

REPORT SUMMARY

REFERENCE NO - 15/509684/FULL			
APPLICATION PROPOSAL Replacement dwelling and proposed detached garage with office above.			
ADDRESS Yonder Cottage St Faiths Lane Bearsted Kent ME14 4JN			
RECOMMENDATION GRANT PERMISSION subject to planning conditions			
SUMMARY OF REASONS FOR RECOMMENDATION			
<ul style="list-style-type: none"> - There is no objection in principle to a replacement dwelling within this village settlement located within the Maidstone urban area. - The proposal would not result in any significant harm to the St Faiths Lane and Yeomans Lane street scenes or to the character and appearance of the area. - The proposal would not significantly harm the residential amenity of neighbouring occupiers. - The development would be acceptable in highway and parking terms. 			
REASON FOR REFERRAL TO COMMITTEE			
Called in by Cllr Springett in order to enable residents to present their objections and to fully assess the impact on neighbouring amenity, the use of the garage and traffic and safety implications of the development.			
WARD Bearsted	PARISH/TOWN Bearsted	COUNCIL	APPLICANT Mr And Mrs Matt And Lucy Palmer AGENT Mr Paul Fowler
DECISION DUE DATE 12/01/16	PUBLICITY EXPIRY DATE 09/02/16	OFFICER SITE VISIT DATE 02/12/15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
No recent planning history			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 St Faith's Lane is a quiet no-through road in the centre of Bearsted, running parallel to Yeoman's Lane. The plot area in question is approximately 0.16ha in total. The site currently has a brick built bungalow set back from St Faith's Lane by approximately 30m, at an elevated position. To the rear, the bungalow is approximately 47m from Yeoman's Lane and the plot slopes down towards the road with a tree-lined boundary.
- 1.2 The front of the house has a tarmac drive with space for at least 4 cars. It also has a separate garage building to the right of the bungalow. Adjacent to the road, at the front of the plot, is an area of low level planting. This is overlooked by the adjacent property, Westways, a large 2 storey detached house to the north, which is approximately 11m from the boundary and set nearly 20m closer to the road than Yonder Cottage. Downs View is directly adjacent to Yonder Cottage to the south and is located approximately 2.5m from the boundary. This building is set approximately 9m in front of Yonder Cottage and is a chalet bungalow with white painted brick elevations.

1.3 The surrounding area is residential in character but the building scale is varied along the road with a mix of chalet bungalows and two storey houses. The design is equally varied with some properties built to the local vernacular of tile hung elevations and others being much more modern, particularly at St Faith's Court to the north east.

1.4 The existing bungalow on the application site has an approximate ridge height of 5.2m, but is barely visible from the road due to its low height and the steep boundary at the entrance. There is very little vehicular traffic along the road itself due to lack of connectivity.

2.0 PROPOSAL

2.1 The proposal is for the demolition of the existing single storey bungalow and garage and replacement with a 2-storey dwelling (with accommodation in the roof) and a new detached garage the front of the site with an office in the roofspace.

2.2 The dwelling would be double fronted, with a large extent of glazing in the front and rear elevations. A balcony would be created at roof level, this would be set into the roof with a glazed balustrade and bi-fold doors leading from the second floor accommodation.

2.3 The proposal would result in the extension to the existing driveway.

2.4 The new garage would be set into existing ground levels by between 0.5-1m. It would have a footprint of approximately 10.9m in width and 7.1m in depth (including external staircase and log store). It would have a pitched barn hipped roof with an approximate eaves height of 2.3m and a maximum height of 6.4m (taking Ameasurement to the front of the garages). There would be three rooflights in the south-east facing building elevation, facing towards the dwelling itself.

2.5 Additional planting would be provided along the front boundary.

3.0 SUMMARY INFORMATION

	Existing	Original Proposal	Amended scheme	Change Existing compared to amended scheme(+/-)
Car parking spaces	5	7	7	+2
No. of storeys	Single storey	2 storey (with accommodation in the roof)	2 storey (with accommodation in the roof)	+ 1 storey
Max height (measurement taken at front of property)	5.4m	10.7m	8.9m	+3.5m
Max eaves height (measurement taken at front of property)	2.5m	5.2m	5.2m	+2.7m
Max width (measurement taken at front of property)	16.4m	14.9m (excluding chimney)	14.9m (excluding chimney)	-1.5m
Max depth (measurement taken at front of property)	11.7m	16m (including single storey rear projection)	16m (including single storey rear projection)	+4.7m
No. of residential units	1	1	1	No change
No. of bedrooms	2	4	4	+2

4.0 PLANNING CONSTRAINTS

Within the settlement boundary of Bearsted and within the Maidstone urban area

St Faiths Lane is a Public Right of Way

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Development Plan:
Maidstone Borough-Wide Local Plan 2000
Policy H18: Extensions to Residential Properties
Policy T13: Parking Standards

Supplementary Planning Documents:
Residential Extensions SPD

Other documents:
Kent Design Guide Review: Interim Guidance Note 3 : Residential Parking

6.0 LOCAL REPRESENTATIONS

6.01 Bearsted Parish Council

Original consultation : Recommend refusal

- The proposed application is an overdevelopment for the site.

Re-consultation: No comments received

6.02 Adjoining neighbours were notified of the application as originally submitted and notified again on receipt of amended plans. A site notice was also put up at the site. 4 objections have been received in response to the original consultation (including two sets of objections that have been received from two households, total of 6 letters) these are summarised as follows:

- Concerns regarding the office operating as a business.
- Impact on St Faiths Lane (privately owned)
- Discrepancies between plans and difficult to understand
- 50% of height of the building would consist of the 3rd Floor
- Dwelling would be significantly higher than the existing dwelling and neighbouring properties
- Property would be visible to large section of the village
- Significant amount of parking to be provided
- St Faiths lane is used as an access route

5 further letters have been received following re-consultation, and in summary add the following:

- There is no material change to the scheme and continue to object
- Reference is made to applications recently refused in the area
- Increase in traffic
- Concerns that a business would operate from the property
- Impact on residential amenity

- 6.03 A letter has been received from the Bearsted and Thurnham Society concurring that they agree with the objections raised by residents.

7.0 CONSULTATIONS

- 7.01 No other consultees

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 Application form
Design and Access and Planning Statement
Site Location Plan
Existing Site Plan
Existing Elevations
Existing Elevation and Floor Plan
Drg No. 15/615/02A (Proposed Plans & Elevations Replacement Dwelling)
Drg No. 15/615/03 (Proposed Plans & Elevations Garage)

9.0 APPRAISAL

Principle of development

- 9.01 The site falls within the urban area of Maidstone and therefore unlike sites found in the countryside there are no specific policies in the Local Plan that relate to the rebuilding of existing dwellings. The principle of a replacement dwelling in this location is considered acceptable subject to all other material considerations being satisfactory.
- 9.02 The main considerations are:
- The appearance of the streetscene and the character of the area.
 - The amenities of neighbouring residential occupiers and amenities of future occupiers.
 - Highways considerations

The appearance of the streetscene and the character of the area

- 9.03 Paragraph 17 of the NPPF sets out core planning principles, which include the following: *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'*

Paragraph 56 sets out that: *'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'*

Paragraph 57 continues: *'It is important to plan positively for achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.'*

Paragraph 58 includes that planning policies and decisions should aim to ensure that developments: *'Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit ; Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; Are visually attractive as a result of good architecture and appropriate landscaping.'*

Paragraph 64 set out that: *'Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.'*

Policy H18 of the Local Plan relates principally to extensions to residential properties. Whilst the proposed scheme would be for a replacement dwelling, as the proposal effectively relates to the enlargement of the dwelling it is considered that a number of the points in the policy are pertinent. The policy states that proposals should be: *'Of a scale and design which does not overwhelm or destroy the character of the original property; and 'will complement the street scene and adjacent existing buildings and the character of the area.'*

- 9.04 There are no landscape designations associated with the site. The site is outside any conservation area, and there are no listed buildings in close proximity. The site is within the settlement boundary of Bearsted and in a sustainable location in the Maidstone urban area.

Replacement dwelling

- 9.05 With the size of the application site and the size of other properties on the road, it is considered that the principle of a larger building on the site is acceptable. It is highlighted that whilst the proposal would see the footprint of the building increase in size, there would be an overall decrease in the width of the dwelling. It is considered that the main issues relate to the design of the dwelling and whether the increase in height and bulk would be acceptable.
- 9.06 Firstly turning to design, it is noted that elements of vernacular architecture have been incorporated into the proposals; particularly the hung tiles and the local brick. As this road is already varied in its design, there is no one particular style that present would need to be recreated and it is considered that the principle of the overall design concept is appropriate.
- 9.07 The replacement dwelling would have an increased height to enable accommodation to be provided on three floors. In seeking to reduce the overall height the new dwelling would be set into the existing ground level by approximately 0.5m to the front of the property (reducing with the existing ground levels which fall rearwards). The scheme has been amended to lower the overall ridge height by approximately 1.8m.
- 9.08 The consequence of the lowered height and the retention of the original footprint is that a section of flat roof would be provided to the centre of the proposed main roof. The flat roof section is considered acceptable in this instance as it would be obscured from view by the set back from the front elevation, with the proposed projecting two storey elements to the front providing the greater visual focus to the front elevation.
- 9.09 On plan the front elevation of the proposed building would remain behind the front elevation of neighbouring properties. The applicant has also provided a proposed streetscene drawing that shows the height of the proposed building in comparison with the two neighbouring properties. The streetscene drawing shows that height of the building is appropriate for this location. Whilst the building is slightly higher than the building at Downs View the proposed building will be lower than the second adjoining building called Westways. In this context it is considered that the height of the building provides a transition between the buildings and is in keeping with the local area and with the streetscene.

9.10 When compared to St Faiths Road, Yeoman's Lane, to the rear of the property is a much more heavily used road, however due to the tree lined rear boundary and the gradient of the site it is considered that views from the rear would be limited. This is especially the case as the distance from the rear elevation to this boundary would remain largely unchanged from the existing property.

9.11 Concerns have been raised by the Parish Council and local residents that the proposed scheme would represent an overdevelopment of the application site. As outlined above the overall footprint of the proposed replacement dwelling is considered acceptable, the site represents a large plot and the proposed building is considered an appropriate scale for the size of the plot. It is considered that the cumulative size of the new house and garage is acceptable and the application site could accommodate this level of development without compromising the contribution the site makes to the character of the street scene and the overall context of the site.

Garage/office building

9.12 The Council's Residential Extensions SPD advises that in order to protect the street scene outbuildings should not normally be located in front of the building line. Whilst in this case the outbuilding is in front of the proposed house, with the staggered layout of neighbouring buildings the garage will still be located behind the front elevation of the neighbouring property at Westways. With the nature and layout of the site, the limited volume of traffic and the site levels, it is considered that the location of the proposed garage would be acceptable.

9.13 An outline landscaping plan has been provided which shows additional planting along the front boundary, this new planting coupled with existing planting would significantly screen the garage building from the road. It is recommended that further details of this landscaping be requested through a planning condition.

Overall

9.14 The application proposal relates to the replacement of a single dwellinghouse, with another single dwelling. There will be no increase in density on the site. Whilst the proposed dwelling and garage would be larger in overall scale than the existing bungalow, this is considered acceptable due to the modest nature of the existing dwelling and the scale of adjacent properties. The street scene has some existing variation in building design, size and appearance and the proposed building will add to this existing local character.

9.15 It has been demonstrated that further landscaping could be provided to enhance the site (especially fronting St Faiths Lane). The ground levels would be re-graded to allow the dwelling and garage to be set into the site. It is considered that these level changes can be accommodated without the need for significant retaining structures and in a manner that would be in keeping with the surrounding street scene.

9.16 Overall it is considered that the proposed replacement dwelling would be acceptable in terms of design and visual amenity and in relation to the impact on the street scene.

Amenities of neighbouring residential occupiers and amenities of future occupiers.

9.17 The nearest neighbouring properties are to the north-east and south-west of the application site. Other neighbouring properties are considered a significant distance

from the application site such that they would be unaffected by the proposed development.

- 9.18 Westways to the north of the application site is an existing detached two storey dwelling, sited to the northern corner of a large curtilage. This neighbouring building is sited further forward towards the site frontage than Yonder Cottage on the application site. The siting of the replacement dwelling would be closer to the neighbouring boundary; however a 2m separation distance would be maintained. The new dwelling includes side elevation windows facing towards Westways. The first floor side windows would be obscure glazed (and could be conditioned as such). It is considered that the new dwelling is acceptable in relation to residential amenity.
- 9.19 The proposed garage is sited approximately in line with the existing neighbouring building at Westways with approximately one metre separation from the boundary at the closest point. This boundary would be planted with a replacement hedge as part of the proposal. Due to the orientation of the garage, the side elevation of this building would face towards Westways. With the barn-hipped roof sloping away from the boundary it is considered that the proposed garage would be acceptable in terms of neighbour amenity.
- 9.20 Downs View is an existing chalet bungalow located to the south of the application site. The property benefits from a large footprint and curtilage. The dwelling is sited with a greater gap to the front of the property than the rear, and a minimum distance of 2m maintained between this property and the boundary with the application site. There are existing windows to the side elevation facing towards the application site, most notably a large picture window serving a dining room. The replacement dwelling would be sited 3.4m from the boundary with Downs View and located to the side of this adjacent dwelling.
- 9.21 After considering the orientation of the buildings, the relationship of the two sites (Yonder Cottage is to the north of Downs View), the separation distance from boundaries and the varied roof heights of the replacement dwelling it is considered that the proposal is acceptable in relation to the impact on the neighbours amenity. Particular concern has been raised by the neighbour regarding the impact on the side window of Downs View. The replacement dwelling would have an impact, however due to the window being recessed and the orientation of the site, light to this room is currently restricted and the proposed dwelling would not significantly cause additional loss of light or outlook due to the orientation, separation distance, boundary hedge and roof design.
- 9.22 The rear elevation of the proposed building would have a substantial amount of glazing with bi-fold doors and a glazed conservatory at ground floor, two sets of patio style doors at first floor (with Juliet balconies) and bi-fold doors at roof level serving an external, recessed balcony. A representation received from a neighbour has raised concerns regarding the impact of these windows in terms of overlooking and loss of privacy.
- 9.23 The quantity of glazing that is proposed is not uncommon on a house of this type and style which has a traditional design with a pitched roof and is less than that which is commonly provided in a more contemporary design. The front and rear elevations of the new building are orientated to the front and rear of the site to match neighbouring properties and the windows at first floor to the side elevation are fitted with obscured glass. The window openings to the rear elevation and recessed design at roof level would restrict views to the side.

- 9.24 The bi-fold doors at roof level would be set into the existing roof, set back from the eaves by approximately 3.2m, thus limiting the impact of this set of doors. The balcony itself would give rise to greater overlooking from a higher level, A planning condition is recommended requesting the submission details of further screening of the external area at roof level and to ensure that the flat roof at first floor level is not used as an external amenity space.
- 9.25 The development would provide an acceptable standard of accommodation for future occupiers. Overall it is considered that the proposed replacement dwelling would not cause significant harm to neighbouring residential amenity such that the application should be refused.

Highways considerations

- 9.26 Policy T13 of the Local Plan outlines that proposals should accord with adopted parking standards. These parking standards are contained in the Interim Guidance Note 3: Residential Parking. This sets out that in village locations for 4 bedroomed properties a minimum standard of 2 parking spaces shall be provided, it should be noted that garages are excluded from this provision.
- 9.27 The application site currently benefits from a large hardstanding area to the front of the property, accommodating parking for approximately 5 cars (as stated on the application form) and currently has an overprovision of parking from that set out in the guidance note for 2 bedroomed dwellings (set as a minimum of 1.5 spaces).
- 9.28 The driveway would be extended as part of the proposal to allow access to the proposed garage, however this extension would not in itself allow for a significant increase in parking provision. The existing garage would be replaced by a double garage, equating to a net increase of only one garage.
- 9.29 A local representation is highlighted regarding the increase in parking provision. In response it is considered that the increase is proportionate to the size of the replacement dwelling and would not significantly increase the existing parking provision.
- 9.30 The proposed access would re-use the existing access onto St Faiths Lane and is considered acceptable. There would remain adequate space in front of the property for vehicle parking and turning. The proposal would not result in significantly more vehicle movements in or out of the property, and therefore it is not considered that objection could be raised on highways ground.

Other issues

- 9.31 A representation that has been received raised concerns regarding the potential use of the home office above the garage for business use.
- 9.32 It is confirmed that the application does not propose any business or non residential use. The application relates to a replacement dwelling and does not include any alternative use. The annotation on the submitted drawing indicates that space would be used for an office in connection with the residential use.

10.0 CONCLUSION

10.01 The principle of the replacement dwelling is acceptable and the proposed design and appearance of the building would not harm the character or context of the site. The replacement dwelling subject to planning conditions will not cause harm to neighbouring amenity. It is considered that the proposed replacement dwelling would be in accordance with current policy and guidance.

11.0 RECOMMENDATION – GRANT PERMISSION Subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements 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:

Drg No. 15/615/02A (Proposed Plans & Elevations Replacement Dwelling)
Drg No. 15/615/03 (Proposed Plans & Elevations Garage)

Reason: To clarify which plans have been approved.

(3) Prior to any works 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 submitted details and samples of the external facing materials shall include details of bird and/or bat bricks incorporated into the eaves of the proposed dwelling.

Reason : To ensure a satisfactory appearance to the development and interest of ecological enhancement.

(4) Before the first occupation of the building hereby permitted the first floor windows in the side (north-east and south-west facing) elevations; shall be fitted with glass that has been obscured to Pilkington level 3 or higher (or equivalent) and shall be non-opening up to a maximum height of 1.7m above internal floor level. Both the obscured glazing and the non-opening design shall be an integral part of the manufacturing process and not a modification or addition made at a later time. The windows shall thereafter be retained as such.

Reason: In the interests of protecting the residential amenities of adjacent dwellings

(5) The area shown on drg No. 15/615/02A as vehicle parking space, garages and turning shall be provided, surfaced and drained before occupation and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

- (6) The detached garage hereby permitted and shown on Drg No. 15/615/03 shall solely be used for purposes ancillary to the residential use of Yonder Cottage.

Reason: To prevent the use of the space for commercial or business operations.

- (7) Prior to commencement of development full surveyed details of existing and proposed levels shall be submitted to and approved by the Local Planning Authority. These details shall include sections, details of retaining walls/structures and finish floor levels.

Reason: Details are required prior to commencement to ensure that the development is constructed at the correct levels and to ensure a satisfactory appearance of the completed development and ensure the development is constructed in accordance with the lowered levels shown on the submitted plans.

- (8) Prior to any works 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:

- The enhancement of planting along the boundary fronting St Faiths Lane, in particular the northern corner of the site.
- Details of tree, shrub and hedge planting along the front northern and southern boundaries.

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.

- (9) 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.

- (10) Prior to first occupation of the dwelling hereby permitted screening of the roof terrace shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The approved screening shall be retained for the lifetime of the development.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties.

- (11) Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties.

- (12) Prior to the commencement of development a working method statement shall have been submitted to and approved in writing by the Local Planning Authority to accommodate:

- (i) Parking of vehicles of site workers and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of construction plant and materials;

(iv) Wheel cleaning facilities
(v) Control of dust, smell and other effluvia;
(vi) Control of surface water run-off.
No development shall be carried out except in full accordance with the approved method statement.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area. This information is required prior to commencement as any construction work has the potential to cause the nuisance that this condition seeks to limit.

INFORMATIVES

- (1) Your attention is drawn to the following working practices which should be met in carrying out the development:
- Your attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228: 2009 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition: if necessary you should contact the Council's environmental health department regarding noise control requirements.
 - Clearance and burning of existing woodland or rubbish must be carried without nuisance from smoke etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Council's environmental health department.
 - It is recommended that plant and machinery used for demolition and construction should 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.
 - It is recommended that vehicles in connection with the construction of the development should 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.
 - The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside the normal working hours is advisable. Where possible, the developer shall provide residents with a

name of a person and maintain dedicated telephone number to deal with any noise complaints or queries about the work.

- It is recommended that the developer produces a Site Waste Management Plan in order to reduce the volumes of waste produced, increase recycling potential and divert materials from landfill. This best practice has been demonstrated to both increase the sustainability of a project and maximise profits by reducing the cost of waste disposal.
- The applicant is advised of separate legislation in relation to the removal of asbestos. The legislation requires adequate and suitable measures to be in place for the minimisation of asbestos fibres during demolition, 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.

If relevant, the applicant must consult the Environmental Health Manager regarding an Environmental Permit under the Environmental Protection Act 1990.

Case Officer: Rachael Elliott

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.