

REPORT SUMMARY

REFERENCE NO - 15/507194/FULL		
APPLICATION PROPOSAL Construction of a detached house and a pair of semi-detached houses with associated parking as shown on drawing numbers 2018-100 Rev E; received 4.01.2016 and 2018-103 Rec A and 2018-104 Rev A; received 11.09.2015.		
ADDRESS Land Adj Ulcombe C Of E Primary School The Street Ulcombe Kent ME17 1DU		
RECOMMENDATION Permission		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposed development is located within the village envelope of Ulcombe 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 Ulcombe Parish Council wish to see the application refused and request the application is heard at planning committee.		
WARD Headcorn	PARISH/TOWN COUNCIL Ulcombe	APPLICANT Mr Lee Selling AGENT Ray Rhodes Associates
DECISION DUE DATE 04/11/15	PUBLICITY EXPIRY DATE 04/11/15	OFFICER SITE VISIT DATE 17/09/2015
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): 15/505524/FULL - Divert public right of way – Pending consideration. This application is currently being processed by the council legal department. 15/504762/REM - Approval of Reserved Matters for the erection of two semi-detached houses and one detached house with access road to associated parking and landscaping. (all matters being sought) – Withdrawn by the applicant. The outline planning permission (11/1339) had expired before the reserved matters application was submitted. The applicant was advised to submit a full planning application. 11/1339 - An outline application with all matters reserved for future consideration for a residential development of two semi-detached houses and one detached house with access road to associated parking and landscaping – Permitted under delegated powers. 10/1320 – Outline application for the construction of 4no. two storey semi-detached houses with parking, garages and landscaping with all matters reserved for future consideration – Refused due to overdevelopment of the site. 11/1339 was submitted as a response to overcome the reasons for refusal.		

1.0 BACKGROUND INFORMATION

- 1.1 This item was deferred by Members at Planning Committee on 4 February 2016. Members deferred the item due to concerns over the vehicle access, with particular concerns regarding the relationship with the adjacent school site, child safety and visibility onto The Street. Members also requested that a representative from KCC Highways be present when the application is reconsidered at Planning Committee.

- 1.2 This report acts as an addendum to the original report (attached as an appendix) and addresses highways safety issues, only.

2.0 DESCRIPTION OF SITE

2.1 The application site is located on the west side of The Street within the bounds of Ulcombe village. The site is within the Greensand Ridge Special Landscape Area. The site involves an overgrown disused play area previously associated with Ulcombe Primary school which is located adjacent the site to the south. There are a number of trees on the site; one of which is a TPO Dawn Redwood. Residential properties lie to the north and opposite the site, and farmland to the west.

2.2 In practice Public Right of Way (PROW) KH320 runs along the southern edge of the site, but from the council records and previous applications on this site, the legal route runs diagonally across a section in the western part of the application site. The KCC PROW Officer raises no objection to the development but notes the footpath (in its present location) should be kept free during construction and once the development is complete. It is therefore assumed that the proposed development would not affect the PROW.

3.0 PROPOSAL

3.1 The application proposes the erection of three houses. One detached two storey house is proposed toward the front of the site aligned east/west and a pair of semi-detached two storey houses further back into the site aligned north/south. The houses are a simple cottage style with half hipped roofs, formed of facing bricks, tile hanging, and tiled roofs. Two parking spaces are proposed for each dwelling with the access road running along the southern edge of the site. The development would share the existing vehicle layby/access from The Street with the school, with a separate entrance into the site set back from the road frontage. The proposed vehicle access would incorporate the PROW running east to west..

4.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough-Wide Local Plan 2000: H27, ENV6, ENV26, ENV34, T13
- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

5.0 CONSULTATIONS (Highways only)

5.1 KCC Highways:

5.2 Initial response received on 14 September 2015:

'The proposals will share the existing access to the school, which has no history of injury crashes in at least the latest 10 year period. Sufficient parking is provided, and it is not expected that the proposals will lead to a significant increase in traffic accessing the site. For these reasons I do not wish to raise objection on behalf of the local highway authority subject to the following conditions:

- *Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.*
- *Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.*
- *Provision of measures to prevent the discharge of surface water onto the highway.*

- *Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.*
- *Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.*
- *Provision and maintenance of 2 metres by 2 metres pedestrian visibility splays on both sides of each vehicle parking area, with no obstructions over 0.6m above footway level, prior to the use of the site commencing'.*

5.3 Following the deferral of this item from 4 February 2015 committee meeting KCC were advised of Members concerns regarding the vehicle access and asked to provide further comment on the proposed vehicle access. KCC Highways provided the following additional response on the 25 February 2015:

'I attended a meeting at the school regarding the above with Emma Hickling (head teacher), John Hoadly (chair of Governors), Keith Hollidge (KCC Property) Jared Nehra (KCC Education) and Jenny Whittle. I am emailing to confirm to you that there are no highway grounds on which to sustain an objection to the application for the 3 additional houses on land adjacent to the school.

The safety concern that Emma Hickling had raised was not in respect of the road running past the school, but in relation to the lack of a physical barrier between the school parking and the adjacent driveways shown on the original planning application. I believe Keith Hollidge is writing to you to clarify this detailed matter.

Whilst visiting I took the opportunity to observe road conditions through Ulcombe. The Street has a 30mph limit and is relatively narrow and consequently traffic speeds are low, particularly at school times when the additional on street parking further reduces speeds in the vicinity of the school. There is a school crossing patrol and flashing warning signs to either side. I spoke at length to the school crossing patrol lady who has been helping children cross the road for the past 25 years. She confirmed my observations of vehicle speeds and safety.

The proposed access point from the 3 new houses is an existing access onto The Street and the additional movements generated by the 3 houses will not be significant in terms of creating additional delay or road safety risks. I spoke about this at the meeting and the school representatives and all those present were in agreement with my comments which I said I would forward on to you.

I trust what I have sent you is sufficient additional information to enable MBC to form a view over this application'.

6.0 HIGHWAYS APPRAISAL

- 6.1 The proposal has been reassessed by KCC Highways. KCC have confirmed that there is no sustainable highway safety or parking ground to object to the proposed development.
- 6.2 The existing boundary hedge along the southern boundary of the site and adjacent to the school would be retained, separating the school from the application site.
- 6.3 The proposed vehicle access through the southern side of the site would share the current route of the PROW and the KCC PROW officer has not raised any objections to the proposed development in terms of the impact on the PROW providing the route remains clear during construction. An application is currently with the council legal department to formalise the diversion of the PROW to its current route.

6.3 Overall it is therefore considered that the proposed development would not result in any unacceptable highways safety or parking issues which would warrant refusal of the application.

7.0 CONCLUSION

7.1 The proposed development is located within the village envelope of Ulcombe 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, and there are no overriding material considerations to indicate a refusal.

8.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS to include

- (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) Prior to the commencement of development 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 and hard surfaces 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 building;

Reason: To ensure a satisfactory appearance to the development and to preserve the setting of nearby listed buildings.

- (3) Prior to the commencement of development above damp proof course level, details of the cycle and refuse storage shall be 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: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

- (4) The development shall not commence until details of the proposed slab levels of the building(s) and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site and neighbouring buildings.

- (5) Prior to the commencement of development above damp proof course level, details of all fencing, walling and other boundary treatments shall be 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.

- (6) Prior to the commencement of development above damp proof course level, a scheme of landscaping using indigenous species which shall include indications of all existing trees and hedgerows on the land, 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, shall be submitted to and approved in writing by the Local Planning Authority

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:

- Landscaping adjacent the vehicle access and details of the landscaping along the east and west boundary of the site.
- Retention of the hedge along the southern boundary of 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.

- (7) 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.

- (8) The development shall not commence until details of a scheme of foul and surface water drainage for the site have been submitted to an 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) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities

- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interest of highways safety.

- (10) 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.

- (11) No development shall take place until a method statement detailing the materials and construction of the hard surfaces in accordance with the principles set out in the current edition of BS 5837 and other current best practice guidance, has been submitted to and approved in writing by the local planning authority.

Reason: To protect the RPA of retained trees on the site.

- (12) The development shall not commence until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: To ensure an energy efficient form of development.

- (13) Prior to the commencement of development above damp proof course level, details of the provision and maintenance of 2 metres by 2 metres pedestrian visibility splays on both sides of each vehicle parking area, with no obstructions over 0.6m above footway level, shall be 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: In the interests of highways safety.

- (14) The approved parking spaces 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 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the parking areas indicated or in such a position as to preclude vehicular access to them;

Reason: To ensure adequate parking is provided.

- (15) The development hereby permitted shall be carried out in accordance with the following approved plans:

2018-100 Rev E; received 4.01.2016 and 2018-103 Rev A and 2018-104 Rev A; received 11.09.2015.

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

INFORMATIVES

(1) A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

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:

Amendments were received.

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

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.