of the site. Discussions have also taken place with regard to the proposed refuge collection area, and it has been agreed

that this will be removed in favour of additional planting and on plot refuse storage. Details of which will be secured by condition. Comments have been made concerning the proposed mix of planting; this has been discussed with the agent and subsequently amended (as shown on plan number DHA/10277/11 RevC) to include Field Maple, Hornbeam and Privet hedging as suggested by the landscape officer. I consider this mix to be suitable and details of planting size and specific locations can be secured by condition.

- 8.20 Overall, I consider the landscaping shown would suitably soften the development and would reflect local landscape character. As such, the general appearance and character of the development proposed would be appropriate.
- 8.21 In terms of boundary treatments, the submitted amended plan shows 1.8m high close boarded fencing to rear garden boundaries and 0.6m high walling topped with fencing within public areas and brick piers. This would be suitable in terms of the appearance to the development, although clearly details of the bricks will be required by condition.

Other Matters

- 8.22 The applicant has stated that each dwelling would achieve a minimum of Level 3 in terms of the Code for Sustainable Homes, ensuring a sustainable and energy efficient form of development. This will also be secured by condition. Whilst recent applications have requested code 4 in accordance with the emerging policy in the Draft Local Plan, code 3 was secured under the original outline permission and I do not consider it is reasonable to require a higher code at this stage.
- 8.23 In order to preserve the character and appearance of the development, I consider it is reasonable to remove some permitted development rights for the dwellings to relative to development of front porches, the roof scape and boundary treatments. This will ensure the character and open feel to the development is retained and that the amenity of future occupants and existing surrounding neighbours is respected.
- 8.24 The site is not within a Flood Zone, as designated by the Environment Agency and is not within close proximity of any noticeable watercourse. Therefore, this development would not be any more significantly prejudicial to flood flow, storage capacity and drainage within the area when compared to what is there already. The Environment Agency has been consulted and raised no objections but has suggested a number of conditions relating to potential contamination of the land and securing appropriate sustainable drainage systems are in place. I consider these conditions are reasonable and appropriate in this case.
- 8.25 In terms of refuse, the environmental health officer has been consulted and has raised comments regarding the provision of a central refuse collection point which was included within the original plans for this application. Following discussions with the agent, this element has been amended to on-plot refuse collection and additional landscaping within the previous collection area. This is a more suitable approach given the scale

of the site and the environmental health issues arising from a central collection point.

9.0 CONCLUSION

9.01 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character of the area and it would not significantly harm the amenities of existing residents. It is therefore considered overall that the proposal is acceptable for the reasons given and so I recommend conditional approval of the application.

10.0 RECOMMENDATION – I therefore recommend to grant planning permission subject to the following conditions.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the buildings, road surfacing and boundary walling hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

3. The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawings;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping using indigenous species and showing additional planting in place of the refuse collection area, an Arboricultural Method Statement (AMS) in accordance with BS5837: 2012 which includes details of the soakaway, a methodology for the excavation of hard surfacing within the root protection areas of trees to be retained together with suitable measures for tree protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development.

6. The dwellings shall achieve Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: to ensure a sustainable and energy efficient form of development.

7. Details showing the provision of bat and or bird boxes within the development shall be submitted to and approved in writing by the Lcal Planning Authority.

Reason: In the interests of biodiversity.

8. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan numbers DHA/10277/01, DHA/10277/02, DHA/10277/03 REVB, DHA/10277/04 REVB, DHA/10277/05 REVB, DHA/10277/06 REVA, DHA/10277/07 REVA, DHA/10277/08 REVB, DHA/10277/09 REVB, DHA/10277/10 REVB, DHA/10277/12 REVB, DHA/10277/13 REVA, DHA/10277/14 REVA, DHA/10277/15 received 19th January 2014, Application Form, Design and Access Statement and Planning Statement received 8th September 2014 and plan number DHA/10277/11 REVC received 17th February 2014.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

INFORMATIVES

1. A construction management strategy is required prior to the commencement of works on site details to be agreed with KCC Roadworks Coordination Team.
2. Provision of measures to prevent the discharge of surface water onto the highway.
3. Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

Planning Committee Report

4. Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
5. Provision and permanent retention of the turning facilities shown on the submitted plans prior to the use of the site commencing.
6. Use of a bound surface for the first 5 metres of the access from the edge of the highway.
7. Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
8. 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.
9. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Case Officer: Kevin Hope

NB - For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website. The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.