

REPORT SUMMARY

REFERENCE NO - 16/501427/FULL			
APPLICATION PROPOSAL Construction of 2-bed chalet bungalow.			
ADDRESS Pleydells Bungalow Sutton Road Langley Kent ME17 3ND			
RECOMMENDATION - Approve			
SUMMARY OF REASONS FOR RECOMMENDATION - This is a departure from the Development Plan.			
REASON FOR REFERRAL TO COMMITTEE The proposed development does not conform with policy ENV28 of the Maidstone Borough-wide Local plan 2000 or policy SP17 of the Submission Version of the Maidstone Borough Local Plan Publication February 2016. However, the development is at a sustainable location and is not considered to result in significant planning harm, and so 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.			
WARD Sutton Valence & Langley Ward	PARISH COUNCIL Langley	APPLICANT Mr K Busher AGENT Martin Potts Associates	
DECISION DUE DATE 09/02/16	PUBLICITY EXPIRY DATE 27/5/16	OFFICER SITE VISIT DATE	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
08/2168	Conversion of existing detached garage into self-contained annexe accommodation	PER	Dec 2008
04/2439	Erection of a 4 bay garage to replace existing double garage (resubmission of application 04/1110)	PER	Feb 2005
04/1110	Demolition of double garage and outbuilding and erection of a four car garage	REF	Oct 2004
03/1596	Erection of rear conservatory	PER	May 2008
03/0277	Erection of single storey front and side extensions	PER	Feb 2003

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 This site is located approximately 170m to the east of Sutton Road (A274). It is to the east of the existing Pleydells Bungalow, which is on the northern side of an access track. A large garage building separates the existing bungalow from the proposal site. This garage building benefits from planning permission 08/2168 for the conversion into self contained annexe accommodation.
- 1.2 This site is designated as open countryside according to the Maidstone Borough Wide Local Plan 2000 because it falls outside of any defined settlement boundary. There are no listed buildings, TPOs or any other constraints in the immediate vicinity of the site. There is a public footpath approximately 90m to the north of the property, across the open fields, which fall under the ownership of the applicant.

- 1.3 The site is relatively flat and is bounded to the north by a post and rail fence. The southern boundary is defined by a tree line, which separates the site from the private road to the south.

2.0 PROPOSAL

- 2.1 This application is for the erection of a detached 2 bedroom chalet bungalow to the north east of the existing Pleydells Bungalow. The proposal incorporates elements of local materials; ragstone, slate, brick and weatherboard. The proposed house would have a pitched roof, with a ridge height of 6m and an eaves height of 2.2m.

- 2.2 The existing access would remain unchanged.

- 2.3 The proposal also incorporates a landscaping plan, which would include a hedge to the north, west and east of the proposed house. The existing trees would be retained and the annex and garage building would remain in place.

3.0 PLANNING CONSTRAINTS

- Potential Archaeological Importance

4.0 POLICY AND OTHER CONSIDERATIONS

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Development Plan: ENV6, ENV28
- Local Plan (submission version): SP17, DM1, DM2, DM7, DM27, DM34

5.0 LOCAL REPRESENTATIONS

A site notice was displayed on site and a newspaper advert has been published in the newspaper. This expires on 27/5/16.

Langley Parish Council: Please be advised that my Council would wish to see this application approved and do not wish for this to be reported to the planning committee.

6.0 CONSULTATIONS

MBC Conservation: There are no heritage implications at this site.

KCC Highways: Referring to the above description, 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. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

KCC Archaeology: Has no comments to make.

7.0 BACKGROUND PAPERS AND PLANS: P779/100 Rev A.

8.0 APPRAISAL

Principle of development

- 8.1 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;'

- 8.2 The Council has undertaken a Strategic Housing Market Assessment (SHMA) which was completed in January 2014. This work was commissioned jointly with Ashford and Tonbridge and Malling Borough Councils. A key purpose of the SHMA is to quantify how many new homes are needed in the borough for the 20 year period of the emerging Local Plan (2011 -31). The SHMA (January 2014) found that there is the objectively assessed need (OAN) for some 19, 600 additional new homes over this period which was agreed by Cabinet in January 2014. Following the publication of updated population projections by the Office of National Statistics in May, the three authorities commissioned an addendum to the SHMA. The outcome of this focused update, dated August 2014, is a refined objectively assessed need figure of 18,600 dwellings. This revised figure was agreed by Cabinet in September 2014. Since that date revised household projection figures have been published by the Government and as a result the SHMA has been re-assessed. At the meeting of the Strategic Planning, Sustainability and Transport Committee on 9 June 2015, Councillors agreed a new OAN figure of 18,560 dwellings.
- 8.3 The new Local Plan has advanced and was submitted to the Secretary of State for examination on the 20 May 2016. Examination is expected to follow in September. The Plan allocates housing sites considered to be in the most appropriate locations for the Borough to meet the OAN figure and allows the Council to demonstrate a 5 year supply of deliverable housing sites.
- 8.4 The yearly housing land supply monitoring carried out at 1 April 2016 calculated the supply of housing, assessed extant permissions, took account of existing under delivery and the expected delivery of housing. A 5% reduction from current housing supply was applied to account for permissions which expire without implementation. In conformity with the NPPF paragraph 47, a 5% buffer was applied to the OAN. The monitoring demonstrates the council has a 5.12 year supply of housing assessed against the OAN of 18,560 dwellings.
- 8.5 The new Local Plan has been submitted and is considered to attract significant weight.
- 8.6 The site is outside any defined settlement boundary in both the adopted and submitted Local Plan. Policies ENV28 and SP17 both seek to restrict new housing development outside settlement boundaries. However the NPPF and the submitted Local Plan both encourage sustainable development and so although it is not an

allocated site and outside the settlement boundary this issue still needs to be considered.

Sustainability of the site

- 8.7 The NPPF defines 'sustainable' to mean that better lives for us, which do not result in worse lives for future generations. Sustainable development is referred to as incorporating positive growth. One of the National Planning Policy Framework's core planning principles seeks to "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable".
- 8.8 This site is set back from one of the main roads leading out of Maidstone, with two bus stops located within 350m of the end of the 200m track. These bus stops are located on the main road, which has a footpath on the one side. Whilst it is possible to walk to the bus stops, they are located at such a distance that I would not expect to be walked regularly. However, given the nearby development at Langley Park, which incorporates a school and retail provision, the site will be in walking distance to local amenities.
- 8.9 This site would therefore not be in such an unsustainable location as to warrant objection.

Visual Impact and Design

- 8.10 The purpose of Policy ENV28 is to protect and enhance the character and local distinctiveness of the Borough's rural environment. The proposed house would be located along a quiet rural track, which does not have an established pattern of development. Whilst this proposal would be contrary to Policy ENV28 and there would be some visual impact on this countryside location, I do not consider this to be significant.
- 8.11 The NPPF states at Paragraph 60 that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 8.12 The proposal is for a modest chalet bungalow structure, which would have a ridge height of approximately 6m and an eaves height of approximately 2.2m. The proposal would seek to use local materials; Kent ragstone, stone coping, slate, brick and weatherboarding. The overall design of the building is modern in its approach, with the use of high level glazing to the west elevation. I would consider this to be acceptable in this location.
- 8.13 The proposal also seeks to incorporate a new hedge to the north comprising Hawthorn and Blackthorn and a new hedgerow to the east comprising Wild Pivet and Crab Apple. The tree line to the southern boundary of the site would be retained, as shown on Drawing P779/100 Rev A. I would consider that these landscaping measures would reduce the visual impact of the proposed development and this would be considered to be acceptable.
- 8.14 Based on the above, I would consider the design, materials and landscaping to be acceptable in this location so that it would not appear incongruous in the open countryside, thereby reducing any visual harm that may be caused.

Residential Amenity

- 8.15 In terms of loss of daylight, sunlight, privacy and impact on outlook, I would not consider that the proposed location of the dwelling would be likely to have a negative impact on any of the neighbouring properties by virtue of the separation distances between properties.

Summary

- 8.16 This site is not located within a settlement boundary but is within walking distance from public transport links and the new mixed use development at Langley Park; and whilst the proposal would have some impact on the openness of the countryside, it is not considered to be so harmful as to warrant refusal. So whilst the proposal is contrary to saved policy ENV28 of the Development Plan and policy SP17 of the submitted version of the plan; and the borough can demonstrate a 5 year housing land supply, it is considered that on balance the proposal's limited visual harm together with its sustainable location puts it in line with the NPPF and I therefore recommend conditional approval on this basis.

9.0 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 hereby permitted shall be carried out in accordance with the following approved plans: P779/100 Rev A

Reason: To ensure the quality of the development is maintained and to prevent harm to the open countryside.

- 3) The development shall not commence 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 long term management. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surrounding and provides for adequate protection of trees.

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

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

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- 5) The development shall not commence until, written details and samples of the materials to be used in the external surfaces of the buildings 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 of the development.

- 6) The development shall not commence until details of the proposed materials to be used in the surfacing of all access roads, parking and turning areas have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure a high quality external appearance to the development.

- 7) No development shall commence until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: To ensure an energy efficient form of development.

- 8) The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by future occupiers.

- 9) No external lighting whether permanent or temporary shall be installed on the site without the prior written consent of the Local Planning Authority;

Reason: To preserve the character and visual amenity of the countryside and neighbouring amenity.

- 10) Prior to the first use of the building hereby permitted, details of ecological enhancement measures shall first be submitted to and approved in writing by the Local Planning Authority and maintained thereafter;

Reason: In the interests of biodiversity.

Case Officer: Kate Altieri

- 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.