

REPORT SUMMARY

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| REFERENCE NO - 16/503786/OUT | | |
| APPLICATION PROPOSAL Outline (No matters reserved) - Provision of a new access driveway to Barming Water Tower from driveway of No. 80 Rede Wood Road comprising demolition of existing garage and construction of a new drive across rear garden of No 80; Construction of new single garage at rear; Extension of existing driveway to Water Tower | | |
| ADDRESS Barming Water Tower North Pole Road Barming Kent ME16 9ER | | |
| RECOMMENDATION | | |
| SUMMARY OF REASONS FOR RECOMMENDATION The proposed development, subject to imposition of the recommended conditions, is considered to comply with the policies of the Development Plan (Maidstone Borough Wide Local Plan 2000) and there are no overriding material planning considerations justifying the refusal of planning permission. | | |
| REASON FOR REFERRAL TO COMMITTEE Contrary to the views of Barming Parish Council | | |
| WARD Barming | PARISH/TOWN COUNCIL Barming | APPLICANT Mr Grant Savell AGENT |
| DECISION DUE DATE 12/07/16 | PUBLICITY EXPIRY DATE 23/06/16 | OFFICER SITE VISIT DATE 09/06/16 |

MAIN REPORT

1.0 SITE DESCRIPTION:

- 1.01 The application site is occupied by detached dwelling fronting Rede Wood Road to the north of which and standing in its own enclosed garden area is a former water tower now converted to a dwelling.
- 1.02 The site lies within the built confines of Barming.

2.0 RELEVANT PLANNING HISTORY:

- 2.01 MA/00/1573: Conversion of redundant water tower to 1 no. residential Dwelling-APPROVED
- 2.02 MA/03/0633: Erection of double garage – APPROVED

PROPOSAL

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- 2.01 When planning permission was granted for conversion of the water tower to a dwelling access to it was shown to be gained via an unmade track through woodland.
- 2.02 Outline planning permission is sought with no matters reserved to provide a much shorter route to the water tower dwelling by providing access off the cul de sac head at the end of Rede Wood Road. In effect detailed planning permission is therefore being sought. This involves constructing a new track within the confines of 80 Rede Wood Road (80) over 40 metres in length running along the boundary with 82 Rede Wood Road (82) abutting the site to the west.
- 2.02 This new road will also provide access to 80 and involves demolition of the existing garage abutting 80 along with providing a replacement single garage in the rear garden. The garden of 80 will be separated by 6 foot high fencing running the length of the access before the proposed access enters the water tower site to connect with existing turning area serving the water tower dwelling. The existing access to the woodland track will then be closed off by fencing.
- 2.03 The following has been submitted in support of the application:
- Many firms currently refuse to deliver along the bridleway and even if they are prepared to anything much larger than a transit cannot get past trees overhanging the lane.
 - Only managed to get the septic tank emptied a short while ago after trees coppiced at the bottom of the lane
 - As lane not in the applicant's ownership overhanging trees will continue to be a problem possibly interfering with refuse vehicles access to the site.
 - Security is also an issue with 11 reported incidents of theft and vandalism mainly due to easy access into site from adjoining track. Closing off the access onto the track will help to make the site more secure.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF):
National Planning Practice Guidance (NPPG):
Development Plan: ENV6
Submission version of draft local plan policy DM1

4.0 LOCAL REPRESENTATIONS

- 4.01 4 properties notified – 1 objection received which is summarised below:
- Development not justified - there is already a perfectly adequate access route to the water tower.
 - Rede Wood Road is a residential road and cul-de-sac and to allow this application would effectively give an access route at the end of the road, alongside 82 Rede Wood Road onto the existing access road to the water tower.
 - Will result in excessive noise, a lack of privacy and an increase in traffic directly alongside adjoining property.
 - Result in harm to the free flow of traffic and highway safety.
 - One or more trees may well have to be felled to make room for the new access road.
 - The proposal will detract from the area.

5.0 CONSULTATIONS

5.01 **Barming Parish Council:** Objects on the following grounds:

- The impact on this quiet cul-de-sac would be detrimental to the local amenity and would be jarring to the existing design of the street scene.
- Creating an additional driveway and the consequent additional vehicle movements would impede the turning circle and vehicular use of the hammer-head, for which it was not designed.
- Will lead to a loss of parking space at No.80.
- Will create vehicular intrusion and negative impact upon the enjoyment of neighbouring gardens, and be out of character of the immediate area.

5.02 **Kent Highways:** No comment as proposal does not meet criteria for highway authority involvement.

5.02 **Tonbridge and Malling Borough Council:** No objection

5.03 **KCC Archaeology:** No objection

6.0 **BACKGROUND PAPERS AND PLANS**

6.01 The development proposals are shown on drawing numbers GFSRD01- 7 (consec)

7.0 **APPRAISAL**

7.01 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. In this case the Development Plan comprises the Maidstone Borough-Wide Local Plan 2000.

7.02 The key issues in connection with this application are considered to be (a) impact on the character and layout of the area (b) impact on the outlook and amenity of adjoining properties and (c) highway considerations.

Impact on character and layout of area:

7.03 There is already an existing shared access onto Rede Wood Road serving 80 and 82 and the proposed access track is essentially a continuation of this along the side boundary with 82 up to the boundary with the water tower site.

7.04 Concerns have been raised that the proposal will have an adverse impact on the appearance of the street scene and character of the area. However removal of the existing flank garage serving 80 and continuation of the track along the flank boundary with 82, given the existing width of the shared access onto Rede Wood Road, will result in little material change to the street scene or character or appearance of the area.

7.05 The other elements of the proposal being the erection of gates, 6 foot high fencing to separate the access track from the remaining garden area of 80 and replacement detached garage in the rear garden of 80, being to the side or rear of the property, will also have minimal material impact on the character or layout of the area.

Impact on the outlook and amenity of adjoining properties:

- 7.06 The property most affected by the proposal is 82 abutting the western boundary of the application site. Concerns have been raised that the proposal will result in the loss amenity to 82 due to noise, disturbance and loss of privacy.
- 7.07 Dealing with first with noise and disturbance, this will mainly arise from vehicles entering or leaving the site which in connection with a single dwelling will result in only a small number of vehicle movements. There is an existing boundary fence between 80 and 82 which will be supplemented by an imperforate acoustic fence which should mitigate noise breakout while preventing cars being visible from 82. Regarding loss privacy again the presence of the boundary fence will prevent this from occurring.
- 7.08 Regarding any harm to the amenity of 80 the proposed internal fencing to the access road will also safeguard the aural and visual amenity of this property. In the circumstances it is not considered the proposal will result in any material harm to the outlook of amenity of properties overlooking or abutting the site.

Highways:

- 7.09 Concerns have been raised that traffic generated by the proposal will result in harm to the free flow of traffic and highway safety. However given the small number of traffic movements involved the proposal is considered acceptable on highway grounds.

Other matters:

- 7.10 Reference has been made to trees loss as a result of the development. There are no protected trees on the site. There are a couple of small trees on the boundary with 82 but these are small and do not make a sufficient amenity contribution to justify their retention. However where there access enters the water tower site there are two Lombardy poplars shown to be retained which are close to the route of the access. Subject to details of the access construction in the proximity of these trees, which could simply involve laying a permeable surface directly onto the ground with minimal excavations, it is considered unlikely these trees will be adversely affected.
- 7.10 It should be noted no landscaping is proposed as part of the development but given the presence of existing planting no additional landscaping is considered necessary.

8.0 Conclusions:

- 8.01 The proposal will have no material impact on the character or layout of the area, outlook or amenity of properties overlooking or abutting the site and is acceptable in highway terms. As such it is considered that planning permission should be granted.

9.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of two years from the date of this approval.

Reason: To accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Within 1 month of completion of the access hereby approved the existing gates shown to be replaced on drawing no:GFSRD04 shall be replaced with fencing to match the existing and the access shall be permanently closed off. .

Reason: In the interests of amenity.

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3. Prior to the commencement of the development hereby approved details of the height, design and construction of an acoustic fence shown to be sited between points A and B on drawing no:GSFRDO4 shall be submitted for prior approval in writing by the Local Planning Authority. The approved details shall be in place before first use of the access hereby permitted and retained as such at all times thereafter.

Reason: In the interest of aural amenity.

4. Before the development hereby approved commences details of the construction of a 'no dig' water permeable surfacing (which shall be accompanied by an Arboricultural Method Statement in accordance with BS5837) for where the approved access abuts the Lombardy poplars situated in the water tower site shall be submitted for prior approval in writing of the Local Planning Authority. The access shall only be constructed in accordance with the approved details.

Reason: To ensure that existing trees are not adversely affected by the development in the interests of visual amenity.

5. The development hereby approved shall be carried out in accordance with the following approved plans being drawing nos: GFSRD01- 03 (consec), 04 showing the siting of the acoustic fence, 05-07 (consec)

Reason: In the interests of amenity.

Note to Applicant

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

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.

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.