

REPORT SUMMARY

REFERENCE NO - 15/500349/OUT			
APPLICATION PROPOSAL Outline application for the development of one detached 3-bedroom house with garage and parking.			
ADDRESS 22 Goldstone Walk Boxley Kent ME5 9QB			
RECOMMENDATION – Approve with conditions			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposed new dwelling represents infill development within a predominantly residential area which forms part of the Walderslade urban area as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan. The principle of infill development in sustainable urban locations such as this is considered acceptable and it is considered that a new dwelling of the size and scale indicated in the outline proposals can be accommodated on the site without significant unneighbourly impact, without adversely impacting on the character, appearance and visual amenities of the locality, and without impacting on highway safety in the vicinity. The outline proposals are not considered to conflict with the policies of the Maidstone Borough-Wide Local Plan or Government guidance in the National Planning Policy Framework.			
REASON FOR REFERRAL TO COMMITTEE Boxley Parish Council wish to see the application refused and have requested that the application is referred to committee for determination if officers are recommending that it is approved.			
WARD Boxley	PARISH/TOWN COUNCIL Boxley	APPLICANT Mr Rukesh Vadhvana AGENT Architecture Design Limited	
DECISION DUE DATE 30/03/15	PUBLICITY EXPIRY DATE 30/03/15	OFFICER SITE VISIT DATE 29/09/15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
MA/05/0440	Erection of a two-storey side extension (22 Goldstone Walk)	Approved	26.04.05
MA/98/0952	Use of land as an enlarged residential curtilage (Application site)	Approved	17.08.98
MA/88/1867	Rear extension (22 Goldstone Walk)	Approved	20.04.89
MA/84/1649	Residential development (26 units) (Original development)	Approved	13.12.85

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is located along the north side of Impton Lane and forms a large garden area to the eastern side of the detached two-storey dwelling at 22 Goldstone Walk which is accessed from a secondary access road off the main part of Goldstone Walk to the north which also serves the detached two-storey dwellings with garages

at Nos. 21 and 23 – 26 (consec.) Goldstone Walk. The site is roughly rectangular in shape although the northern boundary follows an irregular line and has maximum dimensions of 28m in width and 18.3m in depth. The site is currently used as part of the garden to the dwelling at 22 Goldstone Walk and incorporates three mature trees in the south-eastern corner close to the Impton Lane frontage. The site is bounded along its northern boundary by the access drive off Goldstone Walk to the detached two-storey dwellings at 16 and 17 Goldstone Walk which front onto the access drive. The site is bounded by the footway to Impton Lane along its southern boundary and by the short pedestrian link between the eastern end of Goldstone Walk and Impton Lane to the east. The existing dwelling at 22 Goldstone Walk and its detached garage adjoin the site to the west. Goldstone Walk and the immediate surroundings consists predominantly of two-storey detached dwellings with no regular road layout or pattern of development. The three mature trees in the south-eastern corner of the site close to the Impton Lane frontage are covered by Tree Preservation Order No. 1 of 1969 which also covers the wider area of Walderslade.

- 1.02 The application site is part of a predominantly residential area which forms part of the Walderslade urban area as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan.

2.0 PROPOSAL

- 2.01 The application proposes the development of the site with the erection of a detached 3-bedroom house with garage and parking. The application seeks outline planning permission with all detailed matters (Details of appearance, layout, scale, means of access, and landscaping of the development) reserved for future consideration.
- 2.02 The outline application is accompanied by detailed indicative plans showing a development of the site with a detached 3-bedroom house with an attached garage to the north-eastern side. The indicative plans show the existing detached garage to the north-eastern side of the existing dwelling at 22 Goldstone Walk being removed to allow access through into the main body of the site from the existing driveway serving 22. The proposed detached two-storey 3-bedroom dwelling is shown to be more or less centrally located within the main body of the site facing the side elevation of the existing dwelling at 22 Goldstone Walk with a hardsurfaced area between the front of the proposed house and the side elevation of the existing dwelling at 22 incorporating parking facilities and vehicle turning space for both the existing and proposed dwellings. The indicative elevations show a pitched gable ended roof to the proposed dwelling with a lean-to pitched roof to the attached garage to the north-eastern side of the proposed dwelling. The indicative plans show the attached garage to be 2m-3.2m in from the northern boundary of the site common with the access drive off Goldstone Walk to the detached two-storey dwellings at 16 and 17 Goldstone Walk which front onto the access drive.
- 2.03 The indicative plans show the retention of the three mature trees in the south-eastern corner of the site close to the Impton Lane frontage.
- 2.04 The outline application as originally submitted proposed the development of the site with the erection of two 2-bedroom houses. The originally submitted application was subsequently amended to a single 3-bedroom dwelling to reduce the scale, intensity and building footprint of the proposed development.

3.0 PLANNING CONSTRAINTS

- 3.01 The application site forms part of the Walderslade urban area as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan.
- 3.02 Three mature trees in the south-eastern corner of the site close to the Impton Lane frontage are covered by Tree Preservation Order No. 1 of 1969 which also covers the wider area of Walderslade.
- 3.03 No overriding planning constraints have been identified which would make the principle of infill residential development on the site unacceptable from a planning point of view.

4.0 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, T13
- Maidstone Borough Council Draft Local Plan: Policies SS1, DM2, DM4, DM5

5.0 LOCAL REPRESENTATIONS

- 5.01 Ten representations were received from neighbouring residents on the outline application as originally submitted for the erection of two 2-bedroom houses raising the following objections/concerns:

- The neighbouring properties at 16 and 21 Goldstone Walk would be overlooked
- The erection of two houses will not blend in with the rest of the Close
- All current properties are detached with three or four bedrooms
- The area is already overcrowded and densely populated
- Light to the neighbouring properties and gardens would be affected
- Neighbouring property would be overshadowed
- Two additional houses would exacerbate existing parking problems in the area
- The area used to be a pond and the development would cause a flooding issue
- Traffic, noise and general use of the properties would have an adverse impact on neighbouring property
- The access route via the small cul-de-sac is barely large enough for the current six residences
- Introducing an additional 5 cars to access the development is a safety concern
- There are various restrictive covenants which apply to the land, including not to build or permit to be built on the Property any building erection or structure whatsoever
- The two new houses would create a visual impact from Impton Lane and surrounding area
- The remaining trees on the site could be put at risk.

- 5.02 Boxley Parish Council commented on the outline application as originally submitted for the erection of two 2-bedroom houses that they wished to see the application refused for the reasons set out below:

- Overdevelopment of the plot
- Adverse and unacceptable impact on the street scene with development immediately adjacent to Impton Lane

- The existing property would be left with insufficient outside space for a 3/4 bedroom house
- There will be noise pollution to the existing house (No. 22) from use of the proposed car parking area
- Loss of privacy to the occupiers of No. 22
- The proposed dwellings would be overlooked by existing neighbouring properties
- The access and egress to the new houses is extremely narrow and it appears that there is insufficient vision splay to allow safe access and egress
- Concerns are raised regarding potential adverse impact on Nos. 16 and 17 Goldstone Walk and access and egress difficulties for emergency vehicles

AMENDED PLANS

5.03 As noted in 2.04 above, the originally submitted application was subsequently amended from the erection of two 2-bedroom houses to a single 3-bedroom dwelling with garage and parking. Seven representations were received from neighbouring residents on the amended outline application raising the following objections/concerns:

- The development would affect the light to the front of the neighbouring properties at 16 and 17 Goldstone Walk and would affect the privacy and view from the front garden
- There would be overshadowing of neighbouring property and loss of privacy
- Traffic, noise and general use of the properties would have an adverse impact on neighbouring property
- The current grassy/woodland appearance of the site would become a concrete jungle
- It is believed any building on the land is prohibited in the title deed
- The area was once a pond and development of the site would increase the risk of flooding to neighbouring property
- The proposed development will be visible from the road and footpath bordering the site
- There would be loss of important landscape/possible loss of trees
- Parking in Goldstone Walk is already limited. Another house is not going to improve matters. Existing parking problems would be exacerbated
- The route to the property comes through a very narrow road which was not originally planned nor built to accommodate more houses
- The access and close proximity to neighbouring houses along the access is a safety concern
- There are factual errors in the application.

5.04 Boxley Parish Council commented on the amended outline application that they wished to see the application refused for the reasons set out below:

- Overdevelopment. It is still the Parish Council's opinion that the existing property would be left with insufficient outside space appropriate for a 3-4 bedroom house
- There will be noise and air pollution to the existing house (No. 22) from use of the proposed car parking area
- Loss of privacy to the occupiers of No. 22
- The access and egress to the new house is extremely narrow and it appears that there is insufficient vision splay to allow safe access and egress
- There are concerns regarding the potential adverse impact on Nos. 16 and 17; access and egress difficulties for emergency vehicles as well as safety issues for pedestrians; surface water run-off due to the excessive hard standing; the south,

south-east part of the rear garden of the proposed new property used to be a pond until it was sold by KCC with restricted development covenants.

6.0 CONSULTATIONS

- 6.01 **Landscape Officer:** Advises that the proposed dwelling, as shown in the outline proposals will only result in minor, if any, encroachment into the root protection areas of the 3 trees in the south-eastern corner of the site close to the Impton Lane frontage and that any encroachment is considered to be within acceptable limits. Advises further that there are insufficient arboricultural grounds to recommend refusal of the application and no objection is raised to the outline proposals subject to a condition requiring an arboricultural method statement in accordance with BS5837:2012 which should include a tree protection plan.
- 6.02 **KCC Highways:** Commented that it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. Commented that any material highway safety concerns should be brought to the attention of the Highway Authority for their consideration.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 The current outline application is accompanied by the following drawings/documents:

Drawing No. 48.1/A.02 – Indicative proposed site layout.

Drawing No. 48.1/A.03 – Site location plan (red line boundary plan) and indicative block plan.

Drawing No. 48.1/A.04 – Indicative floor plans and elevations.

8.0 APPRAISAL

Principle of Development

- 8.01 Development Plan policy and Government guidance in the National Planning Policy Framework (NPPF) supports new housing in sustainable urban locations as an alternative to residential development in more remote countryside locations. The NPPF states (para. 49) that housing applications should be considered in the context of the presumption in favour of sustainable development. The application site is adjoined by existing residential properties in Goldstone Walk and is part of a predominantly residential area which forms part of the Walderslade urban area as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan. The application site is considered to represent a sustainable location with good access to facilities and services, including public transport, within the wider Walderslade urban area and the development of the site with a single dwelling is not considered to conflict with Development Plan policy and Government guidance referred to above.
- 8.02 The site is currently used as part of the garden to the dwelling at 22 Goldstone Walk. Planning permission for the use of the site as part of an enlarged residential curtilage to 22 Goldstone Walk was granted 17.08.98 under application MA/98/0952. Government guidance in the National Planning Policy Framework (NPPF) states (para. 53) that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. No such policies exist in the current adopted Development Plan (Maidstone Borough-Wide Local Plan 2000). However, the

Maidstone Borough Council Draft Local Plan incorporates a policy (Policy DM5) relating to residential garden land. Policy DM5 of the Draft Local Plan reads as follows:

'Development of domestic garden land to create new buildings which meet the following criteria will be permitted provided:

- i. The higher density resulting from the development would not result in harm to the character and appearance of the area;
- ii. There is no significant loss of privacy, light or outlook for adjoining properties and/or their curtilages;
- iii. Access of an appropriate standard can be provided to a suitable highway; and
- iv. There would be no significant increase in noise or disturbance from traffic gaining access to the development.'

8.03 The Draft Local Plan is not as yet adopted and as such limited weight can be given to the above policy. However, the current outline proposals for the erection of a single dwelling on the site are generally assessed in light of the criteria to be met in the policy under the relevant headings below.

Scale, character and appearance

8.04 Government guidance in the NPPF states (para. 56) that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF further states (para. 64) that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

8.05 The existing dwelling at 22 Goldstone Walk is a detached two-storey dwelling with a pitched gable ended roof and this dwelling adjoins the site to the west. Goldstone Walk and the immediate surroundings consist predominantly of similar two-storey detached dwellings with no regular road layout or pattern of development. As noted in 2.01 above, the current application seeks outline planning permission for the development of the site with the erection of a detached 3-bedroom house with garage and parking. All detailed matters (Details of appearance, layout, scale, means of access, and landscaping of the development) are reserved for future consideration in the outline application. The application is accompanied by detailed indicative plans showing how the site could be developed with a detached 3-bedroom dwelling and these plans show a detached two-storey dwelling with a pitched gable ended roof of a similar scale and building footprint as the neighbouring dwellings in Goldstone Walk. The garden area to the proposed dwelling as shown in the indicative outline proposals compares favourably in size with those of other properties in Goldstone Walk. The indicative outline proposals demonstrate that a detached two-storey dwelling can be accommodated on the site with a similar set back from the Impton Lane frontage as the neighbouring dwellings in Goldstone Walk to the east and west.

8.06 It is considered that the indicative outline proposals for the site demonstrate that a detached two-storey dwelling could be accommodated on the site without appearing visually incongruous or intrusive and that such development could reflect the scale, character and appearance of the existing neighbouring dwellings in Goldstone Walk. Further consideration will be given to the scale, character and appearance of the development at detailed planning stage.

Residential amenity

- 8.07 The site is bounded along its northern boundary by the access drive off the eastern end of Goldstone Walk to the detached two-storey dwellings at 16 and 17 Goldstone Walk which front onto the access drive. The site is bounded by the footway to Impton Lane along its southern boundary and by the short pedestrian link between the eastern end of Goldstone Walk and Impton Lane to the east. On the opposite (eastern) side of the short pedestrian link is the neighbouring dwelling at 15 Goldstone Walk. The existing dwelling at 22 Goldstone Walk and its detached garage adjoin the site to the west.
- 8.08 With regards to the potential impact of the proposed development on the neighbouring dwellings which lie to the north of the site at 16 and 17 Goldstone Walk, the indicative outline proposals show the attached garage to the proposed dwelling to be 2m-3.2m in from the northern boundary of the site common with the access drive to the two dwellings at 16 and 17 Goldstone Walk which front onto the access drive with the proposed main two-storey dwelling being 5m-6.4m in from the northern boundary of the site. The indicative outline proposals show the main northern side wall of the proposed dwelling to be 12m and 13m from the closest part of the front elevation walls of the neighbouring dwellings at 16 and 17 Goldstone Walk respectively. The neighbouring dwellings at 16 and 17 Goldstone Walk are at a slightly lower level in relation to the application site due to a slight fall in ground levels. Whilst the proposed dwelling will clearly impact in the southerly outlook to the front of those two neighbouring dwellings, it is considered that the separation gap between existing and proposed dwellings will prevent any unacceptable unneighbourly overbearing and enclosing impact, overshadowing and/or loss of daylight/sunlight to the neighbouring properties.
- 8.09 With regards to potential impact of the proposed development on the closest neighbouring property to the east of the site at 15 Goldstone Walk, the indicative outline proposals show the rear (eastern) elevation of the proposed dwelling to be 23.3m from the closest part of that neighbouring dwelling. The separation gap between the proposed dwelling, as indicated in the outline proposals, and the neighbouring dwelling to the east of the site at 15 Goldstone Walk will prevent any unacceptable unneighbourly impact.
- 8.10 The indicative outline proposals show the proposed dwelling facing the eastern side elevation wall of the existing dwelling at 22 Goldstone Walk and separated by a distance of 9.4m. The indicative proposals show a hardsurfaced area between the front of the proposed dwelling and the side elevation of the existing dwelling at 22 incorporating parking facilities and vehicle turning space for both the existing and proposed dwellings. No side wall windows to the neighbouring dwelling at 22 Goldstone Walk are affected by the indicative proposals and it is not considered that the outline proposals will have any unacceptable unneighbourly impact on that dwelling.
- 8.11 The indicative outline proposals show the proposed dwelling to have main windows at ground and first floor levels to the front and rear (facing west and east) and to the south (facing towards Impton Lane). Only a stairway landing window is shown facing the most sensitive northern boundary and this window could be obscure glazed in any detailed design. It is considered that the indicative outline proposals demonstrate that a two-storey dwelling could be accommodated on the site without causing unacceptable overlooking and loss of privacy to neighbouring properties.

- 8.12 The proposed development of the site would result in the loss of a significant area of garden amenity space to the existing detached dwelling at 22 Goldstone Walk. However, it must be noted that the majority of this area of garden amenity space only became part of the curtilage of the existing dwelling at 22 following the grant of planning permission for such use in 1998 under application MA/98/0952. The existing dwelling would retain a private rear garden amenity space of around 60 sq. m which is considered adequate and not dissimilar to some of the other smaller rear garden areas to properties in the area.
- 8.13 The indicative plans show the existing detached garage to the north-eastern side of the existing dwelling at 22 Goldstone Walk being removed to allow access through into the main body of the site from the existing driveway serving 22. The property at 22 Goldstone Walk is accessed from a secondary access road off the main part of Goldstone Walk to the north which also serves the detached two-storey dwellings with garages at Nos. 21 and 23 – 26 (consec.) Goldstone Walk. The proposed new dwelling, as shown in the indicative outline proposals, would result in some increased use of the secondary access road off Goldstone Walk which currently serves the existing dwellings at 21 – 26 (consec.) from residents and visitors gaining access, including vehicle movements. Vehicles and pedestrians gaining access to the proposed new dwelling, as shown in the indicative outline proposals, would pass along the front of the existing dwellings at 22 and 23 Goldstone Walk and along the side of 21.
- 8.14 It is acknowledged that additional pedestrian and vehicle movements resulting from the proposed new dwelling, including vehicle movements to and from and within a hardstanding parking and vehicle manoeuvring area within the site, will have some impact on neighbouring properties. This impact has been assessed in terms of noise and general activity and it is not considered that the scale of development proposed (a single dwelling) is such that the impact would be so significant and unneighbourly as to warrant a refusal of planning permission on those grounds.
- 8.15 It is considered that the indicative outline proposals adequately demonstrate that the development can provide an acceptable living environment and standard of amenity for prospective occupiers of a dwelling on the site in terms of internal and external living conditions, including outlook, privacy and access to garden amenity space.

Highway safety, access and parking

- 8.16 This is an outline application with all detailed matters, including means of access, reserved for future consideration. As noted in 8.13 above, the indicative plans show the existing detached garage to the north-eastern side of the existing dwelling at 22 Goldstone Walk being removed to allow access through into the main body of the site from the existing driveway serving 22. The property at 22 Goldstone Walk is accessed from a secondary access road off the main part of Goldstone Walk to the north which also serves the detached two-storey dwellings with garages at Nos. 21 and 23 – 26 (consec.) Goldstone Walk. The modest increase in the use of the existing secondary access road off the main part of Goldstone Walk and the existing access driveway serving 22 Goldstone Walk as a result of the proposed new dwelling is unlikely to generate any highway safety issues.
- 8.17 The indicative outline plans show the provision of a hardsurfaced area between the front of the proposed new dwelling and the side elevation of the existing dwelling at 22 Goldstone Walk incorporating parking facilities and vehicle turning space for both the existing and proposed dwellings. The indicative outline plans demonstrate that at least

two parking spaces could be accommodated within the development of the site for both the existing and proposed dwellings. The outline proposals for the development of the site with a single dwelling are considered acceptable in principle in terms of highway safety, access and parking and further consideration will be given to the details of the means of access and layout of the site at detailed planning stage.

Trees

- 8.18 The site contains three mature trees in the south-eastern corner close to the Impton Lane frontage. The trees are covered by Tree Preservation Order No. 1 of 1969 which also covers the wider area of Walderslade. The indicative outline proposals for the erection of a new dwelling on the site show the retention of the three trees with the proposed dwelling sited 5.3m, 6m and 7m from the trees respectively.
- 8.19 The Landscape Officer has commented (see 6.01 above) that the proposed dwelling, as shown in the outline proposals will only result in minor, if any, encroachment into the root protection areas of the 3 trees in the south-eastern corner of the site and that any encroachment is considered to be within acceptable limits. The Landscape Officer further advises that there are insufficient arboricultural grounds to recommend refusal of the application and that no objection is raised to the outline proposals subject to a condition requiring an arboricultural method statement in accordance with BS5837:2012 which should include a tree protection plan. The condition required by the Landscape Officer can be imposed on any grant of outline planning permission.

Other matters

- 8.20 In response to the reasons Boxley Parish Council wish to see the application refused (see 5.04 above) the following comments are made:
- It is considered that the indicative outline proposals for the site demonstrate that a detached two-storey dwelling could be accommodated on the site and that such development could reflect the scale, character and appearance of the existing neighbouring dwellings in Goldstone Walk. The existing dwelling would retain a private rear garden amenity space of around 60 sq. m which is considered adequate and not dissimilar to some of the other smaller rear garden areas to properties in the area. Further consideration will be given to the scale, character and appearance of the development at detailed planning stage.
 - It is acknowledged that additional pedestrian and vehicle movements resulting from the proposed new dwelling, including vehicle movements to and from and within a hardstanding parking and vehicle manoeuvring area within the site, will have some impact on neighbouring properties in terms of noise and general activity. This impact has been assessed and it is not considered that the scale of development proposed in the current outline proposals (a single dwelling) is such that any additional impact would amount to grounds for the refusal of planning permission.
 - The indicative outline proposals show the proposed dwelling facing the side elevation wall of 22 Goldstone Walk and to have main windows at ground and first floor levels to the front and rear (facing west and east) and to the south (facing towards Impton Lane). Only a stairway landing window is shown facing the most sensitive northern boundary and this window could be obscure glazed in any detailed design. It is considered that the indicative outline proposals demonstrate that a two-storey dwelling could be accommodated on the site without causing unacceptable overlooking and loss of privacy to neighbouring properties.

- This is an outline application with all detailed matters, including means of access, reserved for future consideration. The indicative outline proposals for the development of the site with a single dwelling are considered acceptable in principle in terms of highway safety, access and parking and further consideration will be given to the details of the means of access and layout of the site at detailed planning stage.
- Whilst the proposed dwelling, as shown in the indicative outline proposals, will clearly impact in the southerly outlook to the front of the two neighbouring dwellings to the north of the site at 16 and 17 Goldstone Walk, it is considered that the separation gap between the proposed dwelling and the two neighbouring dwellings to the north will prevent any unacceptable unneighbourly, overbearing and enclosing impact, overshadowing and/or loss of daylight/sunlight to the existing properties.
- As noted above, this is an outline application with all detailed matters, including means of access, reserved for future consideration. Further consideration will be given to the details of the means of access and layout of the site at detailed planning stage.
- Further consideration will be given to the extent and surfacing treatment of any hardstanding within the site at detailed planning stage, including use of permeable hardsurfacing to assist in the disposal of surface water.
- Restricted covenants are not a matter for planning consideration.

9.0 CONCLUSION

- 9.01 This is an outline application for the development of the site with the erection of a detached 3-bedroom house with garage and parking with all detailed matters (Details of appearance, layout, scale, means of access, and landscaping of the development) reserved for future consideration.
- 9.02 The application site is part of a predominantly residential area which forms part of the Walderslade urban area as defined on the Proposals Map to the Maidstone Borough-Wide Local Plan. The site represents a sustainable location with good access to facilities and services, including public transport, within the wider Walderslade urban area. Infill development such as that proposed in the current application is normally considered appropriate in such locations and in principle the development of the site with a single dwelling is acceptable.
- 9.03 The indicative outline proposals for a detached dwelling on the site submitted in support of the application demonstrate that a detached two-storey dwelling with garage and parking for both the new dwelling and the existing dwelling at no 22. Goldstone Walk can be accommodated on the site without unacceptable harm to the amenities of the occupiers of the neighbouring properties. The outline proposals demonstrate acceptable parking provision and generally acceptable access arrangements, and that the proposal allows the retention of the existing mature trees in the south eastern corner of the site. A detached two-storey dwelling of the size and scale shown in the indicative outline proposals would reflect the size and scale of neighbouring dwellings in Goldstone Walk. Further consideration will be given to the above matters at detailed planning stage.

9.04 The proposed development of the site with a single dwelling with garage and parking is considered acceptable in principle and it is recommended that outline planning permission be granted subject to conditions.

10.0 RECOMMENDATION – GRANT outline planning permission subject to the following conditions:

(1) The development shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

a. Layout b. Scale c. Appearance d. Means of Access e. Landscaping

Application for 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.

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

(2) 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: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

(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 dwelling and garage 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 external appearance to the development.

(4) The details of landscaping submitted as reserved matters pursuant to Condition 1 of this grant of outline planning permission shall include a scheme of hard and soft landscaping, including details of the treatment of all hardsurfacing within the site and boundary treatments, 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 during the course of development and a programme for the approved schemes implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines. The development shall be carried out in accordance with the approved scheme of hard and soft landscaping and boundary treatments;

Reason: No such details have been submitted and to ensure a satisfactory appearance to the development.

(5) All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the dwelling 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 external appearance to the development.

- (6) No development shall take place until such time as a tree protection plan/arboricultural method statement in accordance with BS5837:2012 detailing how the three trees in the south-eastern corner of the site, as shown on drawing nos. 48.1/A.02 and 48.1/A.03 received 02.06.15 are to be protected during the course of the works and how any excavation, construction and surfacing works are to be carried out and any underground service runs to and from and within the site accommodated without causing damage to the root systems of any of the trees, has been submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be put in place prior to the commencement of any works and the works shall be carried out in accordance with the details approved;

Reason: The existing trees make a significant contribution to the character and visual amenities of the locality and warrant adequate protection during development to prevent damage and ensure their long-term retention and good health.

- (7) The details of the reserved matters submitted pursuant to Condition 1 of this grant of outline planning permission shall include details of off road parking for both the existing dwelling at 22 Goldstone Walk and the new dwelling hereby permitted together with details of vehicle manoeuvring space to and from the parking spaces. The approved parking spaces for both the existing and new dwellings together with the associated vehicle manoeuvring space shall be provided in accordance with the details approved and be available for use before the first occupation of the new dwelling hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or 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 and/or vehicle manoeuvring provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (8) The development shall not commence until details of measures to provide for the installation of swift bricks within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details;

Reason: In the interests of ecology and biodiversity enhancement.

- (9) The details of reserved matters submitted pursuant to condition 1 of this grant of outline planning permission shall reflect the height, scale and siting of the proposed new dwelling and the access arrangements shown on the indicative outline plans (Drawing Nos. 48.1/A.02, 03 and 04 received 02.06.15);

Reason: To ensure the height, scale and siting of the development is appropriate for the locality and prevent harm to the amenity of neighbouring occupiers.

- (10) No development falling within Schedule 2, Part 1, Class A, B, E and F and Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order, with or without modification) or not, shall be carried out to or within the curtilage of the new dwelling with garage hereby permitted without the prior written consent of the Local Planning Authority;

Reason: To ensure the character and appearance of the site are maintained and in the interests of the amenities of the neighbouring occupiers.

INFORMATIVES

- (1) The applicant is advised that broad compliance with the Mid Kent Environmental Code of Development Practice is expected in the demolition and/or construction works.

NOTE TO APPLICANT

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

In this instance the application was approved without delay; the applicant/agent was advised of minor changes required to the application and 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.