

REPORT SUMMARY

REFERENCE NO - 15/509067/FULL			
APPLICATION PROPOSAL Erection of a single dwelling.			
ADDRESS 2 Stone Cottages Maidstone Road Headcorn Kent TN27 9RR			
RECOMMENDATION – PERMIT SUBJECT TO CONDITIONS			
SUMMARY OF REASONS FOR RECOMMENDATION			
<ul style="list-style-type: none"> • The proposal relates to infill development in open countryside, outside the village confines of Headcorn and so it is a departure from the Local Plan. However, paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up to date if the Council cannot demonstrate a five year housing land supply. • Proposal will make contribution to housing supply, albeit a small one. • Will meet personal needs of applicant. • Site is surrounded by built development. • NPPF seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain vitality of rural communities • Although outside village confines, the application site is located within a substantial stretch of ribbon development that is linked to the village of Headcorn by a footpath. • The proposal is well designed and will not harm the character and appearance of the area or the amenities of surrounding occupiers, therefore, it is not considered to raise any conflict with Policy ENV28 of the Local Plan. • Proposal is supported by Parish Council. 			
REASON FOR REFERRAL TO COMMITTEE			
DEPARTURE FROM LOCAL PLAN			
WARD Headcorn	PARISH/TOWN COUNCIL Headcorn	APPLICANT Mrs S Grant AGENT Mr Peter Court	
DECISION DUE DATE 30/12/15	PUBLICITY EXPIRY DATE 30/12/15	OFFICER SITE VISIT DATE Various	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
04/2348	Erection of a detached dwelling at Field View, on land adjacent 1 Stone Cottage.	Approved.	18.03.2005
Summarise Reasons: Approved under infill policy H29 of the Local Plan.			
09/0673	Erection of a detached two storey dwelling on land adjacent to 2 Stone Cottage.	Dismissed at appeal.	17.05.2010
Summarise Reasons: Refused as infill Policy H29 was no longer a saved policy of the Local Plan.			

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The site is located outside the defined village confines of Headcorn in open countryside. It is also within the Low Weald Special Landscape Area and the

proposed Low Weald Landscape of Local Value of the emerging Local Plan. It is part of a stretch of ribbon development of residential properties that runs on both sides of the A274 Maidstone Road. This ribbon development is located approximately 380 metres or 0.24 miles from the defined village boundary. The property is bordered on three sides by residential housing. A large, modern, agricultural building is located to the rear of the site and a nursery site is adjacent to this. Therefore, the site is bordered on all four sides by built development.

2.0 PROPOSAL

- 2.01 The proposal is for the erection of a detached, two storey dwelling. It will have three bedrooms, one of which is on the ground floor with en-suite facilities to allow Mrs. Grant to remain in her own home with relatives to assist her.
- 2.02 The front wall of the proposed dwelling will be constructed of stonework in order to match the existing front elevation of 2 Stone Cottages. The side and rear elevations will be brickwork. The two storey roof will have clay tiles, again to match 2 Stone Cottages. The single storey rear projection will have a slate roof, in keeping with the adjacent 1 Rosemead Gardens.
- 2.03 No. 2 Stone Cottages and 1 Rosemead Gardens have a staggered building line and the proposed dwelling has been sited to sit between them with gaps of 2 metres and 2.8 metres to the side elevations respectively. The proposed rear projection is single storey and will not extend as far as the rear building line of 1 Rosemead Gardens. No first floor windows are proposed in either of the side elevations of the proposed dwelling.
- 2.04 No. 2 Stone Cottages and 1 Rosemead Gardens have a staggered building line and the proposed dwelling has been sited to sit between them with gaps of 2 metres and 2.8 metres to the side elevations respectively. The proposed rear projection is single storey and will not extend as far as the rear building line of 1 Rosemead Gardens. No first floor windows are proposed in either of the side elevations of the proposed dwelling.
- 2.05 The existing parking spaces and turning area for 2 Stone Cottages will be retained. Two parking spaces are proposed on the front of the site for the proposed dwelling and the existing access and turning area will be shared between the two properties. The garden area is to be enclosed by a 1.8 metre high timber closeboarded fence, with a low level fence at the front of the site.

3.0 SUMMARY INFORMATION

	Proposed
Site Area	0.03 Ha
Car parking spaces (inc. disabled)	2
No. of storeys	2
Max height	6.55m
Max eaves height	4.5m
No. of residential units	1
No. of bed spaces	3

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
 National Planning Practice Guidance (NPPG)
 Development Plan: Maidstone Borough-Wide Local Plan, 2000; Maidstone Borough Local Plan Publication (Regulation 19) February 2016
 Supplementary Planning Documents: Draft Headcorn Neighbourhood Plan

5.0 LOCAL REPRESENTATIONS

	COMMENTS RECEIVED	OFFICER RESPONSE
Parish/Town Council	Wish to see the application approved. Development in the curtilage of an existing dwelling, will provide specially adapted home for applicant's needs. Addition of dwelling in an existing gap will not exacerbate current infrastructure issues. It is not development in open countryside and is supported by emerging Neighbourhood Plan.	Parish Council only requested that proposal go to committee if it was to be refused.
Residential Objections	No comments received.	
Number received:	0	
Residential Support	No comments received.	
Number received:	0	

6.0 CONSULTATIONS

Headcorn Aerodrome

6.01 No objection subject to the fact that the applicant's attention is drawn to the fact that the proposed development is close to the Aerodrome and within the area covered by the Safeguarding map.

KCC Highways

6.02 The Highways Officer commented that the access is existing with a good crash record and adequate parking and turning facilities are proposed within the site. The Officer commented that the local highway authority raises no objection to the proposal, subject to the following conditions/informatives:

- *“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 wheel washing facilities prior to the commencement of work on site and for the duration of the construction;*
- *Provision and permanent retention of the vehicle parking and turning facilities shown on the submitted plans prior to the use of the site commencing.*
- *Use of a bound surface for the first 5 metres of the access from the edge of the highway.*

Informative: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly

established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site”.

Environmental Health Officer

6.03 The Environmental Health Officer raises no objections to the proposal, subject to the applicant adhering to the details set out in the Noise Impact Assessment report. No conditions are requested to be imposed. The following informative is suggested:

“As the development involves demolition and/or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected”.

7.0 BACKGROUND PAPERS AND PLANS

7.01 The application comprises the following documents:

- Planning Application Form;
- Planning Statement;
- MRL Acoustics Noise Impact Assessment;
- Drawing No. 1234-01: Existing Plans and Site Location Plan;
- Drawing No. 1234-10: Proposed Floor Plans;
- Drawing No. 1234-11: Proposed Site Layout & Elevations.

8.0 APPRAISAL

8.01 In terms of the details for the proposed dwelling, the siting, design, appearance and layout are considered to be acceptable. The building line for the adjacent properties is staggered and the proposed dwelling is sited between these two properties. The orientation of the plot from east to west will ensure that No. 2 Stone Cottage on the southern boundary will not lose any daylight or sunlight. The set back of No.1 Rosemead further into its plot than the proposed dwelling, will also ensure that this dwelling will not suffer from any loss of sunlight or daylight in its west facing rear garden. The new dwelling will not result in any adverse impact in terms of overlooking or loss of privacy. No side windows are proposed at first floor level and the only window that would have an oblique view of the rear of No.2 Stone Cottage is the front en-suite window at first floor level. However, this is proposed to be obscure glazed and a condition will be imposed to ensure this.

8.02 The design and use of materials reflects No.2 Stone Cottage, with the use of stone and brick, with a clay tiled hipped roof. The single storey element at the rear will be constructed of brick with a slate roof to match the adjacent No.1 Rosemead. Overall, the design of the dwelling is attractive and in keeping with the character and appearance of the surrounding dwellings.

8.03 The existing driveway and access are to be retained. Two parking spaces are proposed for the existing No.2 Stone Cottage and also for the new dwelling, with adequate turning areas retained to allow exiting the driveway in a forward movement. The Highways Officer raised no objection to the proposal, subject to the imposition of various conditions.

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- 8.04 The Noise Impact Assessment that accompanies the proposal confirms that the development would be exposed to moderate levels of road traffic noise. The proposed mitigation scheme has been considered by the EHO to provide sufficient noise attenuation to meet the required internal acoustic criteria. The external noise within the proposed rear garden area has been demonstrated to be well below the upper limit guideline noise value outlined in both BS8233 and the WHO Guidelines due to the effective screening provided by the new dwelling itself. As a result, it is considered that the proposal will not suffer from any adverse noise impact, subject to the proposed development being undertaken in accordance with the approved MRL Acoustics Noise Impact Assessment. A condition has been imposed to this effect.
- 8.05 The application site is bordered on three sides by residential housing, with a large modern agricultural building located to the rear and a nursery site adjacent to this. There is a long stretch of ribbon development along this particular part of Headcorn Road, which the application site is part. The site is very much viewed within the context of the substantial residential development in this location that surrounds the site. As a result, there are no long distance views of the site from the surrounding countryside or the Low Weald SLA (or the Low Weald Local Landscape Area of the emerging Local Plan) and no conflict with Policy ENV34 of the adopted Local Plan or Policy SP17 of the emerging Regulation 19 Local Plan, which seek to protect and conserve these areas of landscape value.
- 8.06 Policy H29 of the Maidstone Borough-Wide Local Plan relates to infill development, but it is not a Saved Policy and so is unable to provide support to the proposal. The planning history for the area indicates that planning permission was granted for an infill dwelling in 2004 on land adjacent to No.1 Stone Cottage and that this permission was implemented. However, planning permission for an infill development on the application site was refused in 2010 at appeal as infill policy H29 was no longer a Saved Policy of the development plan.
- 8.07 The proposal has been advertised as a Departure from the Local Plan due to Policy H29 no longer being a Saved Policy. Since the 2010 appeal decision on the application site, there have been a number of appeal decisions over recent years where Inspectors have given weight to the lack of harm to the surrounding countryside and Special Landscape Area and also assessed the sustainability of the site. One such example is an appeal decision on land adjacent to Fancy Row Cottages and Claymore, Thurnham Lane (reference no. 14/500927). As such, it is considered that infill development can be acceptable in certain circumstances.
- 8.08 Policy ENV28 seeks to ensure that any development in the countryside will not harm the character and appearance of the area or the amenities of surrounding occupiers. It is considered that the proposal will not harm the character and appearance of the area due to its good design, siting and location within an existing stretch of ribbon development. It is also considered that it will not result in any loss of privacy or other adverse impact on the amenities of surrounding occupiers for the reasons set out above. As a result, the proposal is considered to raise no conflict with Policy ENV28 of the Local Plan.
- 8.09 The emerging Regulation 19 Local Plan sets out in Policy SP17 on The Countryside that 'development in the countryside will retain the setting of and separation of individual settlements'. It is considered that the proposal will raise no conflict with this policy due to its siting with an existing and substantial strip of ribbon development.

- 8.10 Since the last 2009 appeal decision for the site, paragraph 49 of the NNPF has also become relevant and states that “relevant policies for the supply of housing should not be considered to be up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”. The Council cannot demonstrate a five year housing land supply and the proposal would provide for a new dwelling, although the proposal would only make a small contribution to the housing supply. This is dealt with in more detail below, as part of ‘Other Matters’.
- 8.11 Paragraph 55 in the Framework seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities. The proposal is located within a substantial stretch of ribbon development that has a single footpath that runs into the nearby village of Headcorn. The village of Headcorn is a large rural settlement with a variety of shops and services and also a railway station. Although the railway station is the other side of Headcorn, the shops and local School are within walking distance. Therefore, the site is in a location where day-to-day journeys would not necessarily be reliant on the use of motor vehicles. It is considered that the proposal is in accordance with paragraphs 55 of the NPPF.
- 8.12 In this instance, there are also personal circumstances to be considered, as the proposal is intended to provide specialist accommodation for the applicant. The proposal includes a ground floor bedroom with en-suite facilities, with the upper bedrooms providing accommodation for her relatives who are proposing to look after her at home.
- 8.13 The Parish Council supports the proposal and wishes to see the application approved. The Parish Council states that it is not development in open countryside and is supported by emerging Neighbourhood Plan. The Consultation Period for Headcorn’s Regulation 16 Neighbourhood Plan has just closed. The Neighbourhood Plan advises that new development in the countryside should reflect existing settlement patterns within the parish, avoiding where possible the use of isolated settings and open countryside and development should be small scale. It is considered that the proposal is small scale and will not extend into the open, undeveloped countryside, being located within an existing area of development (albeit outside the village boundary. Overall, therefore, it is considered to raise no conflict with the Headcorn Neighbourhood Plan.

Other Matters – Housing Land Supply

- 8.14 In terms of other material considerations, the National Planning Policy Framework (NPPF) is a key consideration, particularly with regard to housing land supply. Paragraph 47 of the NPPF states that Councils should;
- ‘identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;’*
- 8.15 The Council has undertaken a Strategic Housing Market Assessment (SHMA) which was completed in January 2014. This work was commissioned jointly with Ashford and Tonbridge and Malling Borough Councils. A key purpose of the SHMA is to

quantify how many new homes are needed in the borough for the 20 year period of the emerging Local Plan (2011 -31). The SHMA (January 2014) found that there is the objectively assessed need (OAN) for some 19, 600 additional new homes over this period which was agreed by Cabinet in January 2014. Following the publication of updated population projections by the Office of National Statistics in May, the three authorities commissioned an addendum to the SHMA. The outcome of this focused update, dated August 2014, is a refined objectively assessed need figure of 18,600 dwellings. This revised figure was agreed by Cabinet in September 2014. Since that date revised household projection figures have been published by the Government and as a result the SHMA has been re-assessed. At the meeting of the Strategic Planning, Sustainability and Transport Committee on 9 June 2015, Councillors agreed a new OAN figure of 18,560 dwellings.

8.16 The new Local Plan has advanced and is out to Regulation 19 publication being the Plan that the Council considers is ready for examination. The Plan is scheduled for submission to the Planning Inspectorate for examination in May 2016, with the examination expected to follow in September. The Plan allocates housing sites considered to be in the most appropriate locations for the Borough to meet the OAN figure, and will enable the Council to demonstrate a 5 year supply of deliverable housing sites when it is submitted to the Inspectorate in May. Clearly the Local Plan is gathering weight as it moves forward, but it is not considered to have sufficient weight to rely solely on to refuse or approve a planning application.

8.17 Notwithstanding this, it remains the case the most recently calculated supply of housing, which assesses extant permissions and expected delivery, is from April 2015. This demonstrates a 3.3 year supply of housing assessed against the OAN of 18,560 dwellings. A desk based review of housing supply undertaken in January 2016 to support the Regulation 19 Local Plan housing trajectory suggests that there remains a clear and significant shortfall of supply against the five year requirements. The Council's five year supply position will be formally reviewed in April/May in order to support the submission of the Local Plan to examination in May. Before the Local Plan is submitted however, the Council will remain unable to demonstrate a 5 year supply of deliverable housing sites.

9.0 CONCLUSION

9.01 In conclusion, it is considered that although there is no longer an infill policy within the Local Plan, the proposal is not in conflict with other policies of the development plan and it is also in accordance with the NPPF. It is considered that the proposal will not cause any adverse impacts on the residential amenities of adjacent properties or on the character and appearance of the area. The site is surrounded by built development, within an existing stretch of ribbon development and the proposal will not be visible from the wider countryside. It will make a contribution to the housing supply, albeit only a small one. It will also meet the personal needs of the applicant, although this would not be sufficient on its own to justify the granting of planning permission, if I did not already consider that the proposal was acceptable.

10.0 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.

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(2) Before the development hereby permitted is first occupied, the following window shall be obscure glazed and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such:

The proposed first floor 'en-suite' window on the front (east) elevation of the approved dwelling.

Reason: To safeguard the privacy of existing and prospective occupiers.

(3) Before the development hereby permitted is first occupied, the vehicle parking and turning facilities shall be implemented as shown on the approved plans and permanently retained thereafter.

Reason: In the interests of highway safety.

(4) Before the development hereby permitted is first occupied, a bound surface shall be provided for the first 5 metres of the access from the edge of the highway.

Reason: In the interests of highway safety.

(5) The proposed development shall be undertaken in accordance with the approved MRL Acoustics Noise Impact Assessment.

Reason: To ensure the quality of the development is maintained and to protect the residential amenity of future occupants.

(6) No building works above ground level shall commence until written details and samples of the materials to be used in the construction of the external surfaces of the buildings and hard surfaces 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.

(7) The development hereby permitted shall be carried out in accordance with the following approved plans;

- Drawing No. 1234-01: Existing Plans and Site Location Plan;
- Drawing No. 1234-10: Proposed Floor Plans;
- Drawing No. 1234-11: Proposed Site Layout & Elevations.

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

(8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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, E, F, G, H shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by existing and prospective occupiers.

INFORMATIVES

- (1) As the development involves demolition and/or construction, the applicant should refer to the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.
- (2) Clearance and burning of rubbish must be carried without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the EHM.
- (3) Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.
- (4) Vehicles may only arrive, depart, be loaded or unloaded within the general site between the hours of 0800 hours and 1900 Mondays to Fridays and 0800 to 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
- (5) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site
- (6) Provision shall be made for construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- (7) Provision shall be made for parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- (8) Provision shall be made of wheel washing facilities prior to the commencement of work on site and for the duration of the construction.
- (9) The applicant should be aware of the proximity of Headcorn Aerodrome and the fact that the application site is within the Safeguarding map

Case Officer: Diane Chaplin

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.