

**REPORT SUMMARY**

<b>REFERENCE NO - 18/502510/FULL</b>		
<b>APPLICATION PROPOSAL - Erection of detached house &amp; creation of new driveway</b>		
<b>ADDRESS - 11 Iden Crescent Staplehurst Tonbridge Kent TN12 0NX</b>		
<b>RECOMMENDATION - APPROVE</b>		
<b>SUMMARY OF REASON FOR RECOMMENDATION</b> It is considered that the proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> - Councillor Brice wishes to see application reported to Planning Committee		
<b>WARD</b> Staplehurst	<b>PARISH COUNCIL</b> Staplehurst	<b>APPLICANT</b> Mr L Beeken <b>AGENT</b> Kent Design Studio Ltd
<b>DECISION DUE DATE</b> 30/07/18	<b>PUBLICITY EXPIRY DATE</b> 28/06/18	<b>OFFICER SITE VISIT DATE</b> 07/06/18
<b>RELEVANT PLANNING HISTORY:</b>		

- 15/506353 - Removal of sustainable homes code on MA/12/1776 - Approved
- 15/506262 - Details for condition 2 (materials) of MA/12/1776 – Approved
- MA/12/2041 - 2 storey side extension (renewal of MA/09/2036) - Approved
- MA/12/1776 - 2 storey dwelling (adjoining 11 Iden Crescent) - Approved
- MA/09/2036 - 2 storey side extension – Approved
- MA/07/1627 - 2 storey attached dwelling – Refused (11/10/07)

*Reason: The development, by virtue of its scale, location and encroachment towards the boundary with the road would have an adverse impact on the character and appearance of the streetscene and result in a loss of a visual gap on this corner plot.)*

**1.0 SITE DESCRIPTION**

1.01 11 Iden Crescent is a semi-detached house located on a corner plot, some 85m to the east of the junction with Hanmer Way. The site currently benefits from off-street parking to the rear. The surrounding area is predominantly a mixture of 2-storey and bungalow type properties; and for the purposes of the Local Plan the proposal site is within the defined village boundary of Staplehurst.

**2.0 PROPOSAL**

2.01 The proposal is for the erection of a detached (2-bed) house and for the creation of a driveway for 11 Iden Crescent. The proposed dwelling would reflect the height and external appearance of 11 Iden Crescent; and would be set back from this property’s front elevation. The proposal would see the creation of a driveway to the front of 11 Iden Crescent, with the new dwelling retaining the parking area to the rear.

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2.02 A dwelling was approved on the site under MA/12/1776. This permission is no longer extant and the proposal saw the new dwelling attached to 11 Iden Crescent. Under MA/07/1627, a new dwelling was refused on this site because of its unacceptable impact upon the character and appearance of the streetscene. Both applications were determined prior to the adoption of the Local Plan and are not of the same design as what is now presented.

**3.0 POLICY AND OTHER CONSIDERATIONS**

- Local Plan (2017): SS1, SP5, SP10, DM1, DM11, DM23
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Staplehurst Neighbourhood Plan (2016-2031)

**4.0 LOCAL REPRESENTATIONS**

4.01 **Local Residents:** No representations have been received.

**5.0 CONSULTATIONS**

5.01 **Councillor Brice:** Wishes for application to be reported to Planning Committee if recommendation is for approval;

*"I have concerns about the size of this property given the space available. It is also being planned to face the same way as the adjacent property, but I am concerned this means the rear of the property will overlook the properties at the rear, that face the road. I am also concerned that squeezing another property in will also change the outlook of this residential crescent."*

5.02 **Staplehurst Parish Council:** Recommend application for approval subject to provision of 2 parking spaces (with permeable surfacing). The Parish does not request the application to be referred to Planning Committee.

5.03 **KCC Highways:** Raise no objection.

**APPRAISAL**

**Main issues**

6.01 The principal focus for residential development in the borough is the urban area, then rural service centres and then larger villages (sustainability hierarchy Local Plan policy SS1), provided new development accords with other policies in the Local Plan. Staplehurst is a Rural Service Centre in the Maidstone Local Plan, which is considered to be the second most sustainable settlement in the hierarchy to accommodate growth; and policies SP5 and SP10 do allow for minor residential development. The relevant policies in the Local Plan (as listed above) also seek to ensure proposals will not result in harm to the character and appearance of the area, and that the amenities of occupiers of neighbouring properties is respected. The adopted Staplehurst Neighbourhood Plan is also part of the Development Plan.

6.02 This report will set out and consider the visual and residential amenity impacts of the proposal, and then will go on to consider other relevant planning matters.

### **Visual impact**

- 6.03 The proposal site occupies a corner plot location, and the new house would erode some of the openness of the site. However, the proposal would still see a minimum of a 4m gap maintained from the side flank of the house with the highway (extending to some 6m); its siting would follow the staggered building lines of those properties to the north and west of the site; its detached appearance would prevent the appearance of terracing in an area that is predominantly characterised by semi-detached properties; the cladding and flank window at first floor level would add visual relief; and its overall scale, design and appearance is in keeping with the surrounding houses. Furthermore, the proposal would see the existing close boarded fencing removed in part to create a more open frontage for the house, and then in part set back to allow for planting in between the fencing and pavement.
- 6.04 Furthermore, the gap this proposal would retain to the eastern boundary is not too dissimilar to other corner plots in the area (notably 66 Iden Crescent); and 27 Iden Crescent has recently had approved (under 17/502242) a first floor side extension that would leave less of a gap than what is proposed under this proposal. This proposal's design is different to the dwelling refused under application MA/07/1627, as this was a wider property that would have jarred with the overall pattern and grain of development in the area, creating a bulky terrace of housing.
- 6.05 No objection is raised to the visual impact of the new driveway for 11 Iden Crescent. With the above considered, the proposal would not appear as over development of the site; it would not appear out of context with the overall pattern and grain of development in the immediate area; and it would reflect the character and appearance of its neighbouring properties.

### **Residential amenity**

- 6.06 The proposed house would be more than 11m from the southern boundary of 13 Iden Crescent, and also set forward of this property's front elevation. This situation is no more harmful to the amenity of this neighbouring property when compared to the existing situation. The proposal would project beyond the rear elevation of 11 Iden Crescent, and at 2-storey it would cause loss of light to the closest ground floor opening (kitchen/dining area). However, as the ground floor of this neighbouring property is open plan, this area would also receive light through the rear patio doors and conservatory (which is largely glazed), and the largely glazed side door. No objection is therefore raised in terms of loss of light. Given the length of the garden for 11 Iden Crescent, it is also considered that the proposal would not appear overbearing when this neighbour is enjoying their garden. The living conditions (both internally and externally) for future occupants of the proposal are also considered to be acceptable. For the reasons given above, the proposal will not have an adverse impact upon the amenity of any local resident (including the proposed dwelling), in terms of loss of privacy, light, or being overbearing.

### **Other considerations**

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6.07 The proposal would see both the new dwelling and 11 Iden Crescent have 2 off-street parking spaces, and this provision laid out the way it is, is considered acceptable for this location. The Highways Authority has raised no objection to the proposal and so no objection is raised to a new dwelling here in terms of highway safety.

6.08 In accordance with Local Plan policy, in the interests of sustainability and air quality, conditions will also be imposed for the provision of operational electric vehicle charging points for low-emission plug-in vehicles, and for details of decentralised and renewable or low-carbon sources of energy.

6.09 Given the scale, nature and location of the proposal, no objection is raised in terms of noise; land contamination; or flood risk. Foul sewage will be via mains sewer and surface water discharge will be via soakaway, and no objection is raised to this.

**7.0 CONCLUSION**

7.01 It is considered that the proposal would not be adversely harmful to the character and appearance of the area hereabouts; and it would not have an unacceptable impact upon the amenity of neighbouring properties. It is therefore considered that the proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval of the application is made on this basis.

**8.0 RECOMMENDATION – APPROVE subject to 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) Prior to commencement of development above damp-proof course (DPC) level, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces (to include permeable surfacing) shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development.

(3) The development hereby approved shall be carried out in accordance with the boundary details as shown on drawing 2085-02A (received 11/07/18), with the close boarded fencing being no more than 2m in height, and shall be maintained as such thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

(4) In accordance with drawing 2085-02A (received 11/07/18) and prior to commencement of development above damp-proof course (DPC) level, details of a scheme of landscaping using indigenous species, together with a programme for the approved scheme's implementation and long term

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management, shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment 2012. The landscaping of the site shall be carried out in accordance with the approved details over the period specified;

Reason: To ensure a satisfactory appearance to the development.

- (5) The approved landscaping shall be in place at the end of the first planting and seeding season following first occupation of the dwelling. Any trees or plants, which, within a period of 5 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;

Reason: To ensure a satisfactory appearance to the development.

- (6) Prior to commencement of development above damp-proof course (DPC) level, details for a scheme for the enhancement of biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the design and appearance of the extension by means such as swift bricks, bat tube or bricks. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

- (7) Prior to the commencement of development, details of decentralised and renewable or low-carbon sources of energy to be used as part of the approved development shall be submitted to and approved in writing by the Local Planning Authority including details of how they will be incorporated into the development. The approved measures shall be in place before first occupation of the development hereby approved and maintained as such at all times thereafter;

Reason: To secure an energy efficient and sustainable form of development. Details are required prior to commencement of development to ensure that the widest range of options are available (i.e. ground source heat pumps).

- (8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension to the property shall be carried out without the permission of the Local Planning Authority;

Reason: To ensure a satisfactory appearance to the development and in the interests of residential amenity.

- (9) Prior to the first occupation of the building hereby permitted, a minimum of one operational electric vehicle charging point for low-emission plug-in vehicles shall be installed on the site and shall thereafter be retained and maintained for that purpose;

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Reason: To promote reduction of CO<sup>2</sup> emissions through use of low emissions vehicles.

- (10) The development hereby permitted shall be carried out in accordance with the following plans: 2085-01 received 09/05/18 and 2085-02A received 11/07/18;

Reason: To ensure a satisfactory appearance to the development and in the interests of residential amenity.

**INFORMATIVES:**

- (1) 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. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at:  
<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>.

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

Case Officer Kathryn Altieri