

REPORT SUMMARY

REFERENCE NO: 17/501093/REM			
APPLICATION PROPOSAL: Approval of reserved matters (appearance, landscaping, layout and scale) pursuant of 15/507424/OUT - Outline application for residential development of up to 62 dwellings (including a minimum of 40% affordable housing), planting and landscaping, informal open space, surface water attenuation, vehicular access point from Mill Bank and associated ancillary works (access approved).			
ADDRESS: Land West Of Mill Bank, Maidstone Road, Headcorn, Kent, TN27 9RJ			
RECOMMENDATION: GRANT PLANNING PERMISSION subject to the conditions and informatives set out at the end of this report.			
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none">• Outline approval in place for 62 dwellings with requirements on extent and height of built development and extent of open space met by this reserved matters application.• The design and appearance of the development is in keeping with the character of the surrounding area. The development is acceptable in relation to the impact on local residential amenity including loss of daylight, sunlight, outlook and privacy.• The proposal will provide a good standard of residential accommodation.• The proposal is acceptable in relation to flooding and drainage, impact of the proposal on the local highway network and impact on trees and ecology.			
REASON FOR REFERRAL TO COMMITTEE: <p>Headcorn Parish Council has requested that the application is determined by the Planning Committee.</p>			
WARD: Headcorn		PARISH COUNCIL: Headcorn	
		APPLICANT: Bovis Homes AGENT: N/A	
DECISION DUE DATE: 14/06/17		PUBLICITY EXPIRY DATE: 14/04/2017	
		OFFICER SITE VISIT DATE: Various	
RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites):			
App No:	Proposal:	Decision:	Date:
15/507424/OUT	Outline application for residential development of up to 62 dwellings (including a minimum of 40% affordable housing), planting and landscaping, informal open space, surface water attenuation, vehicular access point from Mill Bank and associated ancillary works. (Access being sought) committee 25/02/2016	Approved	24/08/2016
17/500190/SUB	Submission of Details to pursuant to Condition 8 - Habitat Management Plan and Condition 9 - Mitigation Strategy subject to 15/507424/OUT	Approved	19/05/2017

MAIN REPORT

1.0 BACKGROUND

- 1.01 The application was first considered at the committee meeting on the 6 July 2017 as seen on the attached appendix.
- 1.02 It was resolved by the committee that in the event of permission being granted, a planning condition should be attached specifying the external materials to be used in the proposed development, including the use of white timber weatherboarding instead of composite boarding.
- 1.03 It was further resolved that consideration of this application be deferred to enable Officers to investigate the relocation of the 2.5 storey building within the site.

2.0 PROPOSAL

- 2.01 Following the committee resolution a meeting was held on site on the 20 July. The meeting was attended by a representative of the parish council, the developer, two ward councillors and the planning case officer.
- 2.02 Following the discussion at the meeting revised plans were received from the developer on the 3 August and sent to those that attended the site meeting. Further neighbour consultation letters were sent out on the 7 August.
- 2.03 The single reason for the deferral of the application from the committee meeting on the 6 July was to investigate the relocation of the 2.5 storey building within the proposed development.
- 2.04 Following the discussion on site about various options the whole 2 and 2.5 storey building has been moved by 1.7 metres, the roof ridge level lowered (0.3 metres) and the 2 and 2.5 storey building sections swapped over in their location. The higher section of the building was previously at the rear most section of the building and this has now been moved to the front of the building.

3.0 EMERGING LOCAL PLAN

- 3.01 Paragraph 216 of the NPPF sets out the factors which influence the weight to be given to emerging LP policies – preparation stage, extent of unresolved objections & consistency with the NPPF.
- 3.02 Maidstone Borough Local Plan (2016) was submitted to the Secretary of State for examination on 20 May 2016. The Local Plan Inspector issued his Report on the Examination of the Maidstone Borough Local Plan on 27 July 2017. The Report is accompanied by an appendix containing the Main Modifications. The Inspector concludes that, with the incorporation of the Main Modifications, the submission Maidstone Borough Local Plan is sound. The adoption of the Local Plan will be considered at the next meeting of the Council on 27 September 2017.
- 3.03 In these circumstances, it is considered that approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the Main Modifications in the determination of the current application.

4.0 LOCAL REPRESENTATIONS

- 4.01 The changes made to the plans were advertised with individual letters sent to adjoining properties.

- 4.02 **Local residents:** Two letters have been received as a result of the further consultation in addition to restating previously made objections to the proposal (that were considered as part of the original report) the following additional points are made (summarised):
- The height of the new houses along Millbank will impact upon light to nearby properties (increase in height to 2.5 storeys)
 - There is a concern that existing adjacent properties "...will be adversely affected by street lighting/light pollution in what is a rural setting".

6.0 APPRAISAL

Main Issues

- 6.01 Outline planning permission has previously been approved by the planning committee for a residential development on the application site for 62 dwellings (15/507424/OUT – August 2016).
- 6.02 The existing outline permission gave approval for the access arrangements to a residential development on this site. The current reserved matters application was considered at the committee meeting on the 6 July. It was resolved that:
- a) In the event of permission being granted, a planning condition should be attached specifying the external materials to be used in the proposed development, including the use of white timber weatherboarding instead of composite boarding.
 - b) It was further resolved that consideration of this application be deferred to enable Officers to investigate the relocation of the 2.5 storey building within the site.
- a) Planning condition specifying the external materials.
- 6.03 Condition 3 attached to the earlier outline approval required the following *"Prior to the commencement of any works above damp proof course level, written details and samples of the materials to be used in the construction of the external surfaces of any buildings shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials. The details and samples of the materials submitted shall include details of swift and / or bat bricks incorporated into the eaves of the proposed housing units. Reason: To ensure a satisfactory appearance to the development"*.
- 6.04 An additional condition is recommended attached to a reserved matters permission stating *"Notwithstanding materials listed on the submitted plans, the details of external materials submitted to discharge condition 3 of the outline planning permission (15/507424/out) shall include the use of white timber weatherboarding instead of composite boarding"*.
- b) Investigate the relocation of the 2.5 storey building within the site.
- 6.05 The majority of the dwellings across the proposed development are 2 storeys in height, with proposed roof ridge heights of between 8.5 metres and 8.7 metres. The development also includes a larger building located in the south east part of the site providing 8 flats.
- 6.06 This larger building set behind an established and retained hedgerow is partly 2 and partly 2.5 storeys in height (roof ridge height of 11.3 metres). The higher 2.5 storey

section of the building is set back from the southern site boundary by a distance of 16 metres (9 metres from the hedgerow) and 63 metres from the front site boundary in Mill Bank. At the closest point a distance of 40 metres separates this new building from the closest residential property (29 Mill Bank).

- 6.07 Whilst there have been objections to the 2.5 storey height of this building this was not the reasons for the deferral of the application; the height is in accordance with condition 18 attached to the outline approval for the site and policy HNP1 of the draft neighbourhood plan. Condition 18 states that no buildings shall be “over a height of 2.5 storeys (any third floor to be within the roof space)” with policy HNP1 stating that there should be “...no new development of more than two and a half storeys”.
- 6.08 The reason for the deferral of the application was to investigate the relocation of the 2.5 storey building. Following the discussion on site about various options the whole 2 and 2.5 storey building has been moved by 1.7 metres and the ridge level lowered (0.3 metres) and the 2 and 2.5 storey building sections changed over in their location. The higher section of the building was previously at the rear most section of the building and this has now been moved to the front of the building.
- 6.09 As a result of the changes the higher 2.5 storey building is now bordered by two storey buildings and this is seen as a benefit as it reduces the scale and visual impact of the proposed building. The height of the 2.5 storey building is acceptable in the context of nearby development that is of comparable height, the screening provided from the site boundary, and the separation distance from the closest residential property and the site frontage.
- 6.10 Consultation responses have sought to compare the 2.5 storey building to a building completed as part of the development on land to the north of Lenham Road (14/505162). This development was visited during the site visit with residents, councillors and the developer. It is considered that there are important differences between the two developments; these include the distance from the property boundary, the distance from adjacent development, and the existing screening on the property boundaries which are to be enhanced.

Response to additional points made in further neighbour consultation,

- 6.11 A further consultation response has raised concerns about the height of the proposed development in relation to existing properties opposite the site frontage in Millbank. Policy DM1 advises that development should respect the amenities of occupiers of neighbouring properties. Built form should not result in an unacceptable loss of light. NPPF core principles include a requirement to seek “*a good standard of amenity for all existing and future occupants of land and buildings*” (para 17).
- 6.12 Existing residential properties on the east side of Mill Bank would be separated from new houses by a distance of between 23 metres and 30 metres. This distance includes the width of the public highway, the existing hedgerow along the site boundary and existing front gardens. In the south east corner of the site a distance of 28 metres, that includes an established hedgerow within the application site, the unmade access track and trees on the site boundary separate the closest proposed residential building from the detached property at 29 Mill Bank.
- 6.13 Distances of 110 metres and 140 metres separate buildings on Mill Farm and The Croft respectively from the closest proposed new building. With the separation of proposed buildings from existing neighbouring properties it is not considered that the development will impact on the amenities of existing adjacent occupiers including in relation to daylight and sunlight.

- 6.14 A concern has been expressed relating to the impact of street lighting as part of the proposed development. The section of Millbank outside the site within the 30 miles per hour maximum speed limit is currently lit with street lights. The extent of proposed development away from the existing Headcorn settlement broadly corresponds with the extent of existing street lighting in Millbank. The northern part of the application site will provide open space.
- 6.15 Whilst it is accepted that the street lighting and lighting associated with the proposed houses will introduce lighting in this area this lighting is an intrinsic part of a residential development and the principle of a residential development in this location has already been established by the outline planning permission.

7.0 CONCLUSION

- 7.01 Outline planning approval is in place for 62 dwellings with requirements on extent and height of built development and extent of open space met by this reserved matters application.
- 7.02 The design and appearance of the development is in keeping with the character of the surrounding area. The development is acceptable in relation to the impact on local residential amenity including loss of daylight, sunlight, outlook and privacy. The proposal will provide a good standard of residential accommodation.
- 7.03 The proposal is acceptable in relation to flooding and drainage, impact of the proposal on the local highway network and impact on trees and ecology.

8.0 RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans:
HCRN 000A; HCRN 001A; HCRN 002 D; HCRN 003#1; HCRN 003#2 B; HCRN 004 B; HCRN 005 B; HCRN 006 B; HCRN 010#1; HCRN 011#1; HCRN 012#1; HCRN 012#2; HCRN 013#1; HCRN 013#2; HCRN 014#1; HCRN 014#2; HCRN 015#1; HCRN 015#2; HCRN 016#1; HCRN 017#1; HCRN 050#1A; HCRN 050#2A; HCRN 050#3A; HCRN 051#1A; HCRN 051#2; HCRN 051#3A; HCRN 060#1A; HCRN 060#2A; HCRN 060#3A; HCRN 060#4A; HCRN 090#1; HCRN 090#2; HCRN 091#1; HCRN 091#2; HCRN 092#1; HCRN 095#1; HCRN 095#2; HCRN 096#1; HCRN 096#2; HCRN 9001A; HCRN 900#2A; HCRN DS A. Reason: For clarity and to ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.
- (2) Prior to the commencement of development details of decentralised and renewable or low-carbon sources of energy to be used as part of the approved development shall have been submitted to and approved in writing by the Local Planning Authority including details of how they will be incorporated into the development. The approved measures shall be in place before first occupation of the development hereby approved and maintained as such at all times thereafter. Reason: To secure an energy efficient and sustainable form of development in accordance with the provisions of the NPPF. This information is required prior to commencement as ground works may restrict the range of options that are available.
- (3) Prior to the commencement of development schedule for the proposed native woodland mix planting and submission of a plan indicating whether trees are

feathered, standard or advanced nursery stock shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with condition 7 attached to the outline approval.

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

- (4) Notwithstanding materials listed on the submitted plans, the details of external materials submitted to discharge condition 3 of the outline planning permission (15/507424/OUT) shall include the use of white timber weatherboarding instead of composite boarding.

Case Officer: Tony Ryan

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.