

REPORT SUMMARY

REFERENCE NO - 15/503966/FULL		
APPLICATION PROPOSAL Construction of a pair of semi-detached cottages on northern section of plot including rooflights and associated parking as shown on drawing number 15-106 003 Rev P2; dated 28.07.2015 and 15-106 001 Rev P1 and 15-106 002 Rev P1; received 11.05.2015 and 15-106 002 Rev P2; received 18.06.2015 and Design and Access Statement Revision P1; dated May 2015.		
ADDRESS The Stables East Court The Street Detling Kent ME14 3JX		
RECOMMENDATION - Approve with conditions		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposed development is located within the village envelope of Detling and the principle of sustainable residential development is accepted in accordance with policy H27 of the Local Plan 2000 and the aims and objectives of the NPPF.		
REASON FOR REFERRAL TO COMMITTEE Detling Parish Council wish to see the application refused and have requested the application is referred to committee for determination.		
WARD Detling And Thurnham Ward	PARISH/TOWN COUNCIL Detling	APPLICANT Mrs J Bryan AGENT Insight Architects
DECISION DUE DATE 13/08/15	PUBLICITY EXPIRY DATE 13/08/15	OFFICER SITE VISIT DATE 08/07/15
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		
App No	Proposal	Decision
85/1614	Erection of 15 unit cattery	Approved
85/0941	Erection of 35 unit cattery	Refused
77/1145	Reconstruction of stable to dwelling	Approved
76/1208	Conversion of stable block to dwelling	Approved

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is located in the northern edge of Detling village on the south side of The Street with the A249 located to the north of the site. The application site is located within Detling conservation area, an Area of Outstanding Natural Beauty, Special Landscape Area, Strategic Gap and Potential Archaeological Importance. The immediate surrounding area is predominantly residential.
- 1.02 The site is roughly rectangular in shape and amounts to approximately 385 sq m. The ground levels on the site rise from east to west adjacent to The Street. The site is currently occupied by a collection of stables in an L-shape on the north and east boundary of the application site. The remaining site is laid to lawn. There are a number of trees located outside the boundary of the site to the south and southeast and trees within the neighbouring site at East Court are protected by TPO. There is

a boundary wall running along the front of the site adjacent to The Street and along the northeast and southwest boundary adjoining Webb Cottage and 1 The Street.

- 1.03 There are several listed buildings located to the south of the application site, none of which directly adjoin the application site. The boundary wall at the front of Tudor Gate is also grade II listed.
- 1.04 Three new houses have been built fairly recently in the grounds of East Court to the northeast of the application site as approved at appeal ref: 10/0943.

2.0 PROPOSAL

- 2.01 The application proposes the erection of a pair of semi-detached two storey houses with living accommodation in the roof and two off-street parking spaces located at the front / side of each house. Both houses have four bedrooms. The two houses would be formed of red stock bricks with hanging peg tiles and plain clay roof tiles. The development would utilise a stepped ridge level taking account of the gradient of the land and the proposed roofs would have a barn hip with a two storey gable section at the front.
- 2.02 Two off-street parking spaces are proposed at the front / side of each house with vehicle access afforded from The Street. Amended drawing No. 15-106 003 Rev P2 supersedes drawing 15-106 003 Rev P1 and increases the soft landscaping at the front of the properties. Refuse storage is proposed to the side of each house. Rear gardens will mainly be laid to lawn with a small patio area directly at the rear of each house.
- 2.03 The existing brick boundary wall would be retained along the northeast and southwest boundary. New boundary treatment would consist of 1.8m high close boarded fencing at the rear of the plots and 1m high white peg boundary fence at the front.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough-Wide Local Plan 2000: H27, ENV6, ENV31, ENV33, ENV34, T13
- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- MBC Management Plan for Detling Conservation Area 2010
- Nationally Described Space Standards

4.0 LOCAL REPRESENTATIONS

- 4.01 Some 6 letters of representation have been received from neighbouring properties. Comments are summarised as follows:
- The three storey houses would be out of keeping with the adjoining properties.
 - Increased traffic and highways safety.
 - The proposal does not enhance or preserve the special character of the conservation area.
 - The site is garden land.
 - The ridge heights would dominate the neighbouring properties.
 - Loss of privacy, overshadowing and overlooking.
 - Parking is not acceptable at the front of the houses.

- Refuse should not be sited at the front of the houses.
- Contrary to Policy H27.
- Detrimental impact on AONB.
- Impact on neighbouring listed buildings.
- Connection to sewers.
- Noise and disturbance from construction works and use of properties.
- Proposed development is out of character with surrounding development.
- This is Phase 1 of 2 developments on this site.
- Land ownership regarding the parcel of land proposed for vehicle parking.

5.0 CONSULTATIONS

5.01 **KCC Highways:** Raise no objections on behalf of the highways authority.

5.02 **MBC Environmental Health:** Habitable rooms will be fitted with acoustic glazing and mechanical ventilation. Asbestos should be checked for during demolition. The scale of the development would not warrant an air quality assessment and the site is approx. 1km from the nearest Air Quality Hotspot. There is no indication of contamination at this site. No objections subject to informatives.

5.03 **MBC Conservation Officer:** Initial comments received from the conservation officer advised that the design, vernacular style and materials proposed are acceptable. The conservation officer raised concerns regarding the amount of hardstanding at the front of the properties which would be urban in character.

Amended plans were received and the conservation officer advised the inclusion of soft landscaping at the front was a substantial improvement to the proposal. No objections on heritage grounds.

5.04 **KCC Archaeological Officer: No comments to make**

5.05 **Southern Water:** Initial investigations indicate that there are no public sewers in the area to serve this development. Alternative means of draining surface water from this property are required. Southern Water requires a formal application for a connection to the public foul sewer. Requests an informative is attached.

5.06 **Detling Parish Council:** Objects to the proposal on the following (summarised) grounds:

- Proposal is contrary to the Detling Conservation Area Management Plan.
- The design is not in keeping with the properties in the immediate area.
- The height of the houses will dominate neighbouring development.
- Windows will overlook the gardens of East Court Cottages.
- Parking should be at the rear.
- Front gardens should have white picket fences.
- The wall along the front of the site enhances the conservation area and should not be demolished.
- Impact to trees.

'We therefore reiterate our objection to this application and wish to see this refused. Should the Borough Councils opinion differ from the Parish Councils, we would then wish to have this application determined by the Planning Committee'.

6.0 AMENDED PLANS

Drawing No. 033 Rev B was received on 31 July 2015 and supersedes drawing no 003 Rev P1. The amendments include the following:

- Relocation of refuse storage to the side of each property.
- Tandem parking at the property referred to Yeoman Cottage.
- Soft landscaping in the front gardens of both houses.
- 1m high white peg fence along section of the front boundary.

7.0 APPRAISAL

Principle of Development

- 7.01 The site is located within the defined village envelope of Detling where the principle of additional housing is acceptable in accordance with the Local Plan and NPPF. The site is identified as appropriate for minor residential development as set out in Policy H27 and normally, this would be restricted to proposals for one or two houses. There are no policies that seek to retain the current use of the premises and therefore the principle of the development is acceptable. I consider the key issues to be the impact upon the character and appearance of the conservation area and ANOB, the impact upon neighbour amenity, highways safety and parking congestion and impact on trees.

Visual Impact

- 7.02 The application site is located within the Detling Conservation Area and Detling village envelope. The site is also located within the Strategic Gap, ANOB and Special Landscape Area although given that that the site is within the village envelope the principle of additional residential development is accepted and less weight is therefore afforded to rural policies. I consider the key consideration visually is the impact on the character and appearance of the conservation area and streetscape, and the setting of neighbouring listed buildings.
- 7.03 Although largely concealed behind the existing boundary wall fronting onto The Street, the existing stable block on the site is in a dilapidated state, does not constitute a high standard of design and does not enhance or preserve the character of the conservation area. No objections are raised to the demolition of the stable block.
- 7.04 Several neighbours have objected to the demolition of the boundary wall fronting onto The Street, stating that the wall enhances the character of the conservation area and should therefore be retained. There is no mention of the wall in the Detling Conservation Area Plan and the Council conservation officer has raised no objection to the removal of a section the wall along The Street.
- 7.05 The Detling Conservation Area Management Plan finds a number of positive elements which contribute to the special character of the Conservation Area, including:
- The dominant use of a limited palette of largely local building materials.
 - A differing pattern of development on either side of The Street.
 - A predominance of steeply-pitched roofs.
 - A largely residential character.

- 7.06 The Detling Conservation Management Plan is in accordance with the NPPF and advises also that:

'The overriding consideration in dealing with any proposal for development will be whether or not it would either preserve or enhance the special character of the Conservation Area ... The Council will not insist on any particular architectural style for new building works, but the quality of the design and its execution will be paramount'.

- 7.08 The Detling Conservation Area Management Plan also suggests an extension to the designated boundary to include East Court, its grounds and outbuildings. However, since the adoption of the Detling Conservation Area Management Plan the grounds of East Court have been developed and three new houses have been built and approved under planning application 10/0943.
- 7.09 The proposed palette of materials is considered acceptable for this location and would be in accordance with the Detling Conservation Area Management Plan which advises appropriate building materials would include, inter alia, red bricks, clay plain tiles for roofs or hanging tiles, painted timber windows and ragstone boundary walls and picket fences. The conservation officer advises the materials are acceptable and a condition will be attached to ensure a high standard of building materials are used to compliment the conservation area.
- 7.10 The gradient of the application site increases from the west to east and the pair of semi-detached houses would have a stepped ridge line to account for the slope of the site. The houses would be higher than the adjacent terrace row of Nos.1-3 The Street, however the additional height (approx. 1 – 1.5m) would not be a significant increase taking into account the slope in the land, and the gap between the adjacent terrace (approx. 5m) and the barn hipped roof design, would ensure the proposal does not unacceptably dominate these adjacent properties. The pitch of the roofs would also be in accordance with the Detling Conservation Area Management Plan and the scale, height and form of the proposed development would be in keeping with other residential properties within the conservation area.
- 7.11 The off-street parking at the front of the properties is regrettable, however given the constraints of the site and double yellow lines located on The Street, directly to the front of the site this is the only feasible location for parking. The forecourt parking, in my view, would not warrant refusal of the application on its own. In addition, amended plans have been received to include picket front boundary fencing and soft landscaping at the front of the houses which would soften the impact of the development and be in keeping with neighbouring developments. Further, tandem parking is proposed at one of the properties relocating one of the parking spaces to the side of the house and the refuse has been relocated to the side of each house enabling space for landscaping at the front of each house.
- 7.12 Overall the design, scale, layout and palette of material proposed is considered to be in keeping with the character of the conservation area and in accordance with Detling Conservation Area Management Plan.

Residential Amenity

- 7.13 Residential properties directly to the south of the site include 1-3 The Street, with the closest property to the application site No.1 The Street. No.1 The Street benefits from a ground floor lean-to rear / side extension abutting the boundary of the application site. The proposal would project some 1.8m beyond the rear building

line of the ground floor extension at No.1 The Street and some 6m beyond the rear elevation of the main two storey element at No.1 The Street. Given the separation distance between the proposed development and two storey element of No.1, coupled by the orientation of the rear windows at ground level, location of the outdoor private amenity space and open aspect at the rear of No.1, I do not consider that the proposed development would result in an unreasonable loss of outlook or light to this neighbouring property. The proposed drawings also indicate that the development would be in accordance with the BRE guidelines.

- 7.14 The proposal would be located approx. 19m distance from The Stable located to the south east of the site and over 20m distance from the front elevation of Webb Cottage, located to the east of the site. Given these separation distances I do not consider the proposed development would result in an unacceptable loss of amenity to these properties.
- 7.15 Some overlooking would be afforded into the rear garden areas of neighbouring properties, however levels of overlooking would not be significantly worse than current levels of mutual overlooking between neighbouring residential properties in a built up area such as this. Importantly, the proposal would not result in any direct loss of privacy or overlooking into the private amenity areas or habitable rooms of any neighbouring properties due to the separation distances involved and orientation of windows.
- 7.16 The internal room sizes and private outdoor amenity proposed is considered to offer an acceptable standard of living accommodation for future occupants in accordance with the Nationally Described Space Standards.

Highways

- 7.16 The proposal includes two off-street parking spaces for each property in accordance with the councils parking standards. KCC Highways have not raised any objections on parking or highways safety grounds. A condition will be attached to secure cycle parking as part of the development to promote sustainable modes of travel.

Landscaping and ecology

- 7.17 The existing site currently comprises dilapidated stable block and an area land to a maintained lawn. The front of the site between the boundary wall and the road comprise a small section of grass verge. There are no trees on the site.
- 7.18 The proposal includes an element of soft landscaping at the front of the houses which is considered to enhance the character and appearance of the conservation area. A condition will be attached to ensure native species are planted at the front of the site.
- 7.19 The existing site is a managed brown field site and I do not consider that any significantly adverse impact upon biodiversity or nature conservation interests is likely to occur as a result of the development.
- 7.20 There are trees outside the site adjacent the north and northeast boundary of the application site which make a positive contribution to the conservation area. The trees are located a sufficient distance from the proposed houses and would not be significantly affected, and the proposed development would not prejudice the health of the trees. Due to the construction activity and new close boarded fencing

proposed in proximity to the trees I consider it would be appropriate to attach a condition to ensure the trees are suitably protect during any construction works.

Other Matters

- 7.21 The strip of land between the boundary wall and The Street (hatched red on location plan) is unregistered land and forms part of the application site. Ownership Certificate D on the Planning Application form has been completed and the applicant has confirmed they are in the process of applying for a possessory title for this piece of land, stating that they have maintained the land for a long period. The applicant published a notice in The Kent Messenger on 12.05.2015 in relation to Certificate D notifying owners of the land about the planning application and inviting them to make representations. This notification is in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

8.0 CONCLUSION

- 8.01 The proposed development is located within the village envelope of Detling and the principle of sustainable residential development is accepted in accordance with policy H27 of the Local Plan 2000 and the aims and objectives of the NPPF.
- 8.02 It is therefore considered that the development of the site for two dwellings is acceptable and it is recommended planning permission is granted subject to conditions.

9.0 RECOMMENDATION – GRANT Subject to the following 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 hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Nos. 15-106 003 Rev P2; dated 28.07.2015 and 15-106 001 Rev P1 and 15-106 002 Rev P1; received 11.05.2015 and 15-106 002 Rev P2; received 18.06.2015 and Design and Access Statement Revision P1; dated May 2015.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

- (3) The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces have been 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 and interest of ecological enhancement.

- (4) 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.

- (5) 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 on adjoining sites, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management.

The landscape scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment 2012 and shall include details of the repair and retention of existing hedgerows and tree lines within the site;

The landscaping of the site shall be carried out in accordance with the approved details over the period specified;

Reason: To safeguard existing trees and hedges to be retained and ensure a satisfactory external appearance to the development.

- (6) 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.

- (7) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, no further development shall take place on the site without the prior written consent of the Local Planning Authority;

Reason: To ensure the appearance and the character of the building is maintained.

- (8) The development shall not commence until details of a scheme of foul and surface water drainage for the site have been submitted to and approved by the local planning authority. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To ensure adequate drainage arrangements.

- (9) The development shall not commence until, details of cycle storage on the site have been submitted to, and approved in writing by, the Local Planning Authority. The approved facilities shall be provided before the first occupation of the buildings hereby permitted and maintained thereafter.

Reason: In the interests of promoting sustainable travel.

- (10) No development shall take place until details of tree protection, for all retained on-site trees and trees in adjoining properties in proximity to the site boundary, in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the local planning authority. All trees to be retained on site must be protected by barriers and/or ground protection.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

INFORMATIVES

to Applicant: APPROVAL

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering 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 applicant/agent was advised of minor changes required to the application and these were agreed.

The applicant/agent was provided formal pre-application advice.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

Asbestos

Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during works, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Case Officer: Andrew Jolly

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.