

APPLICATION: MA/10/2189 Date: 21 December 2010 Received: 23 June 2011

APPLICANT: Monro Homes

LOCATION: LITTLE ORCHARD, CHURCH LANE, BEARSTED, MAIDSTONE, KENT, ME14 4EF

PARISH: Bearsted

PROPOSAL: Erection of 5no. dwellings with garaging, parking provision, new driveway - amended design to that approved under reference MA/09/0760 as shown on site location plan and drawing nos. 020/P1/04A, SP/09/01/6A, SP/09/01P05A and SP/09/01/GARA received on 22/12/10; and drawing nos. SP/09/01/PO3D and 110601/L/1 received on 23/6/11.

AGENDA DATE: 21st July 2011

CASE OFFICER: Geoff Brown

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by Bearsted Parish Council and committee consideration has been requested

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV6, T13
- The South East Plan 2009: CC1, CC4, CC6, BE1, BE6, NRM5, H5, W1, W6, T4
- Village Design Statement: N/A
- Government Policy: PPS1, PPS3, PPS5, PPS9, PPG13

## **2. HISTORY**

The relevant planning history is as follows:

MA/10/1499 - Erection of 5no. dwellings with garaging, parking provision, new private driveway and associated works (amendment to MA/09/0760) - Withdrawn

MA/09/0760 - Erection of 5 No dwellings with garaging and parking provision and new private driveway (Resubmission of MA/08/1666) - Approved

MA/08/1666 - Erection of 8 No dwellings with garages and new highway and service roads – Refused

### **3. BACKGROUND**

3.1 This application was reported to the Planning Committee meeting of 9 June 2011. Members resolved to defer making a decision to allow negotiation on the following issues:

- A) A reduction in the level of hardstanding on the site.
- B) A detailed landscaping scheme to be submitted incorporating additional landscaping within the site.

### **4. CONSULTATIONS**

#### **On the original scheme:**

The comments of BEARSTED PARISH COUNCIL, THE CONSERVATION OFFICER, THE LANDSCAPE OFFICER and THE ENVIRONMENTAL HEALTH MANAGER were reported in my first committee report reproduced here as Appendix 1.

#### **On the amended scheme:**

I have not yet received comments from BEARSTED PARISH COUNCIL and THE ENVIRONMENTAL HEALTH MANAGER.

THE CONSERVATION OFFICER has no objection and comments that the amended plans represent an improvement.

THE LANDSCAPE OFFICER states:

"I have looked at the newly submitted details and raise no objection to the proposal on arboricultural or landscape grounds.

The trees to be removed on the southern boundary have been clearly identified on the site layout plan. As previously stated, I have no objection to their removal, subject to suitable replacement planting being provided. In terms of the trees to be retained on the site, the application is now accompanied by an arboricultural method statement detailing all of the proposed tree works and replacement trees to be planted. I consider all of the proposed works acceptable on arboricultural grounds. The consent for tree removals under tree applications TA/0033/10 and TA/0122/10 required by conditions for replacement trees to be planted –the proposed new trees would satisfy those conditions, in terms of their species and location.

In terms of other new planting, I welcome the increase of planting areas in general, particularly the native hedging around the site boundaries. Additional trees are to be provided over those previously required by conditions on tree applications and the proposed shrubs and bulbs are acceptable in terms of the Maidstone Borough Council Landscape Character Assessment and Landscape Guidelines. I would have preferred to see a slightly different choice of shrub planting that better reflected the character of the adjacent conservation areas, but do not consider that this is sufficient reason to refuse the proposal as it stands.

I therefore recommend that the application is approved on landscape and arboricultural grounds, subject to a standard landscape implementation condition requiring completion of the approved landscaping scheme in the first planting season and replacement of failures within the first 5 years."

## **5. REPRESENTATIONS**

### **On the original scheme:**

The comments of LOCAL RESIDENTS were reported in my first committee report reproduced here as Appendix 1.

### **On the amended scheme:**

I have not yet received any comments from local residents.

COUNCILLOR HARWOOD comments that the reduced extent of hardstanding and the greater sense of enclosure through the use of traditional hedging is to be welcomed and addresses the concerns of committee. Looking at the detail of the new planting he is in broad agreement but suggests amendments to some of the proposed species. I have invited the applicants to adopt these suggestions and will inform Members of their response in due course. My considerations and recommendations (below) are based on the scheme as currently submitted.

## **6. CONSIDERATIONS**

### **6.1 Further Considerations**

- 6.1.1 Following negotiation, the applicants have amended the plans to satisfy both of the above requirements. I have re-notified all parties on the amended details and any further comments that are received will be reported to Members at committee.

- 6.1.2 The overall areas of hardstanding on the site have been reduced, principally through the removal of a vehicular turning head that was previously proposed to the south of Plot 4; and the narrowing of the main access road in the vicinity of Plots 1 and 4 so that the width is reduced down to approx. 3.2m from the previously proposed 4.5m. A small bin collection area remains near Plot 4 but these 'hard' areas are now replaced by soft landscaping.
- 6.1.3 As Members requested, a fully detailed landscaping scheme has now been submitted (as opposed to dealing with proposed landscaping by way of conditions requiring further detail). The landscaping scheme now clearly details trees that have been consented to be removed; trees to be removed as a part of this scheme; trees to be retained; and new trees, shrubs and plants to be put in place. A comprehensive Arboricultural Method Statement is submitted and the proposed boundary treatments are now detailed.
- 6.1.4 I consider the reduction in the areas of hardstanding to be significant, particularly because the relevant areas are near the front of the site, prominent in views into the site from Church Lane. Their replacement with landscaping in the form of new specimen trees, native hedging along the margins of the access road and grassed surfacing represents a significant visual benefit. The applicants have not reduced the hardstanding areas in the vicinity of the garaging and the turning head as that would present difficulties for turning vehicles. I do not regard those areas at the back of the site as so important as they are not as prominently located as more sensitive locations towards the front of the site and around the access road.
- 6.1.5 Turning to the detail of the landscaping scheme, the information on the removal of trees is now more clearly presented and no further removals are put forward. A comprehensive planting scheme is now presented, the main features of which are the planting of specimen trees on the site frontage (silver birch, hawthorn and rowan), in the southern corner of the site and along the access road. A substantial amount of new hedging of indigenous species is proposed around the site, including along the whole of the site frontage and along the whole south western boundary. New hedging is proposed to fill gaps in existing lines and hedges are proposed between plots. Cordwood would be retained in the relatively undisturbed northern corner of the site where existing trees are to be retained, new hedging put in place and new bulb planting implemented. The Landscape Officer has no objection to the scheme and I consider that the comprehensive landscaping scheme now presented satisfies Members previously expressed concerns.
- 6.1.6 The developers have taken the opportunity to include details of boundary treatments on the latest amended plans (rather than deal with that later through a condition). Generally much of the site boundary has already been fenced by adjoining landowners or is marked by existing hedging. As stated above, gaps in

this hedging are to be filled and new hedges are proposed along the site frontage and south western boundary. Within the site hedging, low post and rail and post and wire fences would demark property boundaries with higher close boarded fencing being used generally towards the rear of plots. I consider the boundary treatment scheme (which is fundamentally linked with the proposed landscaping) to be acceptable.

## **7. CONCLUSION**

- 7.1 Following negotiation the applicants have amended the proposals to reduce hardstanding areas and provide details of a comprehensive landscaping scheme. In my view this fully addresses Members concerns and significantly improves the development in terms of the character of the area and the ecological value of the site. I recommend that planning permission be granted. Some of the conditions that I had previously recommended are no longer necessary given that comprehensive landscaping details have now been presented and I phrase my recommendation accordingly.

## **8. 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:  
site location plan and drawing nos. 020/P1/04A, SP/09/01/6A, SP/09/01P05A and SP/09/01/GARA received on 22/12/10; and drawing nos. SP/09/01/PO3D and 110601/L/1 received on 23/6/11:

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with the advice in PPS1.

2. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and 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/turning provision is likely to lead to

parking inconvenient to other road users and in the interests of road safety in accordance with PPG13.

3. Before the first occupation of the dwelling on Plot 3, the windows within the rear first floor elevation (north-west) of that dwelling shall be provided and thereafter maintained with obscure glazing, and shall only have top hung openings.

Reason: In order to preserve the residential amenities that the occupiers of the adjoining neighbours currently enjoy in accordance with PPS1 and PPS3.

4. The development shall achieve a score of Level 2 or better for each residential unit under 'The Code for Sustainable Homes'.

Reason: To ensure a sustainable and energy efficient form of development in accordance with Policy CC4 of the South East Plan 2009, Kent Design 2000 and PPS1.

5. 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 setting and external appearance to the development in accordance with Policy ENV6 of the Maidstone Borough Wide Local Plan 2000, and PPS1.

6. Removal of existing trees or hedgerows containing nesting birds shall take place outside of the bird-breeding season (generally March to August).

Reason: To ensure that nesting birds are not disturbed in accordance with PPS9.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.