

## REPORT SUMMARY

<b>REFERENCE NO -</b> 16/504639/FULL		
<b>APPLICATION PROPOSAL</b> Two bedroom dwelling		
<b>ADDRESS:</b> 529 Tonbridge Road, Maidstone, Kent, ME16 9LN		
<b>RECOMMENDATION:</b> APPROVE WITH CONDITIONS		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The development, subject to the conditions stated, is considered to comply with the policies of the Development Plan and NPPF and there are no overriding material considerations to indicate a refusal of planning consent.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> It has been called-in to Committee by Councillor Boughton for the reasons outlined below.		
<b>WARD</b> Fant Ward	<b>PARISH/TOWN COUNCIL</b> N/A	<b>APPLICANT</b> Mr Daniel Piggott <b>AGENT</b> Consult Construct
<b>DECISION DUE DATE</b> 22/07/16	<b>PUBLICITY EXPIRY DATE</b> 22/07/16	<b>OFFICER SITE VISIT DATE</b> 20/06/16
<b>RELEVANT PLANNING HISTORY:</b> None		

## MAIN REPORT

### 1.0 Site description

- 1.01 529 Tonbridge Road is a detached house set back more than 20m from this highway, adjacent to the convenience store and housing development behind that is currently being built. Accessed from Elmstone Lane, the property sits to the west of 2 Elmstone Lane and does benefit from parking to the front. For the purposes of the Development Plan, the proposal site is within the defined urban area.

### 2.0 Proposal

- 2.01 The proposal is for the erection of a single (2-bed) dwellinghouse which will be attached to the eastern flank of 529 Tonbridge Road. The proposal would be set back and set down from 529 Tonbridge Road; it would have no side openings; its design reflects 529 Tonbridge Road; and the decking area to the rear would accommodate the changes in land levels from front to rear of the site. The proposal would also benefit from an off-road parking space to the front.

### 3.0 Policy and other considerations

- Maidstone Borough-Wide Local Plan 2000: ENV6
- National Planning Policy Framework
- National Planning Practice Guidance
- Submitted version of Local Plan: SP1, DM1, DM2

### 4.0 Consultations

- 4.01 **Councillor Boughton:** Wishes to see the application reported to Planning Committee for the following reasons;

- *I am concerned that there is a light impact on the immediate neighbours of the site, as the proposed designs do seem to impede houses adjacent to the proposed development.*
- *A consequence of this is the loss of privacy to houses immediately adjacent to the proposed site.*
- *I also have concerns over access. This will now come from Elmstone Lane, a narrow and in parts unadopted road which has already had to come with the traffic impact of a development further down the lane. This proposal would exacerbate the problems faced with the road surface.*

4.02 **Environmental Health Officer:** Raises no objection.

4.03 **Neighbour representations:** 1 representation received raising concerns over residential amenity and traffic.

## 5.0 Relevant policy and guidance

5.01 Development Plan policy and central Government guidance within the National Planning Policy Framework (NPPF) does encourage new housing in sustainable urban locations as an alternative to residential development in more remote countryside situations. I have no argument against the site being in a sustainable location.

5.02 The submitted version of the Development plan went to the Secretary of State for examination on the 20 May 2016 and examination is expected to follow in the autumn. This Plan and its policies are considered to hold significant weight; and subject to the details of this application, this proposal is in accordance with the relevant policies within the submitted Plan.

5.03 The NPPF also seeks development to contribute, protect and enhance the built environment and paragraph 64 of the NPPF states;

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

5.04 I will now go on to discuss the merits of this application.

## 6.0 Design, siting and appearance

6.01 The proposal would reflect the proportions and design of the adjoining property (529 Tonbridge Road), what with its 2-storey bay window feature; its gable-end pitched roof; and the use of matching external materials. The lowered ridge line and set back from the front of this property would also provide acceptable relief in the bulk of the buildings; and it should also be noted that there is no distinct character to the surrounding area in terms of house styles. In addition, whilst the new house would be built up to the shared boundary with 2 Elmstone Lane, the pattern and grain of development in the area is mixed and there is no uniform building line here for this proposal to adhere to. As such, it is my view that the modest gap left between the two properties would not result in significant enough harm to the streetscene to warrant refusal alone. I am therefore satisfied that this proposal would not appear visually harmful, cramped or out of context; and it would not cause unacceptable harm to the character, appearance of the surrounding area.

## 7.0 Residential Amenity

7.01 2 Elmstone Lane would be the closest property to the east of the proposal. There are no side openings to be adversely impacted upon by the new house; the proposal passes the BRE light tests from the front and rear openings of this neighbouring property; the proposal would have no side openings; no new openings would directly

overlook this neighbour; and the existing boundary treatment would ensure appropriate levels of privacy are maintained for both properties at ground floor level. In addition, given the siting of the proposal, I am satisfied that it would not appear overbearing or suppressive to this neighbour and would not significantly harm the occupant's enjoyment of their private garden area.

7.02 I am satisfied that the openings to 529 Tonbridge Road on its eastern flank are not the only/main openings serving habitable rooms and so raise no objections in this respect. I am also satisfied that the amenity (internally and externally) of the occupants of this property would not be adversely affected by the proposed development.

7.03 I am also satisfied that the proposal, given the separation distances and building orientations, would not have a detrimental impact upon the amenity of any future occupants of the development to the rear (granted under 15/502678); or upon any other existing neighbours in the locality.

## **8.0 Highway safety implications**

8.01 The proposal makes use of the existing access; a parking space would be provided; the proposal will not lead to a significant increase in traffic generation or an unacceptable intensification of use of the access; and I also consider the local highway network to be capable of accommodating any additional traffic from 1 additional house. I am therefore satisfied that this proposal would not result in an adverse highway safety issue.

## **9.0 Other considerations**

9.01 Given the scale, nature and location of the proposal and the site, I raise no objections in terms of biodiversity, arboriculture, flood risk, foul (connection to mains sewer) and surface water drainage (soakaway), noise, air quality, and land contamination and would consider it unreasonable to request further details in these respects.

## **10.0 Conclusion**

10.01 The issues raised by Councillor Boughton and local residents have been addressed in the main body of this report. It is therefore considered that the proposal is acceptable with regard to the relevant provisions of the Development Plan and the National Planning Policy Framework and I recommend conditional approval of the application on this basis.

10.02 The red outline of the application site was recently amended to fully include vehicular access onto Elmstone Lane. The applicant has confirmed he owns this land and a re-notification has been carried out as required, which expires after the committee date. As such, delegated powers are sought to approve the application subject to no representations being received raising new material matters.

**RECOMMENDATION – The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the imposition of the conditions set out below and subject to no representations being received raising any new material issues:**

### **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 has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed using the approved materials and maintained thereafter unless otherwise agreed in writing by the local planning authority;

Reason: To ensure a satisfactory appearance to the development.

- (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 a satisfactory external appearance to the development and in the interests of biodiversity.

- (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.

- (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension to the property shall be carried out without the permission of the Local Planning Authority;

Reason: To ensure a satisfactory appearance to the development and safeguard the residential amenity of future occupiers.

- (6) The development hereby permitted shall be carried out in accordance with plans: 16.213 001 and 002 received 27/05/16; and 16.213 003 received 05/07/16;

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

- (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.

Case Officer: Kathryn 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.