

REFERENCE NO - 19/503527/OUT		
APPLICATION PROPOSAL Outline application for demolition of existing chalet bungalow, detached garage and shed. Erection of 4no. dwellings with creation of new access and associated parking. Matters relating to access, layout, appearance, landscaping and scale reserved for future consideration.		
ADDRESS Penryn Station Road Staplehurst Tonbridge Kent TN12 0PY		
RECOMMENDATION GRANT OUTLINE PLANNING PERMISSION subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal entails redevelopment of a site within the built up area boundary which is a sustainable location and as set in the Local Plan the focus for new development. There is sufficient space on site to accommodate the proposed development and its parking demands. The proposal would not give rise to any unacceptable impacts upon the character or appearance of the local area, residential amenity or highway safety.		
REASON FOR REFERRAL TO COMMITTEE Staplehurst Parish Council has requested the application is reported to the Planning Committee if the case officer is minded to approve.		
WARD Staplehurst	PARISH/TOWN COUNCIL Staplehurst	APPLICANT Mrs Sterba AGENT DHA Planning
TARGET DECISION DATE 06/12/19		PUBLICITY EXPIRY DATE 19/11/19

Relevant Planning History

- 75/0755 Outline application for 2 detached bungalows and garages and additional joint access Refused. Decision Date: 02.09.1975
- 64/0320/MK3 Dwelling with access. Refused. Decision Date: 20.08.1964

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site comprises a large detached bungalow, a single detached garage and shed set on a substantial verdant plot fronting Station Road. The site lies within the built confines of Staplehurst a designated Rural Service Centre in the adopted Local Plan (2017).
- 1.02 The properties in Station Road are generally set on relatively ample plots and largely set back from the road frontage behind front gardens. It is readily apparent the dwelling on the application site has a more generous plot than the other properties in Station Road, which contributes to the spacious residential character of the area. The front boundary of the site is defined by a low hedgerow planting and the front garden is laid to lawn.
- 1.03 The general streetscape consists predominantly of two-storey detached and semi-detached Victorian properties, which are relatively uniform in scale and appearance, but with some variations in dwelling design. Most of the properties on both sides of road have long rear gardens, containing a verdant landscape of mature trees and hedges, which is visible in the gaps between the dwellings. It is

also evident from the streetscape front gardens of some of the properties in the street have been transformed into hardstanding for parking.

- 1.04 Abutting the site to the north is a pair of two storey semi-detached residential property, whilst to the south there is a large detached dwelling and ancillary detached garage. The sites western boundary adjoins the much shorter rear gardens of the row of the semi-detached properties fronting Corner Farm Road.
- 1.05 Access to the single detached garage at the site from the A229 (Station Road) is gained via a short driveway in the south eastern corner of the site. There is a separate pedestrian entrance which leads to the front of the bungalow.

2. PROPOSAL

- 2.01 The application is in outline form with all matters including scale, access, layout, appearance and landscaping reserved for future consideration. It involves demolishing of the existing detached bungalow, detached garage and shed at the site, to be replaced by four semi-detached properties.
- 2.02 In demonstrating the site is capable of accommodating the scale of development, proposed, the submission is accompanied by an indicative proposed site layout plan, sectional and street scene elevational details showing how the proposed dwellings might be accommodated on site.
- 2.03 The proposed scheme has been subject to pre-application discussions with Planning Officers to arrive at the scheme which is now before Members.
- 2.04 The development is of traditional design, set back from the road frontage by approximately 14 metres. The principal elevations of the proposed pairs of semi-detached houses would front Station Road and follow the building line of the existing neighbouring dwellings to the north and south of the site.
- 2.05 The indicative site layout plan shows an acceptable spacing of between 5 and 10 metres is maintained between the proposed dwellings and existing houses to the north and south of the site. The combination of these elements, seen from the road frontage, would not create a visually cramped development.
- 2.06 The buildings are shown to have projecting front gables, bay windows and hipped end roof which are a common feature of the local architecture. They would be just under 8 metres above ground level, with eaves at 5 metres. Each pair of semi-detached properties is indicated to have a combined width of 13 metres and their depths would be approximately 14 metres. The palette of materials are shown to include Red stock facing brick and white render for external walls, and slate roof tiles which are a feature in the streetscape.
- 2.07 The indicative floor plans show pair of semi-detached properties on plots 1 & 2 accommodating a living room, dining/kitchen, storage, utility room and WC facilities at ground floor. There would be 3 bedrooms and a master bedroom, including a family bathroom at first floor level. Whilst the pair of semis on plots 3 & 4 would have a similar internal layout.
- 2.08 The submission also indicates the extent of curtilage for each proposed dwelling including parking arrangements at the front of the houses. The rear garden provided for each property is shown to have an overall depth of approximately 53 metres and their width would range between 9 and 10 metres.
- 2.09 The development includes provision of 10 car parking spaces in total, 2 for each dwelling and 2 visitor parking spaces at the site frontage. The parking spaces provided would each have would have a width of 2.5 metres and depths of 5 metres.

- 2.10 The indicative block plans show the intensively managed hedgerow along the front boundary would be retained to a height of 2 metres to provide screening for the parking space provided close to the front boundary.
- 2.11 The development would have a central access point from the A229 (Station Road) leading to the parking and turning area provided at the front of the development.

3. POLICY AND OTHER CONSIDERATIONS

- 3.01 National Planning Policy Framework (NPPF): 47 (Determining applications); 54, 55, 56, 57 (Planning conditions and obligations); 61 (Delivering sufficient supply of homes); 124, 127, 128, 130, 131 (Good design).
- 3.02 National Planning Practice Guidance (NPPG): Design.
- 3.03 Development Plan: Maidstone Borough Local Plan (2017): Policies SS1 (Maidstone Borough Spatial Strategy); SP10 (Staplehurst Rural Service Centre); DM1 (Principle of Good Design); DM2 (Sustainable Design); DM5 (Development on Brownfield Land); DM9 Residential Extensions, Conversions and redevelopment within the built up area; DM12 (Density of Housing Development); DM23 (Vehicle Parking Standards).
- 3.04 Staplehurst Neighbourhood Plan: Policy H1, H2 and H3.

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 The owners/occupiers of dwellings adjoining the site were notified of this application by letter and a site notice displayed in front of the site.
- 4.02 Nine representations were received from neighbours raising objection to the proposal on the following summarised grounds:
- Overdevelopment of site
 - Proposed dwellings are inappropriate for the area
 - Development out of character with the street
 - Development would have cramped appearance
 - Parking spaces provided in front of property unsightly
 - There would be an adverse impact on highway safety
 - The development would create noise pollution and traffic problems
 - There is no identified need for the proposed houses
 - Likely increase in flooding in the local area
 - Overlooking and Loss of privacy
 - Loss of light and outlook
- 4.03 Staplehurst Parish Council: Objects to the application and have recommended the application is refused for the following reasons:
- The proposal did not comply with the principles of good design of Local Plan policy DM1 sections ii (it did not respond positively to the historic character of the area), iv (it did not adequately respect the amenity of neighbours), ix (Councillors had concerns about safety of the proposed access) and xii (there was no plan for waste disposal).
 - The proposals would adversely affect the character of the street scene and amenity of local residents, contravening Local Plan policy DM9 sections i and iii; the harm to the character of the area and loss of light and outlook for neighbours would contravene Local Plan policy DM11 sections i and ii;
 - the number of vehicles accessing the site would significantly increase noise and disturbance and would thereby not comply with Local Plan policy DM11 section iv;
 - Councillors commented that the overall parking provision would be inadequate for the number of residences;

- Councillors expressed concern about the loss of natural drainage area from land which was already known to suffer from drainage problems.

4.03 The planning issues raised by neighbours and Staplehurst Parish Council are discussed in the detailed assessment below.

5. CONSULTATIONS

5.01 Environmental Health Team: Raise no objection. Comments that although the site is in an urban area, traffic noise is unlikely to be a significant problem. The EH Team further state in their comments the site is outside the Maidstone Town Air Quality Management Area and the scale and location of the development does not warrant either an air quality assessment or an Air Quality Emissions Reduction condition. The EH Team recommends installation of a publicly accessible Electric Vehicle charging point to promote a sustainable travel option.

5.02 KCC Highways and Transport: Commented stating they have no objection to the proposals, subject to the following conditions being appended to the grant of planning permission:

- Submission of a Construction Management Plan,
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the vehicle loading/unloading 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.
- Completion and maintenance of the access shown on the submitted plans (drawing number: DHA/13330/11 Rev A) prior to the use of the site commencing.
- Gradient of the access to be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.
- Closure of the existing access prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- Provision and maintenance of the visibility splays shown on the submitted plans (drawing number: DHA/13330/11 Rev A) with no obstructions over 0.6 metres above carriageway level within the splays, prior to the use of the site commencing.
- Provision and maintenance of 2 metres by 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level, prior to the use of the site commencing.

6. APPRAISAL

Main Issues

6.01 The submission is in outline form with all matters reserved for future consideration. The main issues are;

- (i) Whether the site is an appropriate location for residential development;
- (ii) The effect of the development on the character and appearance of the area;
- (iii) The effect on living conditions of adjoining residents; and
- (iv) The effect of the proposal on parking conditions in the locality and highway safety.

Suitability of the location for residential development:

6.02 The application is in outline form with all matters including access, scale, layout, appearance and landscaping reserved for future consideration. Therefore, the proposal only seeks confirmation of whether redeveloping the site for four dwellings is acceptable in principle. Although the submission includes an indicative site layout plan, and elevational details demonstrating how 4 dwellings might be accommodated on site, members are advised the only issue for determination is the principle of the development.

- 6.03 The site lies within the built confines of Staplehurst a designated Rural Service Centre in the adopted Local Plan. Rural Service Centres are the second most sustainable locations in the hierarchy behind the Maidstone urban area, and therefore, policy SS1 of the adopted Local Plan directs they would be the principal focus for development outside the Maidstone urban area. The reasoned justification being that sites within these areas are highly sustainable with easy access to key services and facilities, together with a range of transport choices. Moreover, it remains preferable to make efficient use of land within built up areas instead of developing greenfield sites in the countryside. Residential gardens are excluded from the definition of previously developed land so Local Plan policy DM5 is not relevant.
- 6.04 Policy SP10 of the adopted Local Plan sets out the strategic vision for sustainable growth within the village of Staplehurst. Staplehurst is the largest of the Rural Service Centres in the Local Plan benefits from a range of facilities including a direct bus service to Maidstone Town Centre, a railway station, primary school, health centre, pharmacy, optician, chiropractic clinic, library and a public house, to mention just a few. Staplehurst is thus a suitable location for minor infill development such as that proposed, provided design and density requirements set out in policy DM1 and DM12 of the Local Plan are fully met.
- 6.05 It is of considerable significance paragraph 118(d) of the NPPF requires planning polices and decisions to promote and support the development of under-utilise land and buildings, where this would help meet identified housing needs. The Framework advice at 123(c) applications which fail to make efficient use of land should be refused. From the observations made at my site visit, the bungalow dwelling on the application site is built on a more generous plot compared with other properties in this part of Station Road. The proposal would redevelop the site to a density that is consistent with the local built density, thereby optimising the use of the land in this highly sustainable location, to help meet identified housing needs in the borough.
- 6.06 The NPPF promotes the creation of high quality buildings and places, requiring development to function well and add to the overall quality of an area, whilst being sympathetic to the local character and history (paragraph 127). The application site is in a relatively prominent location that is highly visible when travelling in both directions on Station Road. Considering the development would be sufficiently stepped back from the road frontage and designed to reflect the residential character of the street, it would not appear out of place within its setting, or injure the established character of the local area.
- 6.07 It is obvious the proposal would result in a much larger built form than the existing dwelling at the site. The adopted Local Plan policy DM12 and the NPPF promote higher densities in locations close to facilities and public transport. The scheme is proposed on a site area is 0.32 hectares, which represents a site density of 12.5 dwellings per hectare which accords with the parameters set out in Policy DM12 of the Local Plan, which considered a net density of 30 dwellings per hectare to be acceptable at this type of locations. Members would note the above factors overwhelmingly points to the acceptability of the principle of increased residential density at this location, which weighs heavily in favour of this application.
- 6.08 Such strong justification within the Local Plan and NPPF means it would be difficult to substantiate any objections to the principle of redeveloping the site as proposed.
- Effect on the character and appearance of the local area
- 6.09 Although submitted in outline form with all matters reserved for future determination, the scheme is supported by a proposed indicative site layout plan, sectional and street scene elevational details demonstrating how the proposed development might be accommodated on site. It is therefore necessary to assess its effects on the character and appearance of the local area.

- 6.10 Policy DM1 requires proposals to create high quality design which responds positively to and where possible enhance the character of the area. It state that particular regard should be paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage. Furthermore, policy DM12 of the Local Plan seeks to ensure that, amongst other things, housing in built up areas is in scale and character with the area and has no unacceptable effect on the existing context and character of the surroundings.
- 6.11 The application site is surrounded by residential development and their gardens on three sides. The proposal would result in the erection of two pairs of semi-detached properties largely on the footprint of the existing bungalow at the site. The proposed dwellings are indicated to follow the prevailing pattern of development in the locality in both width and depth and the height, and such positioning would not significantly compromise the sense of space and openness within the locality due the scale, set back and indicated height of the proposed development. As such, the development if implemented would not appear obtrusive when considering that other houses surrounding the application site are two storeys in height, with the dwelling to the south (The Gables) slightly taller.
- 6.12 Further members would note the dwellings are appropriately set back from the road frontage and the principal elevation would align with the prevailing building line of existing neighbouring development. The front elevation would include gables, bay windows and hipped end roofs, which are a common feature of the local architecture. The materials proposed would blend well with the local palette of materials being red stock facing brick and white render for external walls and slate roof tiles which are a feature in the street. As a result of this, I consider the proposal would integrate well within the existing street scene.
- 6.13 The indicative block plan show the existing intensively managed hedgerow along the front boundary, would be retained to a height of 2 metres which would help maintain the sites verdant character in views from the streetscape at Station Road, whilst providing screening for the parked cars of on frontage, thereby minimising their impact in the streetscape.
- 6.14 The density of the development has been referred to by neighbours and the Parish Council in their objections. In my view, for the reasons explained above, the dwellings would be in keeping with the pattern of development in the local area and would therefore not appear out of keeping with the general density levels in this established residential location. It would accord with the parameters set out in Policy DM12 of the Local Plan, which considered a net density of 30 dwellings per hectare to be acceptable at this type of locations.
- 6.15 Neighbours have expressed concern the development would appear cramped overshadow their properties and rear gardens. The spacing between existing buildings in Station Road is generally fairly restricted, and whilst the proposed dwellings would be close to the side boundaries, a reasonable gap of approximately 5 metres would remain between the proposed development and the existing dwelling to the north (Brookfield) and with a substantial gap of 10 metres with the dwelling to the south of the site (The Gables), which would prevent the development appearing cramped. Although, there would be a reduction in the existing spacious residential character site, the indicative scheme would replicate the character of neighbouring development, resulting in an unassuming change in the streetscape.
- 6.16 I also note the neighbour comments stating the development would be out of character with the local area. There is already a considerably variety of local building designs that include detached, semi-detached and bungalow dwellings and the more recent contemporary Staplehurst Free Church building. Therefore, whilst the proposed development would not necessarily replicate the character of The

Gables, it would nonetheless reflect other buildings in the local area and be of high quality design that utilises architectural styles, fenestration and form of roof configuration that is in keeping with the visual character of the area, and as such the development would assimilate well in the local area.

- 6.17 Given the above considerations the development would not result in any undue harm to the character and appearance of the surrounding area as a result of its scale, form, plot coverage or location. It would therefore comply with Policies SS1, SP10, DM1 and DM12 of the Maidstone Borough Council Local Plan and Staplehurst Neighbourhood Plan insofar as they seek to ensure that new development protects the character and appearance of the area.

The effect on living conditions of adjoining residents:

- 6.18 The core principles set out in the NPPF state that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of buildings. Policy DM1 advises that development should respect the amenities of occupiers of neighbouring properties and uses by ensuring that development does not result in excessive noise, activity or vehicular movements, overlooking or visual intrusion.
- 6.19 The indicative site layout and floor plans for the development provides a good standard of residential accommodation overall with adequate daylight, sunlight and privacy provision. Residential amenity within the proposed layout is acceptable and accords with current standards. There would be a separation distance of approximately 10 metres (flank to flank) with the gables to the south of the site, whilst to the north the gap would be approximately 5 metres. The gap between the proposed semi-detached dwellings would be 3 metres. The layout of the proposed dwellings and their relationship with the existing dwellings is such that, in my view, there would be no significant harm to residential amenity of the occupiers of these dwellings.
- 6.20 The first floor northern and southern elevations of the dwellings have been sensitively designed such that there are no windows serving habitable rooms facing these elevations. All the windows on this elevation serve shared bathrooms, which can be conditioned to be glazed in obscure glass at reserved matters stage to afford occupiers of adjoining properties an acceptable level of privacy. All windows to habitable rooms will be to the front (east) and rear (west) of the dwellings. Considering the separation distances between the proposed development and dwellings within Corner Farm Street, at the rear of the site, would be in the region of 60 metres, and it is considered that a suitable level of separation exists, that no significant harm to the amenity of existing neighbouring occupiers would result.
- 6.21 Neighbours have raised objection regarding the impact of the development on their residential amenities, in particular, neighbours Broomfield and The Gables. Whilst there is likelihood that the presence of the proposed buildings will be felt by existing residential neighbours, the available separation distance is enough to minimise any impact on these neighbours (in terms of loss of light, overbearing and overlooking) to acceptable levels. In addition, it is also considered that the resultant relationship of the proposed development to neighbouring properties is typical of development within sustainable location such as this one. I do not consider that any harm to neighbour amenity that may be caused by the development will be harmful enough to justify a refusal of the application on this ground.
- 6.22 The reasonable separation distance provided between the proposed development and the existing dwellings to north of the site Broomfield and the dwelling to the south 'The Gables', is such that I do not consider that the proposal would have an unneighbourly or overbearing impact on the outlook from these houses or its associated garden area. Furthermore, it would not appreciably reduce the level of sunlight reaching the neighbour's rear garden. I am satisfied that there are no

unacceptable overlooking or overbearing issues from the indicative layout, therefore residential amenity of the existing dwellings as required by policy DM1 of the Local Plan would be protected.

- 6.23 The development would not create any significant noise issues or be significantly affected by traffic noise. Neighbours have raised concerns about the adverse impact of construction noise that would result from the proposed scheme. I recognise that there is the potential for construction to cause harm to residential amenities if carried out at unsociable hours and consider it necessary to append a condition requiring submission of a construction management plan with controls on construction hours. Taking all the above into account, I do not believe that the proposal would give rise to unacceptable harm to residential amenities.
- 6.24 Overall, it is therefore considered that a development of a two pairs of semi-detached properties at this site would not harm the residential amenity of neighbouring dwellings, and as such the development is considered acceptable and complies with Policy DM1 of the Local Plan.

Impacts on parking and highway safety:

- 6.25 A central access point from the A229 (Station Road) is proposed for the development and adequate turning is provided within the site. The KCC Highways Officer advises that the indicated access point from Station Road is acceptable and appropriate visibility can be achieved. They have no objection to the planning application, subject to conditions (as recommended) to be attached if members were inclined to grant permission for the development. The provision of electric car charging points and site's sustainable location makes the proposed highway arrangement acceptable.
- 6.26 I note the comments from neighbours stating that the development would exacerbate parking issues in the area. The Local Plan recommends provision of a minimum of 2 car parking spaces for a new 4 bedroom house in urban locations. The proposed development includes the provision of 2 car parking spaces for each dwelling, including 2 visitor parking spaces, which is consistent with the recommended standards. Overall, parking levels within the scheme are satisfactory, averaging at 2.25 spaces per dwelling. The site is in a relatively sustainable location and is within walking distance of the village centre and services including doctors' surgery, shops and a primary school.
- 6.27 The dimensions of parking spaces proposed within the site for the development would be consistent with accepted standards. There is sufficient hardstanding within the site for the turning requirements of both private cars and medium sized service vehicles. Therefore, I do not consider that the development would be likely to exacerbate parking issues in the area. There is also room within the site to accommodate cycle parking for each proposed dwelling at reserves matters stage.
- 6.28 Neighbours have raised concerns about the impact of the development on the local road network. Considering the small scale of the development, additional traffic movements that would be generated on the surrounding road network would be limited and unlikely to significantly increase congestion. I note that KCC Highways and Transport have not raised any objection to the proposal in this respect. Overall, on this basis and for the reason set out above, I take the view that the impact upon highway capacity, safety and amenity would be acceptable.
- 6.29 Government guidance in the NPPF advises that development proposals should only be refused on transport grounds where the residual cumulative impact of the development is severe and cannot be mitigated by off site improvement to the transport network. Members will note that many of the concerns raised by local residents and the Parish Council relate to the potential impact of the development on the local road network and associated highway safety, particularly the suitability

of the proposed access point to the site for this level of development. The increase in traffic resulting from this proposal would not be significant as to raise overriding planning objections on highways safety grounds.

- 6.30 Considering the scale of the proposal and notwithstanding the comments from local residents on this matter, there is no substantive evidence to suggest the proposals would result in a material increase in demand for on-street parking in the locality or that the proposals would give rise to added congestion on the local road network, which would cause irritation and inconvenience to the local residents. This leads me to conclude the residual effects of this proposal on parking and highways safety would not be so significant as to justify a refusal of planning permission.

Landscaping

- 6.31 Members will note that landscaping is a matter reserved for future consideration. In my view, there is nothing inherent within the site or the amount and type of development proposed that would prevent an effective and appropriate landscaping scheme from being achieved at reserved matters stage. Whilst the details of the landscaping of the development is to be reserved for later determination, the size of the indicated front, side and rear gardens offers the opportunity to create a suitable landscaped area around the edges of the development, which will retain much of the verdant character of the site.

Impact on Ecology:

- 6.32 Paragraph 170 of the NPPF and policy DM3 of the Local Plan requires planning decisions to minimise impacts on and provide net gains for biodiversity. It is therefore essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established at this stage, as required by Paragraph 99 of ODPM 06/2005, to ensure the ecological interest of the site is fully understood and taken into account in determining the planning application.
- 6.33 The scheme is supported by a Preliminary Ecological Appraisal by Green Space Ecological Solutions, which identifies habitats at the site has a potential to provide foraging opportunities for commuting bats. The Ecology Report further identifies suitable nesting habitat for birds exist on the site in the form of trees, hedges and scrub, recommending works to these areas (where necessary) are conducted outside the core breeding period for birds. The report state on site habitats offers limited suitability for hazel dormice and there is poor connectivity to other areas of suitable habitat within the wider landscape which makes it unlikely for hazel dormice to be present on site. Therefore, no further consideration is required in this respect.
- 6.34 Although majority of the site has low suitability for reptiles, the report nonetheless recommends a precautionary approach, including grass clipping and removal of rubble piles by hand under supervision of an ecologist in case of occupancy by reptiles. The report also sets out a Phased Habitat Manipulation plan as a further precaution, whilst concluding the long-term direct impacts of the development on these habitats will be minimal. The recommendations set out for biodiversity enhancements within the site includes the following:
- i. Installation of bird boxes onto buildings and trees within the site;
 - ii. Installation of bat boxes in suitable locations;
 - iii. Incorporation of a wildlife-friendly planting scheme;
 - iv. Construction of log and brash piles on the site boundaries; and
 - v. Incorporation of hedgehog boxes at suitable locations.
- 6.35 The Ecology report submitted is sufficient to fully understand the impact of the development on biodiversity interest at the site, and I am convinced the measures contained in the report are appropriate in providing suitable mitigation to ensure protected species are harmed. These measures can be secured by a suitably worded planning condition should members be minded to grant planning permission.

Other Matters

- 6.35 Neighbours are concerned the development would exacerbate flooding issues at the site. The development is not in a recognised flood zone and I am convinced any localised flooding issues at the site can be sufficiently mitigated by the implementation of a sustainable drainage scheme to be secured by the imposition of a planning condition requesting submission of details of a sustainable drainage scheme for prior approval in writing by the local planning authority if members were inclined to grant planning permission.
- 6.36 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

Public Sector Equality Duty:

- 6.37 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The Maidstone Borough Local Plan and revised NPPF (2019) encourages housing development where it would support housing supply, in locations where an efficient use of land can be made and where jobs, shops and services are reasonably accessible by modes other than private cars. In this regard, the current residential use of the site in a highly sustainable location carries significant weight. Therefore, developing the site for residential housing cannot be resisted in principle and the quantum, layout and form of development indicated is acceptable and appropriate for the site's context.
- 7.02 The proposal when taken as a whole represents an acceptable windfall development which for the reasons set out above, will not result in any significant material harm to the character, appearance and visual amenity of the local area. It would not have an adverse impact on the amenities of surrounding occupiers or raise any overriding parking or highway safety issues. The development complies with all the relevant policies of the Development Plan, provisions of the revised NPPF (2019), and Staplehurst Neighbourhood Plan such as are relevant, and all other matters can suitably be addressed through appropriate conditions and the reserved matters submission. Approval is therefore recommended.

8. RECOMMENDATION

- GRANT planning permission subject to the following conditions:
- 1) Details relating to the layout, scale and appearance of the proposed building, the access thereto and the landscaping of the site shall be submitted to and approved by the Local Planning Authority before any development is commenced.
Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
 - 2) Application for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.
Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
 - 3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the

case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - DHA/13330/11A (Proposed Block Plan)
 - DHA/13330/12A (Proposed Site Layout Plan)
 - DHA/13330/17A (Prop Section and Street Scene Elevation)
 - DHA/13330/13 (Plots 1, 2 Proposed Floor Plans)
 - DHA/13330/14 (Plots 1, 2 Proposed Floor Plans)
 - DHA/13330/15 (Plots 3, 4 Proposed Floor Plans)
 - DHA/13330/16 (Plots 3, 4 Proposed Elevations)
 - Preliminary Ecological Appraisal dated May 2019
 - Planning StatementReason: For the avoidance of doubt and in the interests of proper planning.
- 5) Prior to the commencement of development, (excluding demolition) details shall be submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development as approved.
Reason: In the interest of promoting energy efficiency and sustainable development.
- 6) Prior the commencement of development above damp proof course, details of a minimum of one EV rapid charge point per dwelling (of 22kW or faster) should be submitted for approval by the Local Planning Authority. Once approved, the details shall be implemented prior occupation of the dwellings and retained thereafter.
Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.
- 7) The details submitted pursuant to condition (1) above shall show adequate land, reserved for the parking of 10 cars (in accordance with the currently adopted Kent County Council Vehicle Parking Standards) which land shall be kept available for this purpose at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) or not shall be carried out on such land or in a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling hereby permitted.
Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.
- 8) Before commencement of the development (including demolition) hereby approved on site provision shall be made for construction vehicle loading/unloading and turning along with parking for site personnel and visitors. These measures shall be retained until the development phase of the development hereby approved is completed.
Reason: In the interests of the free flow of traffic of traffic and highway safety.
- 9) No surface water shall discharge onto the public highway.
Reason: In the interests of the free flow of traffic of traffic and highway safety.

- 10) The first 5m of the vehicular access from the edge of the highway shall be constructed of bound material, and development shall not commence until, details of the proposed surface dressing have been submitted to and approved in writing by the Local Planning Authority and the approved dressing shall be provided prior to the first occupation of the building or land.
Reason: In the interests of highway safety.
- 11) The vehicular access from Station Road shall be completed before first occupation of the buildings hereby permitted and thereafter the sight lines shall be maintained free of all obstruction to visibility above 0.6 metres above carriageway level within the splays, as shown on drawing number: DHA/13330/11 Rev A). The gradient of the access shall be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.
Reason: In the interests of road safety.
- 12) Prior to the first use of the vehicular access, a pedestrian visibility splays of 2 metres by 2 metres behind the footway on both sides of the access shall be provided and maintained with no obstructions over 0.6m above footway level.
Reason: In the interests of road safety.
- 13) The development hereby permitted shall not commence above slab level until a scheme for the permanent closure of the existing vehicular access off Station Road in the south eastern corner of the site has been secured and approved by the Local Planning Authority and the approved scheme shall be completed within 12 weeks of the new access being available for use.
Reason: In the interests of road safety.
- 14) Prior to the commencement of development (including demolition), a programme for the suppression of dust during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.
Reason: In the interests of residential amenity.
- 15) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:- Monday to Friday 0800 - 1800 hours, Saturdays 0830 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.
Reason: In the interests of residential amenity.
- 16) The wildlife safeguarding and habitat improvement measures set out in the Preliminary Ecological Appraisal undertaken by Greenspace Ecological Solutions Ltd. dated May 2019 shall be implemented in strict accordance with the submitted details prior to first occupation of the dwellings hereby approved.
Reason: To ensure that adequate provision is made for wildlife in accordance with the provisions of the NPPF.
- 17) Prior to the commencement of development (excluding demolition), full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.
Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 18) Any trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2005) 'Trees in Relation to Construction-Recommendations'. No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;
Reason: To safeguard existing trees to be retained and to ensure a high quality development.
- 19) The submitted Landscaping details shall be implemented in the first available planting season following first occupation of the development hereby approved. Any part of the approved landscaping scheme that is dead, dying or diseased within 5 years of planting shall be replaced with a similar species of a size to be agreed in writing beforehand with the Local Planning Authority.
Reason: In the interests of visual amenity.
- 20) Prior to the commencement of development (excluding demolition), details of the implementation, maintenance and management of the sustainable drainage scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:-
i. a timetable for its implementation, and
ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
Reason: In the interests of sustainability.
- 21) Upon completion, no further development, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) or not, shall be carried out without the prior permission in writing of the Local Planning Authority.
Reason: In the interests of the amenities of the local area.
- 22) The development hereby permitted shall not commence above slab level until details of refuse storage and collection arrangements have been submitted to and approved in writing by the local planning authority with the approved details in place prior to first occupation of the approved dwellings.
Reason: In the interests of the amenities of the local area.

INFORMATIVES

- 1) The proposed development is Community Infrastructure Levy liable. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.
- 2) 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.
- 3) The applicant is advised to comply with the Mid Kent Environmental Code of development Practice.

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- 4) Attention is drawn to Approved Document E Building Regulations 2010 "Resistance to the Passage of Sound" - as amended in 2004 and 2010.
- 5) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties.
- 6) All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention, the applicant should refer to our guidance "PPG1 - General guide to prevention of pollution", which can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290124/LIT_1404_8bdf51.pdf
- 7) Any use of waste on the site would require authorisation from us either as an exempt or permitted operation. Any waste material removed from site must also correctly follow duty of care procedures, with all loads documented by waste transfer notes.
- 8) Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods.
- 9) Any drainage design must be protective of the groundwater and in line with Environmental Agency's 'Groundwater Protection: policy and practice (GP3)' for the use of infiltration techniques to be approved.

Case Officer: Francis Amekor