

AGENDA

PLANNING COMMITTEE MEETING



Date: Thursday 4 September 2014
Time: 6.00 p.m.
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Ash, Collins, Cox, Edwards-Daem,
English (Chairman), Greer, Harwood,
Hogg, Moriarty, Paine, Paterson,
Mrs Robertson and J.A. Wilson

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Date of Adjourned Meeting - 11 September 2014

Continued Over/:

Issued on 27 August 2014

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEBBIE SNOOK on 01622 602030**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

6. Any business the Chairman regards as urgent including the urgent update report as it relates to matters to be considered at the meeting
7. Disclosures by Members and Officers
8. Disclosures of lobbying
9. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
10. Minutes of the meeting held on 14 August 2014 - to follow
11. Presentation of Petitions (if any)
12. Report of the Head of Planning and Development - Deferred Items 1
13. MA/12/1829 - KWANA, CROSS DRIVE, KINGSWOOD, MAIDSTONE, KENT 2 - 12
14. MA/13/1480 - TYLAND CORNER, TYLAND LANE, SANDLING, KENT 13 - 23
15. MA/14/0725 - 106, ABINGDON ROAD, MAIDSTONE, KENT 24 - 30
16. 14/501184 - FOREST VIEW, HARPLE LANE, DETLING, KENT 31 - 40
17. Appeal Decisions 41 - 42
18. Update on Matters Referred to Cabinet Members
19. Chairman's Announcements

PLEASE NOTE

The order in which items are taken at the meeting may be subject to change.

The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council website.

BACKGROUND DOCUMENTS: The background documents for the items on the agenda are to be found on the respective planning files for each application and on the files for those applications referred to in the history section of each report. Background documents are available for inspection during normal office hours at the Maidstone Borough Council Gateway Reception, King Street, Maidstone, Kent, ME15 6JQ

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

4 SEPTEMBER 2014

REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT

DEFERRED ITEMS

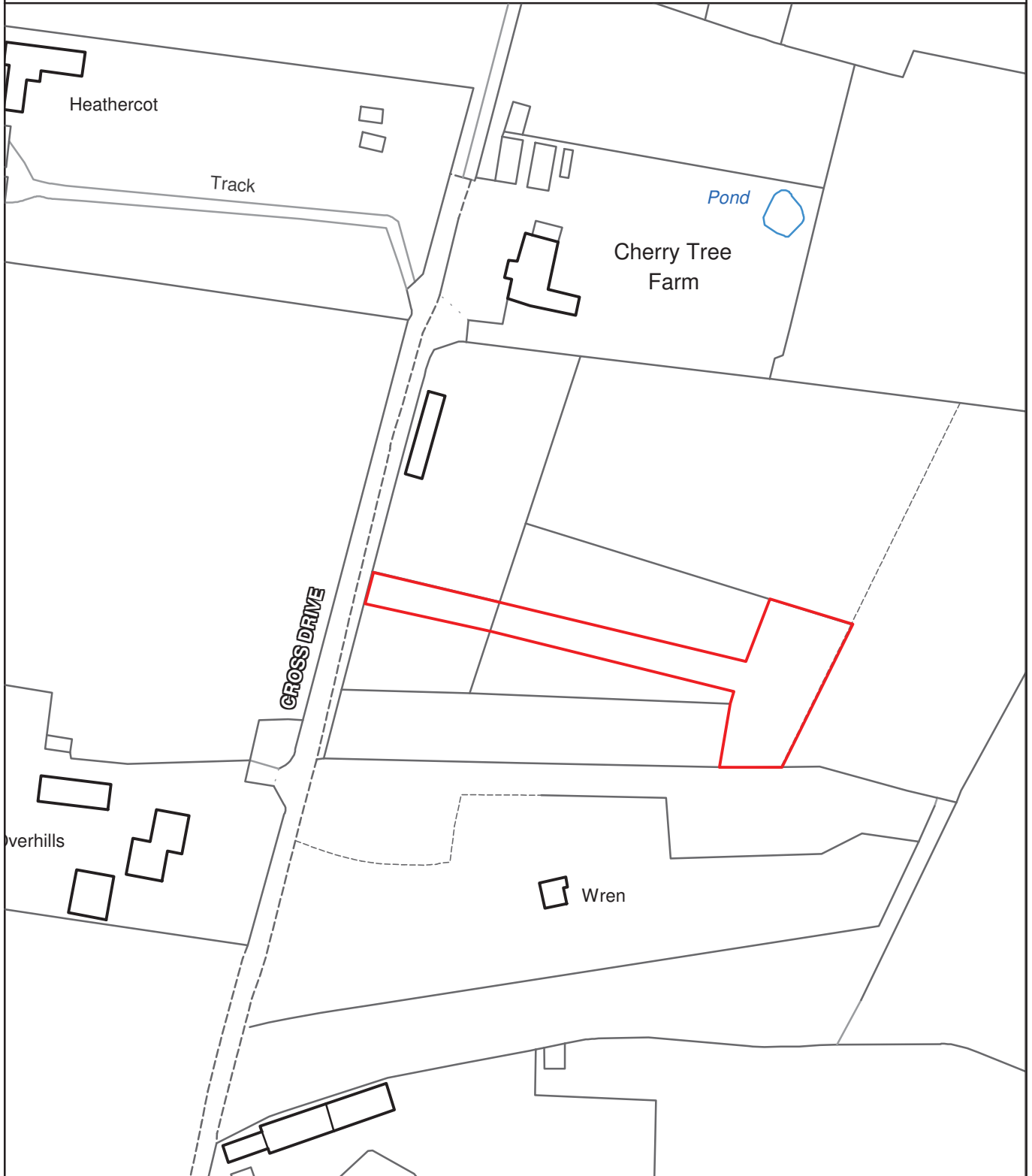
- 1.1. The following applications stand deferred from previous meetings of the Planning Committee. The Head of Planning and Development will report orally at the meeting on the latest situation.
- 1.2. MA/07/2133 - DEMOLITION OF EXISTING BUILDINGS, ERECTION OF A FIVE STOREY RESIDENTIAL DEVELOPMENT COMPRISING OF 52 STUDIO APARTMENTS AND 24 ONE-BED FLATS WITH 38 UNDERCROFT PARKING SPACES AND 22 EXTERNAL PARKING SPACES WITH VEHICULAR AND PEDESTRIAN ACCESS FROM HART STREET TOGETHER WITH LANDSCAPING - LAGUNA MOTORCYCLES SITE, HART STREET, MAIDSTONE Date Deferred
10 April 2014
- 1.2.1. Deferred for the submission of a revised viability assessment which contains up-to-date figures and which is based on current market conditions to inform Members' discussions on matters including the provision of affordable housing, the achievement of Level 4 of the Code for Sustainable Homes, the provision of landscaping to the footpath to the west of the site and possible improvements to the design.
- 1.3. MA/12/2255 - OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 53 RESIDENTIAL UNITS WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - NURSES HOME, HERMITAGE LANE, MAIDSTONE, KENT 3 July 2014
- 1.3.1. Deferred to allow the applicant more time to consider the DVS (VOA) report.

Agenda Item 13

THE MAIDSTONE BOROUGH COUNCIL

Kwana, Cross Drive
Kingswood
Maidstone
ME17 3NP

MBC Ref: MA/12/1829



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Rob Jarman
Head of Planning

REPORT SUMMARY

REFERENCE NO - 12/1829		
APPLICATION PROPOSAL Change of use of land to mixed use for agriculture and as a residential caravan site and erection of wooden amenity building.		
ADDRESS Kwana, Cross Drive, Kingswood, Maidstone, Kent, ME17 3NP		
RECOMMENDATION		
SUMMARY OF REASONS FOR RECOMMENDATION: The applicant is a gypsy/traveller; need for a gypsy/traveler accommodation; no harm to rural character of area or amenity of neighbouring properties while making a contribution to meeting need for gypsy/traveler accomodation		
REASON FOR REFERRAL TO COMMITTEE it is contrary to views expressed by Broomfield and Kingswood Parish Council		
WARD Leeds	PARISH/TOWN COUNCIL Broomfield & Kingswood	APPLICANT Mrs Rosemarie Humphreys AGENT Philip Brown Associates Ltd
DECISION DUE DATE 04/12/12	PUBLICITY EXPIRY DATE 04/12/12	OFFICER SITE VISIT DATE 12 th July 2014
<p>Relevant Planning History:</p> <p>MA/01/1193: Use of the siting of a mobile home for a temporary period of two years and continued use of land as an animal shelter- REFUSED- 5th September 2001 on the grounds the proposal would introduce sporadic residential development into the countryside contrary to policy and be harmful to the character and appearance of the area and that the personal case of the applicants was considered insufficient to overcome the objections identified.</p>		

MAIN REPORT

1.0 DESCRIPTION OF SITE:

- 1.1 The application site comprises part of a much larger area of open of land fronting Cross Drive which is currently enclosed by a dense hedgerow running the whole length of the site frontage.

- 1.2 The land has been divided by post and wire fencing into paddocks used in connection with the keeping of animals including horses. The application site comprises the access onto Cross Lane and a narrow straight track just over 80 metres long giving access to an enclosed paddock area at the eastern end of the paddocks on which is sited, amongst other things, a mobile home and touring caravan.
- 1.3 Immediately to the rear (east side) of this paddock is an area used for the open storage of machinery and materials used in connection with the maintenance and use of the wider area of land. This area of open storage is set just within a conifer plantation enclosing the site to the east. To the east of this conifer plantation is an area of Ancient Woodland.
- 1.4 In wider context the site lies within open countryside with the surrounding area characterised by sporadic detached houses well separated from one another both by plot size and intervening tree cover.

2.0 PROPOSAL

- 2.1 The applicants, who are gypsies, seek to retain an existing mobile home and to erect a timber building to be used as what is described as an amenity block.
- 2.2 The amenity block, which will be sited approximately 10 metres to the south of the existing mobile home, will be used to provide bathroom and storage facilities. It will have a length of just under 7 metres, a width, including roof overhang, of just over 4.5 metres, an eaves height of 2.2 metres and an eaves height of 3.2 metres. It shown having a low pitched roof and has been designed to appear as a stable building being of low pitched roof timber weatherboard construction, top opening doors and roof overhang.
- 2.3 The following has been submitted in support of the application:
 - The site is intended to be occupied by Peter and Rosemarie Humphreys and daughter Sophie who was 15 years old at the time of the application.
 - The site is located just over 1 kilometre from Kingswood and therefore within reasonable travelling distance of local services.
 - The applicant is not a gypsy due to ethnicity but has a nomadic lifestyle. She is therefore a gypsy as defined in Annex 1 of the Planning policy for Traveller Sites' (PPTS) published in March 2012.
 - The applicant (Rosmarie Humphreys) has been living in a caravan since 2001 and has been living in a caravan stationed at Kwana on and off throughout this period.
 - She travels away from the caravan to attend farm and car boot sales for about 2-3 weeks each month, through April to November of each year operating a mobile stall selling hot food.
 - During winter Rose lives on site with her husband and daughter.

- The family needs a settled base so that they can have proper facilities when occupying the site and also to ensure a stable base so that their daughter can attend school.
- A settled base is also required to enable the family to look after livestock totalling 6 horses, 2 sheep, 10 chickens, 5 geese, 4 ducks, 2 turkeys and 3 bee hives.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, T13
National Planning Policy Framework (2012),
NPPG(2014)
Planning Policy for Traveller Sites (2012)

4.0 LOCAL REPRESENTATIONS

4.1 One objection has been received which is summarised as follows:

- Located on plot adjoining the development and proposed caravan and amenity block will be in direct view of Wren and will adversely affect the visual and acoustic amenity of the property.
- Cross Drive is in poor condition and the additional traffic arising from use of the site will result in harm to the free flow of traffic and highway safety particularly for pedestrians.

5.0 CONSULTATIONS

5.1 Broomfield and Kingswood Parish Council: Objects on the following grounds:

With the existing level of provision of traveller sites already within this parish there is no need for any addition to the existing site; MBC should strictly limit traveller site expansion and respect the scale of existing local sites so that they do not dominate the nearest settled communities of Kingswood and East Sutton.

Local Parishes should not suffer the consequences of the lack of provision for travellers and gypsies due to the absence of any Local Planning Authority Policy to supply alternate deliverable sites.

6.0 APPRAISAL

6.1 The key issues in relation to this proposal are considered to be (a) principle including the need for Gypsy and Traveller accommodation (b) impact of the rural character and setting of the area, (c) effect on the amenity of properties overlooking or abutting the site and (d) highway and parking considerations.

6.2 Principle of Development

6.3 It is acknowledged that planning permission was refused in 2001 under ref: MA/01/1193 for the use of the siting of a mobile home for a temporary period of two years and continued use of land as an animal shelter on the grounds that (a) it would introduce sporadic residential development into the countryside harmful to the character and appearance of the area and (b) that the personal case of the applicants was considered insufficient to overcome the objections identified. However given the length of time that has elapsed since this decision was made and that it substantially predates current Government Guidance on gypsy and traveller accommodation dating from 2012 and the Councils own assessment of need, it is considered to have little bearing on the assessment of the current application.

6.4 Turning to the current application, there are no 'saved' adopted Local Plan Policies relating directly to this type of development. Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 (MBWLP) set out general approach to development in the countryside stating that:

"Planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers"

ENV28 then outlines the types of development that can be permitted.

6.5 A key consideration in assessment of this application is Government guidance contained in 'Planning policy for Traveller Sites' (PPTS) published in March 2012. This places a firm emphasis on the need to provide more gypsy sites, supporting self provision and acknowledging that sites are likely to be found in rural areas.

6.6 Though work on the emerging local plan is progressing as yet there remains no adopted policies relating to the provision of gypsy sites. Local Planning Authorities have the responsibility for setting their own target for the number of pitches to be provided in their areas as part of the Local Plan process. Maidstone in partnership with Sevenoaks District Council instructed Salford University Housing Unit to carry out a revised Gypsy and Traveller Accommodation Assessment (GTAA). The GTAA concluded the following need for pitches over the remaining Local Plan period:

Oct 2011 – March 2016	105 pitches
April 2016 – March 2021	25 pitches
April 2021 – March 2026	27 pitches
April 2026 – March 2031	30 pitches
Total Oct 2011 – March 2031	187 pitches

These figures were agreed by Cabinet on the 13th March 2013 as the pitch target and were included in the consultation version of the Local Plan.

6.7 Draft Policy CS12 of the Regulation 18 version of the Local Plan states that the Borough need for gypsy and traveller pitches will be addressed through

the granting of permanent planning permissions and through the allocation of sites.

6.8 The timetable for the Local Plan's adoption is July 2016.

6.9 Issues of need are dealt with below but, in terms of general principles Government Guidance clearly allows gypsy sites to be located in the countryside as an exception to the general policy of restraint.

6.10 Gypsy Status

6.11 Annex 1 of the PPTS defines gypsies and travellers as:-

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such”.

6.12 Given the above definition and the lifestyle of the applicant, it is accepted that she complies with the definition of a gypsy contained in Government guidance in Planning Policy for traveller sites.

6.13 Need for Gypsy Sites

6.14 The PPTS gives guidance on how gypsy accommodation should be achieved, including the requirement to assess need.

6.15 As stated above, the projection accommodation requirements is as follows –

Oct 2011 – March 2016	105 pitches
April 2016 – March 2021	25 pitches
April 2021 – March 2026	27 pitches
April 2026 – March 2031	30 pitches
Total Oct 2011 – March 2031	187 pitches

6.16 Taking into account this time period, since 1st October 2011 the following permissions for pitches have been granted (net) since the 1st April 2014:

54 Permanent non-personal permissions

9 Permanent personal permissions

0 Temporary non-personal permissions

28 Temporary personal permissions

Therefore a net total of 63 permanent pitches have been granted since 1st October 2011. As such a shortfall of 42 pitches remains outstanding.

6.17 It must be noted that the requirement for 105 pitches in the initial 5 year period includes need such as temporary consents that are yet to expire (but will before the end of March 2016) and household formation. This explains why the need figure appears so high in the first 5 years.

6.18 Visual Impact

6.19 Government's Policy for Traveller Sites states that Local Planning Authorities should strictly limit new traveller development in open countryside (para 23). Furthermore where sites are in rural areas they should not dominate the nearest settled community or place undue pressure on local infrastructure.

6.20 In accordance with the provisions of the policy ENV28 of the adopted local plan, the visual impact of the mobile home and touring caravan already stationed on site on the rural character and openness of the area needs to be assessed. There is an existing dense hedge running along the whole site Cross Drive frontage, which, apart from allowing glimpse views into the site through the access point, largely conceals the site from view from the road. The mobile home is sited just under 80 metres back from Cross Drive and is further obscured from view by an existing hedge planted abutting the side of the mobile home facing towards Cross Drive. It is therefore considered that the mobile home has negligible impact on views into the site from Cross Road.

6.21 Regarding views from other perspectives, the mobile home is sited just abutting a dense conifer plantation screening the site from views to the east. This conifer plantation abuts an area of Ancient Woodland which is not affected by any development that has taken place on the application site. Abutting the northern site boundary is Cherry Tree Farm. However there is a dense tree and hedgerow screen running the full length of the northern site boundary screening the site and mobile home from this direction.

6.22 Along the southern site boundary, there is dense planting on the boundary with the adjoining house, Wren, set over 20 metres off the site boundary in a well treed setting.

6.23 It is therefore considered that the site is enclosed such that the visual impact of the mobile home is almost wholly contained within the site.

6.24 Turning to amenity block, single mobile homes such as that stationed on site have limited provision for washing and storage facilities. As such, it is the case that minor additional ancillary facilities such as that proposed here, can also considered as part of a planning application as long as they are not deemed to be excessive in meeting the applicants needs.

6.25 The amenity blocks small size means that it is not considered excessive in meeting the needs of the applicants enabling them to enjoy a reasonable standard of amenity while occupying the site. It is therefore considered to be justified in planning terms should Members see fit to grant planning to retain the mobile home.

6.26 Regarding design and siting of the amenity block, dealing first with design, its low roof pitch, timber weatherboard construction, top opening doors and roof overhang ensures it represents an acceptable design response to a rural setting such as this. Regarding siting, given its close proximity to the mobile home and well enclosed nature of the site in general described above, means that it will also have little perceptible impact outside the site and is acceptable on these grounds as well.

6.27 As such, notwithstanding the visual harm normally associated with mobile homes, given the well enclosed nature of the site in general and well screened location of the mobile home within the wider site, it is considered that its retention will not result in any continuing material harm to the open rural character of the area contrary to policy ENV28 of the adopted local plan. However to ensure that continued use of the site does not result in harm to the night-time rural environment lighting should be made the subject of control.

6.28 Residential Amenity:

The well enclosed nature of the site and separation distances between the nearest dwellings, mobile home and the amenity block means that the outlook and amenity of these properties will not suffer materially either from retention of the mobile home or the proposed amenity block.

6.29 Landscaping:

6.30 The existing hedgerow fronting Cross Drive, which is in good condition, provides screening to the site in general. Subject to this hedgerow being maintained in perpetuity at a height no less than 2.5 metres, it is considered that this measure will continue to ensure that the site remains well screened from public view.

6.31 Ecology:

6.32 The use of the site taking place involves much of the land outside the application site already divided up into paddocks to provide exercising and grazing area for the applicants many animals. Given the existing close cropped nature of these paddocks the opportunities for protected species establishing does not arise which will continue to be the case. Regarding the siting of the mobile home and proposed siting of the amenity block, the area immediately abutting the mobile home is used for circulation and open storage in connection with the use of the site as is the siting of the amenity block.

6.33 In the circumstances it is not considered that the retention of the mobile home and siting erection of the amenity block will have any impact on local wildlife. Reference has been made to an area of Ancient Woodland. However this is separated from the site by a conifer plantation over 30

metres wide. As such it is considered that there will be no material effect on the Ancient Woodland or any wildlife in it.

6.34 Sustainability:

6.35 The nearest settlement of any significance is Kingswood, just over 1 kilometre away to the east. In relative terms this site is therefore comparatively sustainable and it is considered it would be difficult to justify an objection based on sustainability grounds for a Gypsy and Travellers site.

6.36 Personal Circumstances:

6.37 Significant weight is normally given at appeal to personal circumstances particularly the needs of any children.

6.38 The applicant, based on her evidence, states that she has been occupying the site on and off as far back as 2001. The Council is not in possession of evidence to the contrary. Though she spends large parts of the summer months away from the site, much of the winter is spent on site with her family where she becomes involved in animal husbandry. The applicant also has one child, still of school age.

6.39 Given the need to provide a stable educational background for any children, the acknowledged benefits of a settled base, length of occupation of the site, and animal husbandry commitments of the applicant it is considered combine to make a significant case of personal circumstances in favour of the application.

6.40 Highways:

6.41 Cross Drive is a narrow private road serving a limited number of properties. Given that existing traffic using Cross Drive is likely to be small in number and slow moving and that traffic generated by the use of the site is also likely to be limited, it is not considered that there are any sustainable objections based on harm to the free flow of traffic or highway safety.

6.42 Other matters:

6.43 The concerns of the Parish Council are noted particularly in relation to what is seen as an excessive number of travellers and traveller sites in the locality and how this impacts on the settled community. However given the limited number of people involved with this application it is not considered that on their own they will have any material impact and as such the Parish Council's concerns in this respect cannot be supported.

6.44 In addition, given the identified need for gypsy/traveller sites, that not all this need is capable of being met on existing sites and in the absence of a compelling case of demonstrable harm being identified in relation to the current application, that the remaining objections of the Parish Council are also not supported.

7.0 CONCLUSIONS:

7.1 These are considered to be as follows:

- The applicant has demonstrated that she is a gypsy/traveller by virtue of her lifestyle and therefore entitled to consideration of the application in accordance with Government and local policies relating to this group.
- Given the need for gypsy/traveller sites that there is no objection in principle to retention of the mobile home and provision of an amenity block.
- In size terms the amenity block is considered to meet the reasonable additional needs of the applicants that not met by the mobile home.
- The site is very well screened such the mobile home and amenity block, which is acceptable in design terms, does not result in any material harm to the rural character of openness of the area of the outlook or amenity of development abutting the site.
- That retention of the mobile home will make a contribution to meeting the unmet need identified above.
- There is no objection to the proposal on highway grounds.

7.2 In the circumstances, it is considered that the proposal is acceptable and its is recommended that planning permission is granted. As I consider the application is acceptable, there are no grounds to restrict the permission to the applicant's personal use or for any temporary period.

8.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The hedgerow fronting Cross Drive in the ownership of the applicants (ownership being shown on site location plan received on the 10th October) shall be retained no lower than 2.5 metres in height at all times. Should any planting become dead, dying, diseased or dangerous it shall be replaced with the same species within the first available planting season, allowed to grow up to at least 2.5 metres in height and thereafter maintained at all times thereafter in accordance with the provisions of this condition.

Reason: To screen the development in the interests of visual amenity.

2. No more than one static residential caravan as defined in Section 24(8) of the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 and one touring caravan, which shall not be used for habitation purposes, shall be stationed on the site at any one time. The caravans hereby permitted shall only be sited within the red area shown on the site location plan received on the 10th October 2012 but excluding the red area identifying the access to the site.

Reason: To accord with the terms of the application and in the interests of visual amenity.

3. No commercial or business activities shall take place on the land, including the storage of vehicles or materials;

Reason: To prevent inappropriate development and safeguard the amenity, character and appearance of the countryside and nearby properties.

4. No floodlighting or column lighting shall be installed and no more than one external light source shall be affixed to the mobile home and amenity block.

Reason: To safeguard the night time rural environment in the interests of visual amenity.

5. The site shall only be occupied by gypsies and travellers as defined DCLG guidance 'Planning policy for Traveller Sites' published in March 2012 as set out in Annexe 1.

Reason: To reflect the special circumstances of the application.

6. The development hereby approved shall only be carried out in accordance with the following approved plans being those received on the 10th October 2012.

Reason: To ensure that the development is carried out in accordance with the approved plans in the interests of amenity.

Note:

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

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

Case Officer: Graham Parkinson

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.

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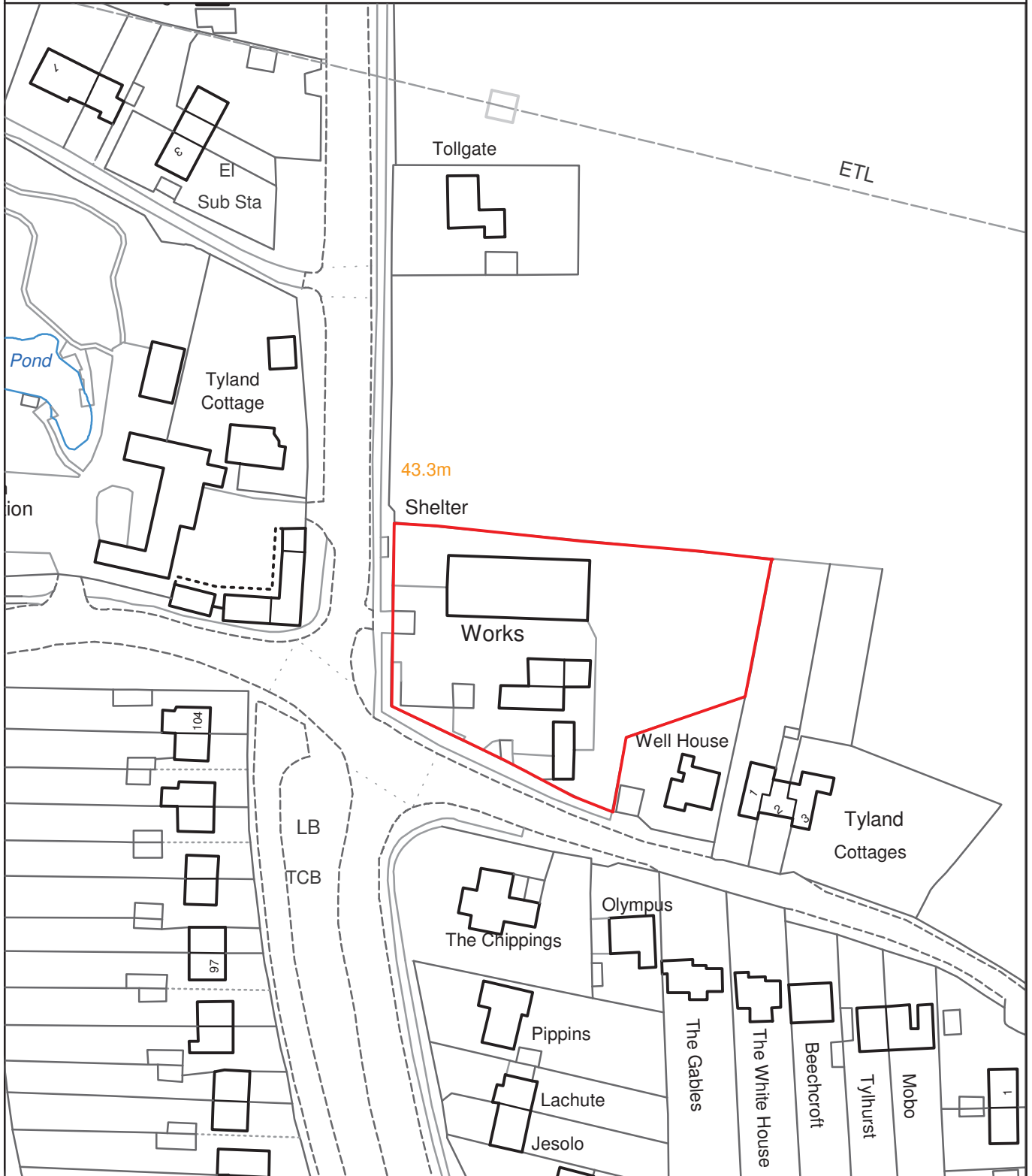
3. 7. 2014

Agenda Item 14

THE MAIDSTONE BOROUGH COUNCIL

Tyland Corer
Tyland Lane
Sandling
Kent
ME14 3BL

MBC Ref: MA/13/1480



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Rob Jarman
Head of Planning

REFERENCE NO – MA/13/1480		
APPLICATION PROPOSAL An outline application for the demolition of existing industrial units and the construction of 9 no. new houses with garaging. Landscaping is reserved for future consideration as shown on site location plan and drawing nos. 13-13-100, 101, 102, 103, 104, 105, 106, 107 received on 18/6/14.		
ADDRESS Tyland Corner, Tyland Lane, Sandling, Kent, ME14 3BL		
RECOMMENDATION: PERMIT		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposed development does not conform with Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000. However, the development is at a reasonably sustainable location, is close to an existing settlement, and is not considered to result in significant visual harm to the area. Given the current shortfall in the required five-year housing supply, the low adverse impacts of the development are not considered to significantly outweigh its benefits. As such the development is considered to be in compliance with the National Planning Policy Framework and this is sufficient grounds to depart from the Local Plan.		
REASON FOR REFERRAL TO COMMITTEE The application is contrary to the provisions of the Development Plan.		
WARD Boxley	PARISH/TOWN COUNCIL Boxley	APPLICANT P. Fulker & J. Burbridge AGENT Primefolio Ltd.
DECISION DUE DATE 03/11/13	PUBLICITY EXPIRY DATE 03/11/13	OFFICER SITE VISIT DATE 15/11/13
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): The site has a history of commercial use which appears to have started in the 1980s, the most recent history being:		
MA/12/1627	Retrospective application for change of use to private taxi booking office and associated workshop to maintain taxi vehicles	Permitted
MA/86/1367	Erection of storage warehouse and formation of new vehicular access	Permitted

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is located in the rural area just over 1km 'as the crow flies' to the north of the defined urban boundary of Maidstone. This is land within the Kent Downs Area of Outstanding Natural Beauty (AONB), the North Downs Special Landscape Area (SLA) and the Strategic Gap. The site is located at the corner of Tyland Lane and the Old Chatham Road, with the A229 approx. 100m away to the west.
- 1.02 This is an irregularly-shaped piece of land of approx. 0.3ha that is in use for a variety of commercial uses. As can be seen from the history, permission was granted under reference MA/12/1627 for part of the site for the base of operations for a taxi company. Access from the Old Chatham Road leads to a hardsurfaced 'yard' area

used for parking, loading, etc. around which is found a range of buildings in commercial use: principally a fairly low modern building off the north side of the yard and a more traditional two storey 'barn' off the south side. The buildings occupy the western half of the application site, with the eastern half given over to a largely undeveloped grassed area akin to a lawn. The overall site is generally bordered by hedging and the land slopes down from north to south with the Tyland Road frontage appearing as a hedged bank.

- 1.03 The site is bordered to the north by open farmland; to the east and south east by houses fronting Tyland Lane and their long rear gardens; to the south by the carriageway and footway of Tyland Lane itself; and to the west by the Old Chatham Road, beyond which is the historic group of buildings that make up the Kent Wildlife Trust's Tyland Barn premises.

2.0 PROPOSAL

- 2.01 The application is in outline with all matters to be considered except landscaping. It involves the demolition of all of the buildings on site and replacement with a residential development of nine detached dwellings. Before amendment the application involved eight new dwellings and the conversion of the traditional 'barn' on the site to a further dwelling: the application has now been amended to remove the 'barn' completely and erect the nine dwellings referred to.
- 2.02 In terms of general layout, the existing access is shown to be retained to serve the development. The access road passes between Plots 1 and 9 which serve as frontage development to the Old Chatham Road. The access leads to an internal courtyard development in the north eastern part of the site that has Plots 2, 3, 4 and 5 facing into a communal central space of front gardens, garage buildings and circulation space. Plots 6, 7 and 8 would occupy the southern portion of the site providing frontage development to Tyland Lane. Those houses would have pedestrian access to Tyland Lane but not vehicular access: that would be achieved from the main access road to their rear.
- 2.03 Proposed landscaping would involve the significant thickening and widening of the native hedging along the northern boundary and the maintenance of the existing evergreen hedging on the east and south east boundaries. The landscaped bank to Tyland Lane would be maintained, albeit breached by the proposed single access pathway from Plots 6, 7 and 8 that would require the installation of steps in that bank. Ecology issues are discussed in detail below but the application indicates that bat boxes, bird boxes and log piles are proposed to be put in place, although no detail is provided at this stage.
- 2.04 The scheme involves detached, four-bedroomed, two storey dwellings. In terms of the design approach Plots 1 and 9 on the Old Chatham Road frontage are in a vernacular style and clearly take influence from the Tyland Barn group of former agricultural buildings to the west of the site. These dwellings present low eaves heights to views from the road and varied hipped rooflines that hint at an 'organic' development for those particular buildings. These dwellings generally show restrained fenestration to the outer edges of the development with more openings on the inner-facing elevations. The housing turns the corner formed by the two roads by linking Plots 8 and 9 with a low range akin to farm outbuildings. Plots 1 and 9 would exhibit a mixed palette of traditional materials: principally brick plinths with black weatherboarding under clay-tile roofs. A section of the Tyland Lane frontage would be in ragstone to reinforce the concept of an organic development.

- 2.05 The remaining plots show a more conventional housing approach although clearly still taking influence from traditional housing features. Two storey dwellings are shown with hipped roofs and fairly restrained fenestration. Materials would involve brickwork and tile-hanging under clay-tile roofs. Proposed garaging generally involves a cart-lodge style with weatherboarding under slate roofs.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: Maidstone Borough-Wide Local Plan 2000 Policies ENV6, ENV28, ENV31, ENV33, ENV34, T1, T2, T3, T13
Maidstone Borough Local Plan Regulation 18 Consultation 2014 Policies SS1, SP5, H1, H2, H3, DM1, DM2, DM4, DM30

4.0 LOCAL REPRESENTATIONS

A PETITION OF OBJECTION HAS BEEN RECEIVED WITH 137 NAMES. The grounds of objection can be summarised thus:

- a) The development would adversely affect the character of the AONB.
- b) If permitted this would create a precedent for further similar developments.
- c) The scheme would adversely affect the ecology of the area.
- d) There would be parking problems, access difficulties and highways problems on local roads.
- e) Surrounding houses would experience extra noise, disturbance, pollution and loss of privacy.
- f) There would be blocking of light and views.
- g) This land should be for agricultural use.
- h) There would be a loss of trees and landscape features.
- i) The local school is already full.

LETTERS OF OBJECTION HAVE BEEN RECEIVED FROM THREE LOCAL HOUSES, The grounds of objection are as above with the following additional points:

- a) This would be a high density overdevelopment of the site harmful to local character and historic buildings.
- b) The bus stop may need relocation for safety reasons.
- c) Extensions on a neighbouring house are not shown.
- d) There would be a loss of value to local houses.

5.0 CONSULTATIONS

- 5.01 BOXLEY PARISH COUNCIL has no objection to the planning application but has concerns as outlined below:

- The sustainability of the development in a village that lacks local facilities, services and has poor public transport.
- The effect the development would have, due to its height and bulk, on the AONB.
- Access and egress is close to the Chatham Rd/Tyland Lane junction. Lorry's and HGVs using the parking facility north of the village have to use this junction to exit onto the A229.
- Lack of sufficient on-site car parking.
- Loss of a commercial site.

The parish council has been notified that residents are extremely concerned by the potential development.”

5.02 THE KCC ARCHAEOLOGICAL OFFICER has no objection subject to a ‘watching brief’ condition.

5.03 KCC HIGHWAYS AND TRANSPORTATION states:

“The proposal is not likely to lead to any significant increase in traffic movements from the existing access and adequate space is provided within the site for parking and turning. I confirm that I would not wish to raise objection however I would recommend that the existing bus stop adjacent to the site access on Old Chatham Road is brought up to DDA standard by providing raised kerbs in order that the stop is accessible by those residents of the site with mobility problems. Additionally a dropped kerb crossing is required at the pedestrian exit onto Tyland Lane.”

5.04 THE KCC BIODIVERSITY OFFICER has no objection.

5.04 THE MBC ENVIRONMENTAL HEALTH OFFICER has no objection subject to a condition to cover potential land contamination.

6.0 APPRAISAL

Principle of Development

6.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

6.02 The application site is located in the countryside outside the defined urban boundary.

6.03 The starting point for consideration is saved Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 which states:

“In the countryside planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers, and development will be confined to:

- (1) That which is reasonably necessary for the purposes of agriculture and forestry; or
- (2) The winning of minerals; or
- (3) Open air recreation and ancillary buildings providing operational uses only; or
- (4) The provision of public or institutional uses for which a rural location is justified; or
- (5) Such other exceptions as indicated by policies elsewhere in this plan.

Proposals should include measures for habitat restoration and creation to ensure that there is no net loss of wildlife resources.”

6.04 The proposed development does not fit into any of the exceptions set out in policy which is why it has been advertised as a departure from the Development Plan.

6.05 It is necessary therefore to consider two main issues in relation to the proposals. Firstly, whether there are any material considerations that would indicate that a

decision not in accordance with the Development Plan is justified, and secondly whether the development would cause unacceptable harm. (Detailed issues of harm will be discussed later in the report).

- 6.06 In terms of other material considerations, the National Planning Policy Framework (NPPF) is a key consideration, particularly with regard to housing land supply. Paragraph 47 of the NPPF states that Councils should;
- “Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”
- 6.07 Relevant to this, the NPPF requires that local authorities have a clear understanding of housing needs in their area, and as such they should prepare a Strategic Housing Market Assessment (SHMA) to assess their full needs; working with neighbouring authorities where housing market areas cross administrative boundaries. Maidstone has carried this out with Ashford Borough Council and Tonbridge and Malling Borough Council. The SHMA (2014) confirms the objectively assessed housing need for the Borough over the plan period 2011 to 2031 as 19,600 dwellings (980 dwellings per annum) and this was agreed by Cabinet and included within the draft Local Plan.
- 6.08 In April 2013 when most recently calculated, the Council had a 2.0 year supply of housing assessed against the objectively assessed housing need of 19,600 dwellings, which is the figure against which the supply must be assessed. Taking into account housing permissions granted since that date, this position will not have changed significantly and would still remain below the 5 year target.
- 6.09 This lack of a five year supply is a significant factor and at paragraph 49 of the NPPF it is states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing (such as ENV28 which seeks to restrict housing outside of settlements) should not be considered up-to-date if a five year supply cannot be demonstrated. The presumption in favour of sustainable development in this situation means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole.
- 6.10 In terms of the location of the site, The NPPF advised that when planning for development i.e. through the Local Plan process, the focus should be on existing service centres and on land within or adjoining existing settlements. The site is reasonably close to the urban area and benefits from the public transport opportunities along the A229. Clearly the urban area offers a full range of services.
- 6.11 In the light of the above five year supply position, bringing forward development on this ‘brownfield’ site, in a reasonably sustainable location would assist in helping to meet the shortfall in housing supply and I consider this to be a strong material consideration in favour of the development. Commercial floorspace would be lost but such considerations need to be balanced against the significant housing need.

- 6.12 For the above reasons, I consider the policy principle of residential development at the site is acceptable. The key issue is whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits of the application.

Visual Impact and Landscaping

- 6.13 Additional housing in this locality would add to sporadic residential development in the urban fringe. To my mind the new housing here would be clearly visible from the local road network.
- 6.14 There are some factors here that mitigate that harm. Whilst the existing situation is not especially harmful to the character of the AONB/SLA, the redevelopment of the site would rid the area of the utilitarian structures on the site. It would also remove the incidence of parked vehicles, vans being loaded/unloaded and commercial paraphernalia that occurs around these buildings.
- 6.15 Secondly the proposed development would lead to a significant 'greening' of the locality with new planting of native species put in place as a part of a comprehensive landscaping scheme. The hedge along the northern boundary would be strengthened with new trees planted at 4m intervals to provide a significant 'green edge' to the site's boundary with open countryside. In my view this substantial removal of hardstandings and replacement with landscaped areas in a planned manner represents a significant mitigating factor. There are no individual trees of significant ecological value on the site.
- 6.16 The design of the new houses is, in my view, satisfactory without being exceptional. The scheme successfully turns the corner of the site and addresses the two road frontages well. The layout is advantageous in that access, garaging and parking/circulation space is essentially tucked away behind the built frontages thereby avoiding the commonly encountered problem of where to site utilitarian garaging, bin stores, etc. At Plots 1 and 9 the scheme takes influences from the agricultural origins of the Tyland Barn group to the west and I regard this as positive design with an interesting range of design features and palette of materials on the site corner. I do not regard nine dwellings on this site to be an overdevelopment. There are no listed buildings on site and the 'barn' on site is not of sufficient quality or interest to merit its retention. The setting of listed buildings is not directly affected here.
- 6.17 In all, new housing in locations such as this adds to sporadic development in the AONB/SLA but there are significant mitigating factors here which lead me to conclude that the harm is sufficiently ameliorated. Given that this site is already developed I do not consider that the separation function of the Strategic Gap would be significantly compromised.

Residential Amenity

- 6.18 The only properties directly affected by this development are the dwellings that front Tyland Lane to the south east, the nearest being Well House. In my view those dwellings are too far removed from the proposed housing to suffer any significant loss of light or outlook. As to privacy, the new housing has been designed to avoid direct overlooking of windows or private areas. I do not consider that this scheme would lead to noise, disturbance and pollution above and beyond the existing situation. I conclude that a redevelopment for housing would not be harmful to the amenities of local residents.

Highways

- 6.20 I note there is no objection from the Highways Officer. I agree that there should be no objection in terms of access arrangements (which are essentially as existing) and parking and turning. Through garaging and 'open' spaces a total of 18 spaces are proposed for the nine houses which I consider appropriate to this location. I note the request from the Highways Officer for alterations to roadside kerbing with regard to the bus stop and a dropped kerb related to the new pathway onto Tyland Lane but (at a total of nine houses) I am not satisfied that the intensity of use of the proposed development justifies such improvements.

Ecology

- 6.21 The application is accompanied by an Ecological Scoping Survey (carried out by the Kent Wildlife Trust). The KCC Biodiversity Officer has examined the report and agrees with its conclusions, pointing out that ecological enhancement works should be put in place. The report essentially concludes that the site is of limited ecological value and recommends only a cautious approach in terms of the means of construction, an informative on lighting and encourages ecological enhancements. The landscaping of the site is in itself an enhancement and the application indicates that bat boxes, bird boxes and log piles are proposed to be put in place. Such measures can be the subject of a condition and I consider there to be no grounds to object to this application on ecology grounds.

Other Matters

- 6.22 With regard to the Code for Sustainable Homes a condition can be imposed to secure a sustainable build at Code Level Level 4. Looking at the comments made by consultees and local residents, there is currently no requirement for a financial contribution to fund school places for a nine dwelling development. I have noted the layout and design of neighbouring houses and am satisfied that their amenities would not be significantly compromised. Loss of value of property is not a planning consideration.

7.0 CONCLUSION

- 7.01 Having regard to the situation as regards the five-year housing land supply and my view that this development would not cause significant harm to the character and appearance of the countryside, I consider that a departure from the provisions of the Development Plan is warranted and I recommend that this application be approved.

8.0 RECOMMENDATION – GRANT subject to the following conditions:

1. The development shall not commence until approval of the following reserved matters have been obtained in writing from the Local Planning Authority:

- a. Landscaping

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

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: 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 hereby permitted shall be carried out in accordance with the following approved plans:
drawing nos. 13-13-100, 101, 102, 103, 104, 105, 106, 107 received on 18/6/14.

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

3. 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 building(s) and the hardsurfacings 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.

4. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A, B, C, D, E and F to that Order shall be carried out without the permission of the local planning authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area.

6. 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 which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall include full details of all proposed boundary treatments and shall be designed using the principles established in the Council's adopted Landscape Character Assessment and

Landscape Guidelines. The scheme shall include the provision of a 3-4m wide indigenous species hedge with interspersed trees along the northern boundary of the site;

Reason: No such details have been submitted.

7. 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 building(s) 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.

8. The dwellings shall achieve at least Code 4 of the Code for Sustainable Homes. A final code certificate shall be issued not later than one calendar year following first occupation of the dwellings certifying that level 4 has been achieved.

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

9. The development shall be carried out in accordance with the Kent Wildlife Trust Ecological Survey (September 2013). No development (including demolition, ground works and site clearance) shall take place until full details of ecological enhancement works (to include the installation of bat boxes, bird boxes and log piles) has been submitted to and approved by the local planning authority. The submitted details shall include a timetable for installation and the development shall be carried out in accordance with the approved details;

Reason: In the interests of ecology.

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

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved;

Reason: In order to ensure that potential contamination is properly dealt with.

11. Prior to the commencement of any development, details shall be submitted to, and agreed in writing by, the local planning authority showing the existing and proposed site levels and the finished floor levels of the buildings hereby permitted. The development shall be carried out in strict accordance with the details agreed;

Reason: In the interest of amenity.

12. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the local planning authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the local planning authority;

Reason: To ensure that features of archaeological interest are properly examined and recorded.

INFORMATIVE

The Council advises that the Bat Conservation Trust's *Bats and Lighting in the UK* guidance should be considered in the design of any external lighting.

Case Officer: Geoff Brown

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.



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15.11.2013

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15.11.2013



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15.11.2013

A photograph of a road junction. In the background, there is a large, multi-story stone building with a gabled roof and several windows. The building is partially obscured by trees with yellow and green autumn foliage. A road with white dashed lines curves from the foreground towards the right. In the distance on the right, a red and white striped van is visible. The sky is overcast with grey clouds.

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15.11.2013

MIX
ing System

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15.11.2013



15.11.2013

Entrance

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15.11.2013

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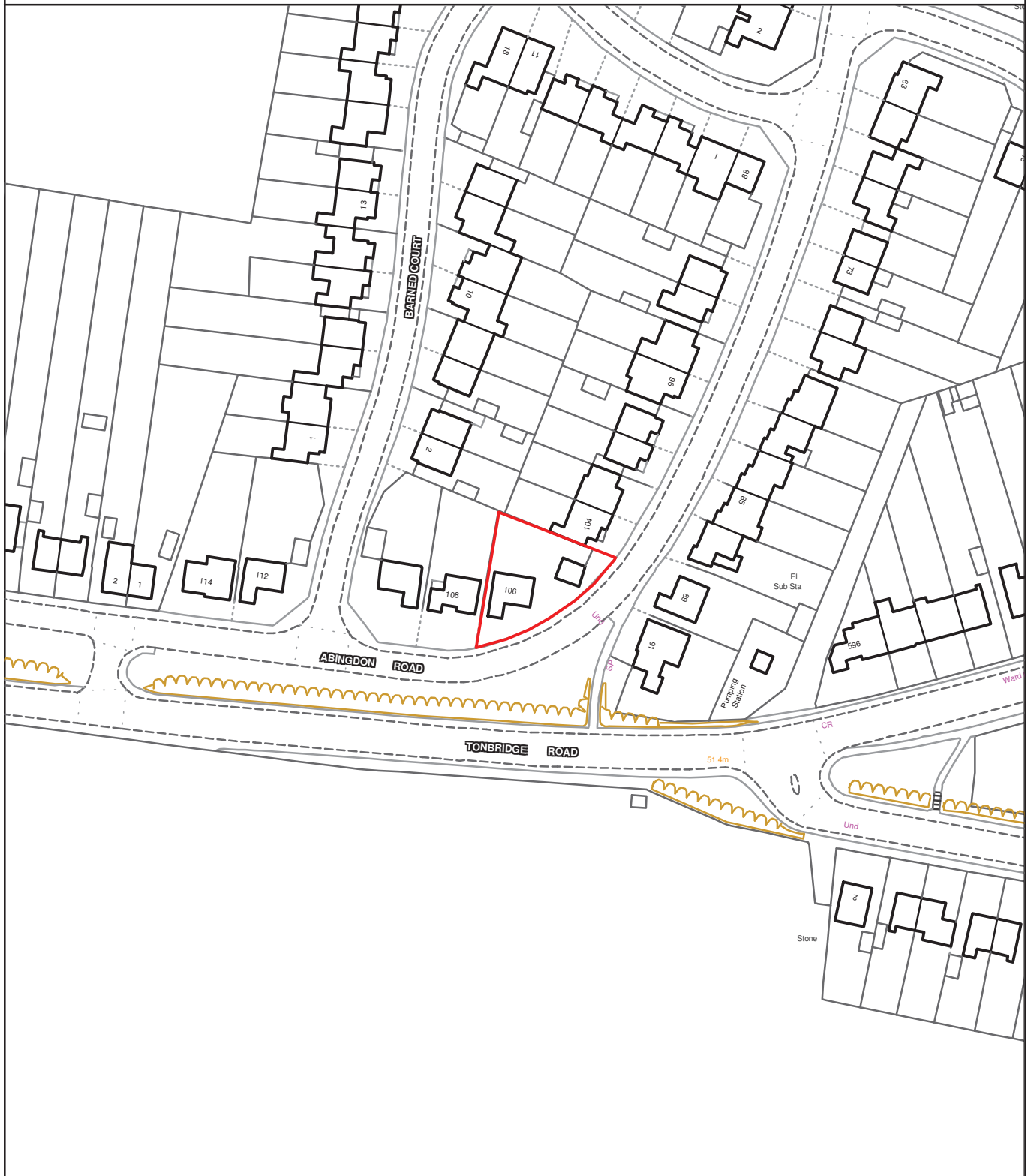
15.11.2013

Agenda Item 15

THE MAIDSTONE BOROUGH COUNCIL

106 Abingdon Road
Maidstone
Kent
ME16 9EH

MBC Ref: MA/14/0725



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Rob Jarman
Head of Planning

REPORT SUMMARY

REFERENCE NO - 14/0725			
APPLICATION PROPOSAL Erection of a two storey side and rear extension.			
ADDRESS 106, Abingdon Road, Maidstone, Kent, ME16 9EH			
RECOMMENDATION - Approve subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION The principle of ancillary residential development within the curtilage is acceptable. It is considered that this proposal would not have a significant visual impact or cause any detrimental harm to neighbouring amenity.			
REASON FOR REFERRAL TO COMMITTEE The recommendation is contrary to the views of Barming Parish Council and committee consideration has been requested.			
WARD Barming	PARISH/TOWN COUNCIL Barming	APPLICANT Mrs Stedman AGENT DDH Design	
DECISION DUE DATE 25/06/14	PUBLICITY EXPIRY DATE 25/06/14	OFFICER SITE VISIT DATE 03/06/14	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
88/1081	First floor extension	Approved with conditions	Oct 1988

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is a detached dwelling, located within the urban area in the parish of Barming. The dwelling occupies a corner plot at a bend in the Abingdon Road. There is a banked grass verge with established trees opposite the site which forms a buffer to Tonbridge Road to the south, although the property remains viewable from Tonbridge Road. The dwelling has a detached flat roof double garage to its eastern side with associated driveway.
- 1.02 The locality is made up of a variety of dwellings comprising detached, semi-detached and link-detached properties. Whilst there is a general similarity to their materials, the surrounding dwellings do vary in form and a number have been extended during their lifetime.

2.0 PROPOSAL

- 2.01 The application involves the erection of a two storey side and rear extension. This would be sited to the eastern side of the dwelling and would measure approximately 5.5m in width to the front. This would increase to 5.750m to the rear. The extension would adjoin the existing garage and would extend approximately 8m in depth. The extension would have a hipped roof design with an eaves height and ridge height of approximately 4.8m and 6.8m respectively.
- 2.02 The application proposes additional living space to the dwelling in order to provide annexe accommodation and would link internally to the dwelling on the ground floor.

3.0 SUMMARY INFORMATION

	Existing	Proposed
Site Area (ha)		
Approximate Ridge Height (m)		6.8m
Approximate Eaves Height (m)		4.8m
Approximate Depth (m)		8m
Approximate Width (m)		5.5m to 5.750m
No. of Storeys		2
Net Floor Area		
Parking Spaces		

4.0 POLICY AND OTHER CONSIDERATIONS

Development Plan: Maidstone Borough Wide Local Plan 2000

Supplementary Planning Documents: Maidstone Borough Council Residential Extensions SPD 2009

Government Guidance: The National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)

6.0 LOCAL REPRESENTATIONS

Four Neighbour representations have been received raising a number of issues including the scale of the development, its visual impact upon the area and stating it is capable of being used as a separate dwelling.

7.0 CONSULTATIONS

Barming Parish Council - Raises objections with the following comments:-

“BPC acknowledges that the revised roof lines of the proposed extensions appear to conform to, and be more in keeping with, the street scene. However, BPC remains deeply concerned about the amendments and still recommends refusal on the following grounds:

1. That MBC has accepted these crude, outline sketches as valid amended plans is deeply worrying because their inadequacy and omission of any detail leaves the application as amended, wide open to any sort of re-arrangements, additions and designs such as a front door and a back door to facilitate a separate unit; elevations potentially unacceptable in terms of local amenity, local character / design, leading to detrimental visual impact;
2. Only the sketch of the front elevation indicates that there are windows, that they might be in keeping with the main house, and that there will be no front door. None of the other outline sketches of elevations give any such detail;
3. There is no indication of internal layouts required to demonstrate that the side and rear extensions are annexed to and/or subordinate to the main house;
4. The sketched amendments appear to have increased the size of the additional accommodation, potentially dominating the main house and effectively causing overdevelopment of the site.
5. The phrase with separate entrance has not been removed from the description of the application; therefore the potential for the additional accommodation to become a separate unit remains intact.

If MBC is minded to approve the sketches contrary to the views of BPC, then BPC wishes the application to be reported to Committee."

9.0 CONSIDERATIONS

Principle of Development

9.01 In general, extensions to dwellings are acceptable in principle within the urban area, however, they should be appropriate in their relationship to the host dwelling, their scale and visual impact, impact upon neighbouring amenity and impact upon parking. This principle set out within Policy H18 of the Maidstone Borough Wide Local Plan 2000.

9.02 Further guidance is provided within the council's Residential Extensions SPD 2009 which states in section 4.21:-

"Development on corner sites should respond sensitively to the character of the adjoining street created by a common building line, the scale, form, and architectural features of development and the spaces around buildings. Side windows which overlook the street should be created."

9.03 Therefore, the principle of this development is acceptable, it is then a case of the suitability of the proposal in its impact and design which will be assessed below.

Visual Impact

- 9.04 The proposed extension would be set back by approximately 3.1m from the closest front wall and approximately 6m from the foremost part of the dwelling due to its stepped form. The extension would also have matching eaves height to the existing dwelling and a set down ridge height of approximately 0.6m. These features assist in creating a subservient relationship to the host dwelling. Whilst I acknowledge that the extension is of a significant width, I do not consider on balance that the extension would be significantly overwhelming to the existing dwelling by virtue of these design characteristics.
- 9.05 In terms of the impact upon the street scene, the two storey extension would be prominently located, by virtue of its corner location; it would be behind the building line of the north section of Abingdon Road. The extension would also be some 3.8m from the highway at its closest point ensuring some sense of openness is retained to this corner.
- 9.06 The flank wall of the extension would not include any windows due to the internal layout, although it would have ground floor and first floor recessed panels which would break up this elevation. On balance, this elevation is largely screened by the existing garage in any case and therefore to my mind, the extension would not appear significantly dominant or visually harmful within the streetscene.

Residential Amenity

- 9.07 I do not consider that any neighbouring property would experience a significant loss of light, overshadowing, outlook or overbearing impact, notwithstanding the heights of the extensions. This is due to the separation between the proposed extension and No104 to the north together with the siting of the extension within the residential plot.

Highways

- 9.08 In terms of the highways impact, the existing double garage would be retained together with its associated driveway. This would continue to provide sufficient parking provision for this property ensuring there would not be any significant harm to highways safety.

Landscaping

- 9.09 With regard to landscaping, I acknowledge that some border planting would be lost to facilitate this development; however, some significant planting would remain including a tree and border hedging to the front. This would be sufficient to soften the frontage to this development.

Other Matters

- 9.10 Due to the maintained nature of this urban area residential site and its location between existing built form in the dwelling and garage, I do not consider there would be any significant ecological impact as a result of this development.

10.0 CONCLUSION

10.01 Taking all of the above into account, it is concluded, on balance, that the proposal complies with Development Plan Policy and I therefore recommend approval.

11.0 RECOMMENDATION – GRANT 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 building(s) 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 additional accommodation to the principal dwelling hereby permitted shall not be sub-divided, separated or altered in any way so as to create a separate self-contained unit;

Reason: Its use as a separate unit without adequate parking or turning space and adequate amenity space would result in an unsatisfactory relationship with the principal dwelling.

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

Plan numbers ddh/14/363/002/A, ddh/14/363/004/A, ddh/14/363/006/A, ddh/14/363/007/A, ddh/14/363/008/A received 25th June 2014.

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

INFORMATIVES

N/A

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.

Reference number: MA/14/0725

Officer Comment

The published report does not include the most recent comments submitted by Barming Parish Council; instead earlier comments were included in error. The most recent comments are included below and relate to the most recent amended plans submitted:-

Barming Parish Council considered the amended plans and resolved that there are no material reasons to allay their previous concerns as follows:

- 1. The proposed extension is two thirds the size of the existing dwelling and as such is overdevelopment of the site;*
- 2. The proposed extension is neither modest in size nor subservient to the existing dwelling; its scale, type and in particular its appearance still renders it capable of creating a separate dwelling;*
- 3. The roof lines of the proposed extension are totally unsympathetic and out of keeping with those of the existing dwelling and of the adjacent dwellings in this particular section of Abingdon Road i.e. numbers 106, 108 and 110, and will therefore have a detrimental visual impact on the character and street scene of the dwellings fronting the Tonbridge Road.*

For the above reasons, the Parish Council wishes to see this application refused and request that:

- If the Planning Officer's view differs, that the application be reported to Committee; and*
- If Members of the Planning Committee are minded to approve the application that a condition is imposed to remove all permitted development rights.*

These comments have been addressed within the published report.

Recommendation

The recommendation remains unchanged

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17. 6. 2014

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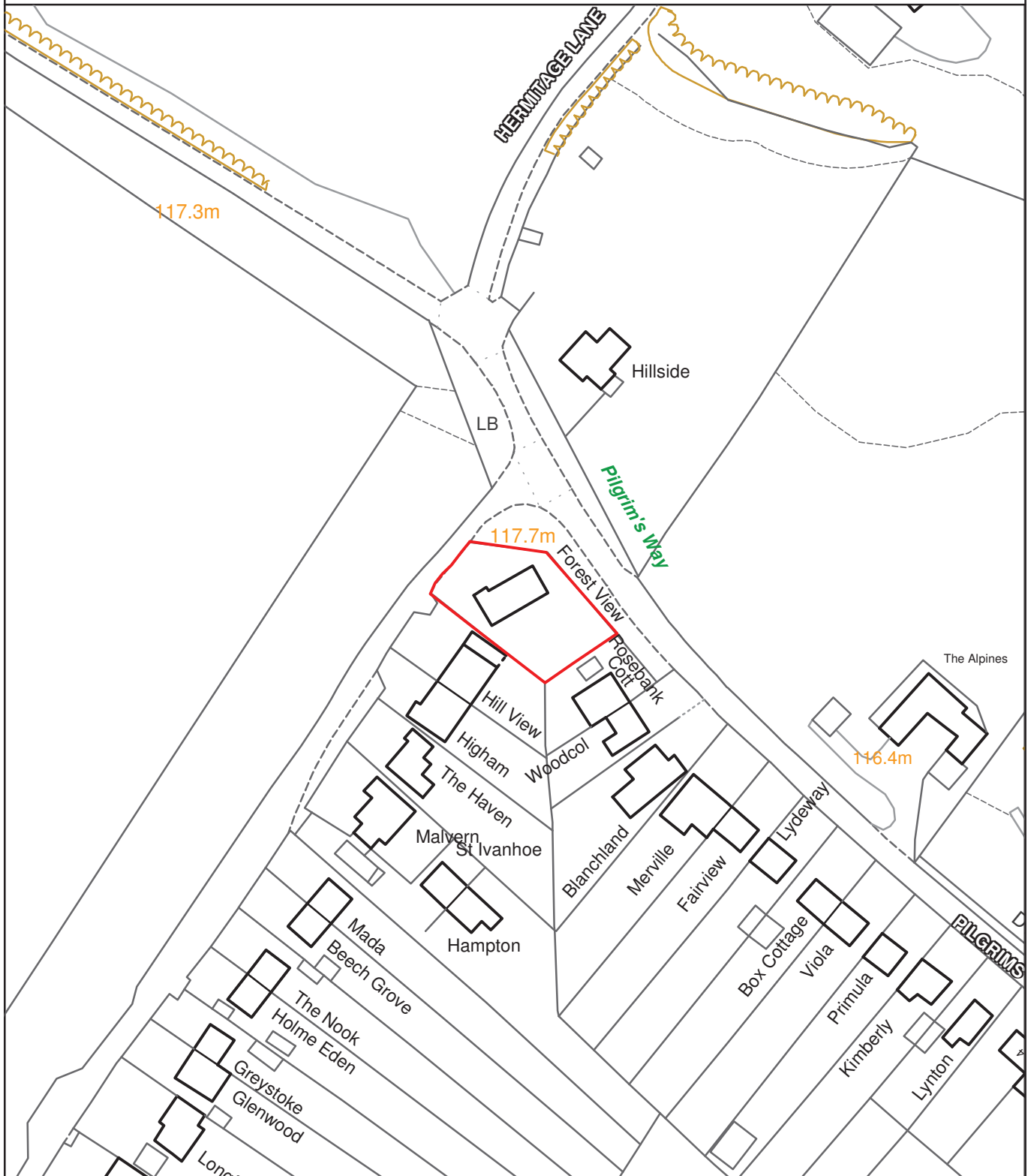


Agenda Item 16

THE MAIDSTONE BOROUGH COUNCIL

Forest View,
Harple Lane,
Detling,
Kent

MBC Ref: 14/501184



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Rob Jarman
Head of Planning

REPORT SUMMARY

REFERENCE NO - 14/501184/FULL			
APPLICATION PROPOSAL Erection of new roof to existing bungalow, including raising of roof height, front and rear dormers, and rooflights to front, erection of two storey rear extension with first floor set within roof space, and alterations to front of ground floor.			
ADDRESS Forest View Harple Lane Detling Kent ME14 3EU			
RECOMMENDATION Approval subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION/ The proposed new roof to the existing bungalow, including the raising of the roof height, front and rear dormers, and rooflights to front, the erection of a two-storey rear extension to the property with the first floor set within the roof space, and alterations to the front of the ground floor, are considered acceptable in terms of design and appearance, impact on the character and appearance of the host building and impact on the visual amenities of the locality generally. The proposed extensions/additions to the existing building are considered acceptable in the context of the neighbouring built development along Harple Lane and are not considered to have a detrimental impact on the character and appearance of the surrounding wider area of the countryside and defined Area of Outstanding Natural Beauty and Special Landscape Area. There are no unacceptable unneighbourly impacts or highway safety issues as a result of the proposed development and there are no overriding material considerations to indicate a refusal of planning consent.			
REASON FOR REFERRAL TO COMMITTEE The application is contrary to views expressed by the Parish Council.			
WARD Detling	PARISH/TOWN COUNCIL Detling	APPLICANT Mr Earl Spencer AGENT Mr Antony Martin	
DECISION DUE DATE 19/08/14	PUBLICITY EXPIRY DATE 19/08/14	OFFICER SITE VISIT DATE 30/07/14	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
MA/89/0353	Outline application for a granny annexe to rear	Refused	25/07/89

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is a corner site located at the junction of Harple Lane with Pilgrim's Way and the site comprises a detached single-storey dwelling occupying a plot of approximately 679 sq. m/0.068 ha with an integral garage and an access and driveway to Harple Lane. The existing single-storey dwelling on the site fronts the south-eastern side of Harple Lane, being set at a slight angle in relation to the road frontage, and has a side elevation fronting the south-western side of Pilgrim's Way. The property is adjoined by the chalet bungalow at Hill View on Harple Lane to the south-west which forms part of a pair of semi-detached dwellings and adjoining to the

south-east along Pilgrim's Way is Rosebank Cottage which forms part of a pair of semi-detached two-storey dwellings. This section of Harple Lane and Pilgrim's Way consists of a mix of property types comprising detached and semi-detached two-storey dwellings, bungalows, and chalet type bungalows of varied designs. The properties are generally relatively well set back from the road frontages.

- 1.02 The application property and the neighbouring properties along Harple Lane and Pilgrim's Way are located outside any village settlement, being separated from the Detling Village settlement to the east, as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan, by the A249 Sittingbourne Road. As such the property and the neighbouring properties along Harple Lane and Pilgrim's Way are located in the open countryside which in this case forms part of the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area as defined on the Proposals Map. The area of trees and woodland on the opposite side of Harple Lane to the west is covered by Tree Preservation Order No. 2 of 1969.

2.0 PROPOSAL

- 2.01 The application proposes the construction of a new roof to the existing bungalow, including the raising of the existing roof height, the installation of front and rear dormers to the new roof and rooflights to front, the erection of a two-storey rear extension to the property with the first floor set within the roof space, and alterations to the front of the ground floor,
- 2.02 The existing single-storey dwelling has a pitched gable ended roof with an overall height of 4.9m above ground level at the north-eastern end of the property where land levels are 0.7m approx. higher than at the south-western end. The proposed new pitched gable ended roof to the dwelling is 1.4m higher than the existing roof. The proposed two-storey rear extension extends 2m out from the existing rear wall of the property and extends to a width of 7.05m along the rear wall from the south-eastern corner of the building. The existing dwelling has an overall width of 14.8m. The first floor of the proposed two-storey rear extension is set within the roofspace in the form of a rear gable feature to the proposed new main roof. Two 1.7m wide pitched hipped roofed dormers and two rooflight windows are proposed to the front roof slope of the proposed new roof and two similar pitched roofed dormers, in addition to the roof gable to the two-storey rear extension, are proposed to the rear roof slope. The proposed dormers sit within the new front and rear roof slopes with the pitched hipped roofs to the dormers being marginally below the main new roof ridge line.
- 2.03 An existing front ground floor window is to be removed and the front entrance door arrangement altered. The application details indicate that the ground floor walls to the property would be rendered, the new main roof would be plain tiles, and the rear gable and front and rear dormers would be vertically tile hung.
- 2.04 The submitted plans show the new first floor accommodation within the proposed new roof space to consist of two bedrooms and a bathroom. Internal alterations to accommodate the new staircase up to the new first floor accommodation will result in the loss of one existing ground floor bedroom. The submitted plans show the ground floor part of the proposed two-storey rear extension to extend the existing lounge and kitchen to the property.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.068 ha	0.068 ha	No change
Approximate Ridge Height (m)	4.9m	6.3m	+ 1.4m
Approximate Eaves Height (m)	2.55m	2.55m	No change
Approximate Depth (m)	8.4m (max.)	10.4m (max.)	+ 2.0m
Approximate Width (m)	14.8m	14.8m	No change
No. of Storeys	1	2	+ 1
Net Floor Area	95 sq. m	173 sq. m	+ 78 sq. m
Parking Spaces	2/3 approx.	2/3 approx.	No change
No. of Residential Units	1	1	No change
No. of Affordable Units	0	0	No change

4.0 PLANNING CONSTRAINTS

4.01 The site is located in the open countryside outside of the Detling Village settlement as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan.

4.02 The site forms part of the extensive Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan.

4.03 The site forms part of a Strategic Gap between urban areas/settlements as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan.

5.0 POLICY AND OTHER CONSIDERATIONS

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Development Plan: Maidstone Borough-Wide Local Plan (2000) Policies ENV28, ENV31, ENV33, ENV34, H33.
- Supplementary Planning Documents: Residential Extensions (Adopted 2009).
- Draft Local Plan policies: SP5, DM4, DM30, DM33

6.0 LOCAL REPRESENTATIONS

6.01 The 2 neighbouring properties either side of the site were consulted by letter on the application. A site notice was displayed. No responses/representations on the application have been received from neighbours.

7.0 CONSULTATIONS

7.01 **Detling Parish Council:** Raise objections to this planning application as they feel that the raised roof and dormers will make the bungalow too prominent and out of character with the surrounding area. Request that the application is reported to the planning committee meeting.

8.0 BACKGROUND PAPERS AND PLANS

8.01 The application is accompanied by a site location plan, and drawing nos. SE/14/1 showing the existing floor plan, roof plan, elevations, a section through the building and a proposed block plan and SE/14/1A showing the proposed floor plans, elevations, and a section through the building.

9.0 APPRAISAL

9.1 The key issues with this case are the design and appearance of the proposed new roof, extension and alterations to the property and the impact on the character and appearance of the host building and the visual amenities of the locality generally, the impact on the character and appearance of the surrounding countryside of the defined Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area, the impact on neighbouring property, and the impact on highway safety.

10.0 Design, siting and appearance

10.01 Policy H33 of the Maidstone Borough-Wide Local Plan states that extensions to dwellings in the Countryside will not be permitted if they:

- Create a separate dwelling or one of a scale and type of accommodation that is capable of being used as a separate dwelling; or
- Overwhelm or destroy the original form of the existing house; or
- Are poorly designed or unsympathetically related to the existing house; or
- Result in a development which individually or cumulatively is visually incongruous in the countryside.

10.02 With regards to the erection of extensions to properties within the countryside, the Council's Supplementary Planning Document – Residential Extensions (Adopted 2009) advises that in order to ensure that proposals do not adversely impact on the form and character of the original building or the character of the countryside, any extension should be limited/modest in scale. The SPD states that an extension should cause no adverse impact on the character or openness of the countryside. The SPD further states that many rural buildings have a simple form such as a rectilinear floor plan which fits well with their original function and the character of the countryside and others have an historic form and character which should be retained. The SPD states that where an extension is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the house. The SPD further states that roof shape is critical to creating a successful built form and that the pitch of extension roofs should normally be as, or similar to, the main house roof pitch. The SPD states that particular account will be taken of the cumulative impact of extensions, including the effect on the character of the original property.

10.03 The Council's Supplementary Planning Document – Residential Extensions (Adopted 2009) states that in considering an extension to a residential dwelling in the countryside, the Local Planning Authority would normally judge an application as modest or limited in size if, in itself and cumulatively with previous extensions, it would result in an increase of no more than 50% in the volume of the dwelling. The gross volume will be ascertained by external measurement taken above ground level and including the volume of the roof. The guidance as to the term modest or limited should not be seen as a maximum to be sought. It is likely that, depending on the particular situation of the building, and the circumstances of each proposal, the size of the extension and any previous extensions will fall in a range around the above figure although in some cases an extension may be inappropriate.

10.04 The Supplementary Planning Document further states that increasing the roof height of a dwelling by altering the eaves height or the pitch of the roof should be avoided where this would have a detrimental impact on the dwelling or from public viewpoints.

The Supplementary Planning Document states that where acceptable, dormer windows should be proportionate in scale to the roof plane and where there is a logical or symmetrical layout of doors and windows, should follow the vertical lines of these openings. The Supplementary Planning Document states that dormers should never project above the original ridgeline and should be set back a minimum of 20 centimetres from the eaves to maintain the visual appearance of the roof line. It further states that large dormers/roof extensions requiring planning permission, which are disproportionate to the house, will not be allowed.

- 10.05 The existing detached single-storey dwelling is adjoined by the chalet bungalow at Hill View on Harple Lane to the south-west which forms part of a pair of semi-detached dwellings and adjoining to the south-east along Pilgrim's Way is Rosebank Cottage which forms part of a pair of semi-detached two-storey dwellings. This section of Harple Lane and Pilgrim's Way consists of a mix of property types in a linear pattern along the road frontage comprising detached and semi-detached two-storey dwellings, bungalows, and chalet type bungalows of varied designs. The properties are generally relatively well set back from the road frontages. In the context of neighbouring properties, the raising of the roof ridge line to the property by 1.4m and the provision of first floor living accommodation in the new raised roof is not considered inappropriate as both neighbouring properties have first floor accommodation as do numerous properties along both Harple Lane and Pilgrim's Way. The eaves height of the existing roof is not raised in the proposals, the two dormer windows to the new front and rear roof slopes are modest in size (1.7m wide), incorporate pitched hipped roofs, sit within the roof slopes back from the eaves and marginally below the new ridge, and the proposed gable roof to the upper floor of the two-storey rear extension is to the rear roof slope. The application site is a prominent corner site and whilst it is accepted that the proposed higher roof with dormers would have a greater visual impact on the site than the existing single-storey dwelling, the proposals are considered acceptable in design terms and, in the context of neighbouring properties along Harple Lane and Pilgrim's Way, it is not considered that the resulting chalet bungalow on the site would appear as visually incongruous and/or harmful to the visual amenities of the locality. In terms of design, siting and appearance, it is not considered that there is any overriding conflict between the proposed new raised roof and additions to the property and the above Local Plan policies and adopted SPD guidance.

Character and Appearance of the area

- 10.06 The application property and the neighbouring properties along Harple Lane and Pilgrim's Way are located outside any village settlement, being separated from the Detling Village settlement to the east, as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan, by the A249 Sittingbourne Road. As such the property and the neighbouring properties along Harple Lane and Pilgrim's Way are located in the open countryside which in this case, as noted in section 4.02 of the report above, forms part of the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area as defined on the Proposals Map.
- 10.07 Government guidance in the National Planning Policy Framework (para. 115) states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The NPPF further advises (para. 109) that valued landscapes should be protected and enhanced.

- 10.08 Policy ENV28 of the Maidstone Borough-Wide Local Plan seeks to protect the countryside from inappropriate development which harms the character and appearance of the area.
- 10.09 Policies ENV33 and ENV34 of the Local Plan state that the conservation of the natural beauty of the landscape will be given priority over other planning considerations within the AONB and Special Landscape areas and that particular attention will be given to the protection and conservation of the scenic quality and distinctive character of the area.
- 10.10 The development proposed in this case is the extension and alteration of an existing residential property, including raising the roof line of the existing bungalow to form a chalet type bungalow with accommodation in the new first floor roofspace. As concluded in section 10.05 above, the proposed extension and alteration of the property is considered acceptable in terms of design, siting and appearance, and impact on the visual amenities of the locality generally. The existing bungalow on the site forms part of the linear pattern of development along this part of Harple Lane and Pilgrim's Way and the proposed extended and altered property will continue to be viewed in this context. As noted in section 10.05 above, whilst it is accepted that the proposed higher roof with dormers would have a greater visual impact on the site than the existing single-storey dwelling, it is not considered that the resulting building would impact unacceptably on the wider area of the open countryside and/or the defined Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area. It is not considered that the proposed development would conflict with Government guidance in the NPPF and the aims and objectives of policies ENV28, ENV33 and ENV34 of the Local Plan in terms of maintaining the character and appearance of the area.
- 10.11 The site forms part of a Strategic Gap between urban areas/settlements as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan. Policy 31 of the Local Plan seeks to resist development which significantly extends the defined urban areas or the built up extent of any settlement or development within the defined Strategic Gap. It is not considered that there is any overriding conflict between the proposals to alter and extend the existing residential property and this Local Plan policy.

Residential Amenity

- 10.12 Policy ENV28 of the Maidstone Borough-Wide Local Plan states that in the countryside planning permission will not be given for development which harms the amenities of surrounding occupiers.
- 10.13 Policy H33 of the Maidstone Borough-Wide Local Plan states that extensions to dwellings in the countryside will not be permitted if they result in an unacceptable loss of amenity or privacy for adjoining residential property. Further detailed guidance on these amenity considerations is set out in the Council's Supplementary Planning Document – Residential Extensions. The SPD states that extensions should not cause significant harm to the amenity of adjoining occupiers.
- 10.14 The application property is set forward in relation to the frontage to Harple Lane in relation to the neighbouring property at Hill View along Harple Lane to the south-west. The application property is also sited at an angle in relation to the neighbouring property and as a result the south-western side wall of the application property varies in its set back from the common side boundary with the neighbouring property at Hill View from 2.5m at it's closest point to 5.5m at it's maximum. The neighbouring property at Hill View has an existing single-storey side addition set 1m approximately

off the common side boundary with the application property with the main side wall being a further 3m off the boundary. Whilst the raising of the roof line to the gable end to the existing bungalow by 1.4m adjacent to the side boundary common with the neighbouring property at Hill View will result in some increased enclosure along the side boundary, it is not considered that there would be any unacceptable overbearing impact on the neighbouring property. With the separation gap between the higher gable end to the application property and the neighbouring property at Hill View and with the neighbouring property lying to the south-west of the site, it is not considered that the proposed development would result in any unacceptable overshadowing or loss of daylight and/or sunlight to the neighbouring property. The proposed front and rear dormer windows to the new first floor accommodation proposed in the new roof space to the property would face into the existing front and rear gardens to the property and in the circumstances it is not considered that the proposals raise any overlooking or loss of privacy issues with the neighbouring property at Hill View.

- 10.15 A separation gap of 16m exists between the rear wall of the existing bungalow on the application site and the neighbouring property at Rosebank Cottage along Pilgrim's Way to the south-east. With the proposed erection of the two-storey rear extension to the application property the separation gap is reduced to 14m. The separation gap and the presence of screening provided by the existing trees and vegetation between the application property and the neighbouring property at Rosebank Cottage is considered sufficient to prevent the proposed development having any unacceptable unneighbourly impact on that neighbouring property.
- 10.16 Other neighbouring properties are sufficiently distanced from the application property to prevent any unneighbourly impacts as a result of the proposals. Overall, the proposals are not considered to be contrary to the above Maidstone Borough-Wide Local Plan policies or SPD guidance which seeks to protect the amenity of neighbouring occupiers.

Highways

- 10.17 The Supplementary Planning Document – Residential Extensions states that extensions to properties result in increased built form and reduced space around a building and that the Council will seek to retain adequate off-street parking spaces (and also turning space within the curtilage where there is access onto a classified road) without diminishing the quality of front garden areas or the street scene.
- 10.18 The property in this case has an existing integral garage and a driveway and access to Harple Lane. The existing garage, driveway and access are not affected by the proposed extension and alteration of the property. The scale of development proposed (a home extension/alteration, including the erection of a new roof with raised roof height and new first floor accommodation to the existing bungalow, and a two-storey rear extension) is not such that the development is likely to generate any significant increase in parking requirements at the property or vehicle movements to and from the site. The new first floor accommodation would provide two additional bedrooms to the existing bungalow but one existing ground floor bedroom would be lost in the internal alterations to the ground floor to accommodate the staircase up to the new first floor. In the circumstances the proposals are not considered to conflict with the above SPD guidance with regards to parking provision and highway safety.

11.0 CONCLUSION

- 11.01 The application proposes the extension and alteration of an existing residential property, including raising the roof line of the existing bungalow to form a chalet type bungalow with accommodation in the new first floor roofspace, within an open countryside location which forms part of the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area as defined on the Proposals Map to the Local Plan. The objection from Detling Parish Council on the grounds that the proposals will make the bungalow too prominent and out of character with the surrounding area has been addressed in the main body of the report under the heading Design, siting and appearance (sections 10.01 – 10.05). Whilst it is accepted that the proposed higher roof with dormers would have a greater visual impact on the prominent corner site than the existing single-storey dwelling, this section of Harple Lane and Pilgrim's Way consists of a mix of property types comprising detached and semi-detached two-storey dwellings, bungalows, and chalet type bungalows of varied designs, and, in the context of the neighbouring properties, it is not considered that the resulting chalet bungalow on the site would appear as visually incongruous and/or harmful to the visual amenities of the locality.
- 11.02 The proposed extension and alteration of the property, subject to the recommended conditions, is considered acceptable in terms of design and appearance, impact on the character and appearance of the host building and the visual amenities of the locality generally, including the surrounding open countryside of the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area, impact on neighbouring property, and highway safety. The proposals are considered to comply with the provisions of Government guidance in the National Planning Policy Framework and the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and all other material considerations. In the circumstances the grant of conditional planning permission can be recommended.

12.0 RECOMMENDATION – GRANT Subject to the following 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) No development shall take place until full details, including samples, of the external surfacing materials to be used on the new roof, extension and external alterations to the existing building hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details of external surfacing materials;

Reason: To safeguard the character and appearance of the building and the visual amenities of the locality generally.

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

Drawing Nos. SE/14/1 and SE14/1A received 24.06.2014;

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

INFORMATIVES

to Applicant: APPROVAL

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required.

The application was approved without delay.

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

Case Officer: Jon Barnes

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.

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Agenda Item 17

THE MAIDSTONE BOROUGH COUNCIL **PLANNING COMMITTEE – 4th September 2014**

APPEAL DECISIONS:

- 1. MA/14/0459** Erection of a detached garden room and playroom within rear garden as shown on plan numbers CH-P-001, CH-P-002, CH-P-003 and Application Form received 21st March 2014.

APPEAL: WITHDRAWN

17, BROCKENHURST AVENUE,
MAIDSTONE,
KENT,
ME15 7ED

Delegated Powers

- 2. MA/14/0560** Erection of two storey side extension and loft conversion with rear facing dormer.

APPEAL: DISMISSED

24, ROYSTON ROAD,
BEARSTED,
MAIDSTONE,
KENT,
ME15 8NS

Delegated Powers

- 3. MA/14/0061** Demolition of annexe and outbuilding at 41 Valley Drive inclusive of erection of double garage and driveway with existing driveway reinstated to garden land; demolition of 56 Valley Drive to enable redevelopment being the erection of 6No. detached houses with garaging/parking served by private access road with dropped kerb driveway access to bungalow on plot 1 as shown on drawing numbers PL-A rev C, PL-B rev C, PL-C, PL-DG, PL-F rev D, PL-E rev B, PL-G rev C, PL-H rev B, PL-VM-01, PL-VM-02, PL-VM-04 rev E, PL-VM-05 rev C, PL-VM-D001, and L-VM-600 rev D, supported by a design and access statement, ecological survey dated 18th April 2011 and external finishes schedule, all received 14th January 2014.

Appeal: DISMISSED

41 & 56 VALLEY DRIVE,
LOOSE,
MAIDSTONE,
KENT,
ME15 9TL

Delegated Powers
