

APPLICATION: MA/09/1489 Date: 14 August 2009 Received: 28 August 2009

APPLICANT: Mrs S Yendell

LOCATION: LAND ADJACENT CLAYGATE HOUSE, 3, CLAYGATE,
HOLLINGBOURNE, MAIDSTONE, KENT, ME17 1XA

PROPOSAL: Application for approval of reserved matters following outline planning permission MA/08/1421 (Outline planning permission for the erection of 1 (no) detached dwelling with all matters reserved for future consideration). Reserved matters to be considered include access, appearance, layout and scale as shown on drawing nos. P01, P02, P03, P04, P05, P06 and 09/10A received on 18th August 2009.

AGENDA DATE: 15th October 2009

CASE OFFICER: Richard Timms

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

- Councillor Mrs Parvin has requested the application is reported to Planning Committee for the reasons set out in the report.

POLICIES

Maidstone Borough-Wide Local Plan 2000: H27

The South East Plan 2009: CC1, CC6, BE1

Village Design Statement: N/A

Government Policy: PPS1, PPS3, PPS25

HISTORY

MA/08/1421 Outline planning permission for the erection of 1 (no) detached dwelling with all matters reserved for future consideration – APPROVED WITH CONDITIONS

MA/06/1993 Erection of a dwelling – WITHDRAWN

MA/05/1713 Outline application for the erection of 1 number detached dwelling (with associated parking and access) with means of access to be considered at

this stage and all other matters reserved for future consideration –
APPROVED WITH CONDITIONS

MA/04/1213 Proposed detached dwelling – WITHDRAWN

CONSULTATIONS

Hollingbourne Parish Council do not wish to comment.

Environmental Health Manager: Raises no objections subject to informatives concerning any construction works.

Building Control: No objections

REPRESENTATIONS

Cllr Parvin: *"I wish to call in this application as it totally overpowers 13 Tilefields standing as it will on higher ground, also there are still doubts regarding drainage."*

Neighbours: 8 representations (5 raising no objections) received raising the following points:

- Development will be imposing and oppressive to properties to the south and cause loss of light and overlooking.
- Height should be no higher than properties to the south.
- Additional traffic creates danger and damages the fabric of the road and pavements.
- The land on which it is proposed to build becomes waterlogged during winter and the removal of some conifers on the site has exacerbated this.
- Do not consider the storage tank and permeable paving is sufficient for surface water drainage in light of the loss of trees.
- French drain and trees should be planted to help with drainage and a trellis to improve the view.
- Vibration, disturbance and weight could cause the existing retaining wall to fail and therefore a structural survey should be made before any work commences.
- Kerb stones should be used on new driveway.
- Noise and disturbance from construction.
- Disturbance from service traffic unaware of dwellings to the rear of Tilefields Close.

CONSIDERATIONS

This is an application for the approval of the reserved matters of access, appearance, layout and scale following outline approval for a detached dwelling at the site last year at Planning Committee under application MA/08/1421. The application site is located within the village boundary of Hollingbourne (Eyhorne Street) upon land with no special designation.

Site Description

The application site is a rectangular area of land that is fenced off from surrounding properties and has its vehicular access to Tile Fields (cul-de-sac) via a short access road that serves 1 and 2, Tile Fields Close to the east. The land is reasonably flat and contains some small trees and I note that a line of conifers previously along its southern boundary have been removed. The application site is around 0.6 to 1m above the level of gardens of houses in Tile Fields to the southwest. The boundaries of the site are marked by 1.8m close boarded fencing although there is a breeze block wall along parts of the southwest boundary.

Proposed Development

This application is for the approval of the reserved matters of access, appearance, layout and scale for a detached dwelling, landscaping being reserved for a later stage. The plans show a 4 bedroom chalet bungalow with rooms in the roofspace created with dormer windows and rooflights. The building would have fully hipped roofs and dormers. It would have an L-shaped footprint with the main section on the north side and a lower projection off the south side and would be laid out on a northwest/southeast axis.

The dwelling would be cut into the existing ground by around 0.4m with new low retaining walls provided. The taller section would have a ridge height from the new ground level of around 6.7m, eaves 3.9m and the lower section around 6.3m, eaves 2.5m. There would be dormer windows facing the front, southeast and rear, northwest. The dwelling would be sited around 2.3m from the south side boundary, 9.5m from the rear boundary, 2m from the north, side boundary and 11.5m back from the front boundary. To the front of the dwelling would be a detached single storey double garage with a fully sipped pitched roof (6.8m x 6.4m, ridge 5.6m, eaves 2.6m) around 0.5m from the front boundary with Tile Fields Close, with a hard surfaced driveway in front.

Materials for the dwelling and garage would be dark red multi-plain clay roof tiles and dark red multi stock bricks, which would also be used on the new low retaining walls. Windows and doors would be soft wood or uPVC in white with the garage door sectional steel with a dark brown finish. The hard surfacing would be concrete multi-colour permeable block paving.

Planning History

Outline permission for a detached dwelling was approved at Planning Committee on 9th October 2008 under application MA/08/1421, where all matters were reserved. No illustrative plans were provided under that application so the current application provides the first detailed proposals to be considered for the site. Prior to this, outline permission was granted in 2005 at Planning Committee. Clearly, the Council have accepted the principle of a dwelling at the site and it needs to be considered whether the detailed scheme now put forward is acceptable.

Visual Impact

In terms of the scale of the development, the ridge height of the dwelling would be similar to the chalet bungalows on Tile Fields to the south of the site. Bearing in mind it's positioning between these dwellings and the larger two storey dwelling, Claygate to the north, I consider the scale of the dwelling to be appropriate and to suitably fit between these buildings. The use of fully hipped roofs and low eaves reduces the mass of the building.

In terms of the layout, there is no established building line on this side of Tile Fields Close. The detached garage would be positioned close to the front of the site, however as there is not established building line, I do not consider this to be unacceptable. It would have a fully hipped roof thus reducing its mass and impact. The dwelling itself would be set back 11.5m from Tile Fields Close forming a line between 12 Tile Fields to the south and Claygate to the north. There would be a permeable driveway to the front and garden area to the rear. Overall, I consider the layout of development on the site to be acceptable and not harmful to the surrounding area.

With regard to the appearance of the development, there are a mixture of designs within the vicinity with the chalet bungalows of Tile Fields to the south and the larger two storey dwellings on Tile Fields Close to the east and Claygate to the northwest. The two storey dwellings feature fully hipped roofs so this proposed feature on the development would be in keeping with these dwellings. There are flat roof dormer windows on the chalet bungalows to the south, so the use of dormer windows on the development would not be out of character. With a mix of dwellings in the vicinity and having drawn some features from these, I consider the proposed chalet bungalow would not appear out of character. Materials used in the area include red and brown bricks, red/brown roof tiles and red and brown hung tiles. The proposed materials being mainly of red colour would fit in with the surrounding properties.

Landscaping is not being considered under this application, however I consider sufficient space has been left around the development to provide a good scheme.

Residential Amenity

Concern has been raised by residents and Cllr Parvin regarding the impact upon light and outlook of the properties on Tile Fields to the south. The dwelling would be 14m at its closest point from the rear elevations of these properties and having carried out the relevant BRE light test it would not block any significant daylight to these properties. This is mainly due to the dwelling being cut into the ground, the low eaves height and fully hipped roof. As such, the eaves height would only be around 0.5m above the existing fence line between the sites. Based on this, I do not consider the dwelling would unacceptably affect lights levels to these properties or result in an unacceptable outlook.

With regard to 'Claygate' to the north, the dwelling would extend beyond the rear of this property by around 12m. However, being 7m away, the building would not interfere with the rear outlook of this property, which is primarily in a south-easterly direction. With this in mind and being cut into the ground, I do not consider it would harmfully affect the rear outlook of this property or be oppressive to Claygate. Having carried out the relevant BRE light tests on this property, the proposals would not cause any significant loss of light to this property.

In respect of privacy, there would be no first floor windows facing north or south so no overlooking would occur here. Rear dormers would face the garden of Claytile House to the rear, northwest of the site. They would be around 26m from the dwelling, which is an acceptable distance so as not cause an unacceptable loss of privacy. These dormers could potentially overlook part of the garden of this property but I note that there a tall conifers currently within this garden which would block any views. If these were removed the space immediately outside this property is still over 25m away and there is private space on the north side of this property. As such, I do not consider an unacceptable loss of privacy would occur here. Front dormer windows would be 22m from the front of 1 Tile Fields Close to the east, which is considered acceptable.

It is understood that existing boundary treatments would be retained, but I will clarify this by way of a condition, which would ensure appropriate privacy to and from the site within garden areas.

Overall, I consider the dwelling has been designed so as not have an unacceptable impact upon the outlook or privacy of surrounding properties and would be acceptable at the site.

Highways

No comments have been received from Kent Highways, however I note that under the previous outline application, no highways objections were raised in terms of the impact of increased vehicle movements on the local highway network and the access to the site. Two parking spaces are provided within the detached garage with a driveway for turning. I consider the provision of 2 parking spaces with turning space would be

acceptable and would allow for vehicles to exit in a forward gear rather than having to reverse out of the site along Tile Fields Close onto Tile Fields.

Other Matters

Under previous applications, concern has been expressed by residents at dwellings on Tile Fields adjoining the site to the southwest regarding surface water run-off from the site. An informative was attached to the outline permission stating that surface water drainage would need to be addressed.

Recent site investigations have been carried out and a report indicating that the water table is too high to allow surface water to be dispersed by means of conventional soakaways. In light of this, permeable paving is proposed to prevent run-off from hardstandings any other run-off from roofs would be collected in an underground tank and used by residents for flushing toilets, clothes washing and other activities. The Council's Building Control section have checked these details and agree in principle with the design proposals and consider these measures to be acceptable. As such, it is considered that surface water from the development would be appropriately addressed so as to not exacerbate run-off to properties at Tile Fields. The location of the tank has not been finalised yet but clearly this would have no visual impact being underground.

Concern has been raised that the removal of the conifers would exacerbate run-off as they soaked up moisture. The applicants were entitled to remove these trees and for the above reasons, I consider surface water will be adequately addressed.

Concern has been raised by residents regarding potential damage to the retaining wall between their properties and the site during construction. Whether this would be the case is unknown, however, it would be the responsibility of the land owner to ensure no damage to neighbouring properties occurs as a result of development.

Other matters raised and not addressed above include the potential use of trellis on the south boundary and the impacts of construction traffic. Boundary treatments will be dealt with by condition. Any noise or disturbance from construction traffic is not a material planning consideration and is controlled by separate legislation.

Conclusion

In conclusion, it is considered that the detailed scheme would have an acceptable visual impact upon the surrounding area and would not be harmful to neighbouring residential amenity. Drainage has been adequately addressed and I therefore recommend the application for approval subject to the following conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not commence until, written details and samples of the materials to be used in the construction building 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 to the development in accordance with policies ENV28 and H33 of the Maidstone Borough-Wide Local Plan 2000.

2. Notwithstanding the provisions of 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) no development within Schedule 2, Part 1 Classes A, B, C, D and F to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area in accordance with policy CC6 of the South East Plan 2009, PPS1 and PPS3.

3. The surface water drainage details hereby approved including an underground rainwater storage tank capable of storing at least 6500 litres shall be implemented prior to the completion of the development and thereafter maintained;

Reason: To prevent the exacerbation of surface water flooding within the area in accordance with PPS25.

4. The development hereby permitted shall be constructed strictly in accordance with the slab levels as shown on approved drawing no. P05 in correspondence with the topographical survey (drg no. 09/10A) received on 18th August 2009.

Reason: In order to secure a satisfactory form of development having regard to the topography of the site in accordance with policy CC6 of the South East Plan 2009, PPS1 and PPS3.

5. 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 existing and prospective occupiers in accordance with policy CC6 of the South East Plan 2009, PPS1 and PPS3.

6. The dwelling shall achieve Level 2 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 2 has been achieved

Reason: To ensure a sustainable and energy efficient form of development in accordance with PPS1 and PPS3.

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 South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.