

REFERENCE NO - 20/502770/FULL		
APPLICATION PROPOSAL Erection of single storey side extension, part single storey part two storey rear extension, new upper floor, together with external alterations and change of use of commercial to residential to form 10 No. residential units.		
ADDRESS Holman House, Station Road, Staplehurst, TN12 0QQ.		
RECOMMENDATION Grant permission subject to updated conditions.		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal represents sustainable development within the built up area. Whilst a net increase over the previous approval for 7 units, it is considered that the proposal represents good quality design and will provide acceptable living conditions for future occupiers and will not adversely impact on the amenity of neighbours. There are no highways, or other technical or environmental objections.		
REASON FOR REFERRAL TO COMMITTEE Contrary to the views of Staplehurst Parish Council and Ward Member request.		
WARD Staplehurst	PARISH/TOWN COUNCIL Staplehurst	APPLICANT Arrant Land Ltd AGENT Blink Architecture
TARGET DECISION DATE 05/10/20		PUBLICITY EXPIRY DATE 30/07/20
UPDATE FOLLOWING DEFERRAL This application was deferred at the Planning Committee meeting on 1 st October in order to enable Officers to seek details of the following: <ul style="list-style-type: none"> • Electric vehicle charging points and renewable energy generation including Solar PV. • Biodiversity enhancements including retention of the hedge. • The acoustic fence installation. • Turning area and parking facilities, including cycle parking. • Bin storage. • The design treatment of the windows to the rear of the development. • A revised internal layout to address room sizes and space standards guidelines. • The suitability of units for elderly/disabled residents. This update should be read in conjunction with the 1 st October report, which is attached at Annex 1.		

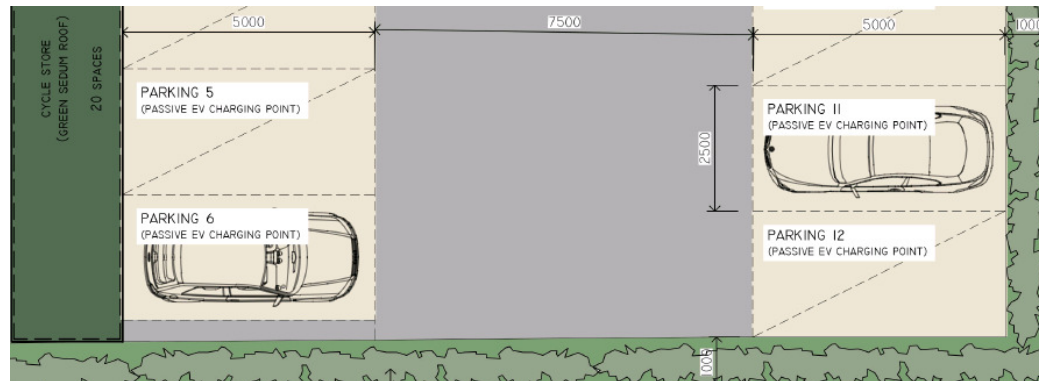
1. Applicant Responses/ Officer Comments

- 1.01 In response to Members questions, as set out in the above grounds for deferral, the Applicant has submitted a number of responses, which are explained below, together with Officer comments.

Electric vehicle charging and renewable energy generation / Solar PV

- 1.02 Paragraph 6.38 of the original report (Appendix 1) confirmed the Applicant's agreement to the provision of EV charging points and the installation of PV. Suggested conditions 4 and 5 would have required details to be submitted.

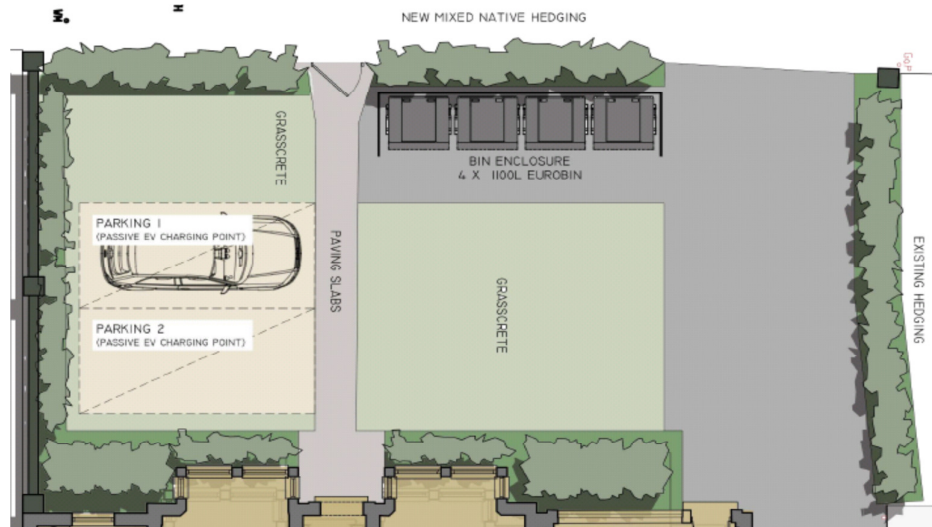
- 1.03 The applicant has subsequently confirmed that all ten of the proposed parking bays (including visitor bays) will be installed with passive EV charging capability and these are all now annotated on the plans, as demonstrated below.



- 1.04 Officers consider the passive provision to all bays is preferable as this would allow all residents in time to install charging devices with no associated infrastructure costs as and when the need arises. However, we would suggest the additional obligation that two charging posts are installed in the initial instance in order to provide immediate capacity and a visual presence. Condition 5 below is modified from the original report to require that these are installed prior to occupation.
- 1.05 With regard to renewables, the Applicant has confirmed that a PV array will be located on the roof of the rear wing. Amended condition 4 will secure its specification, installation, retention and maintenance.

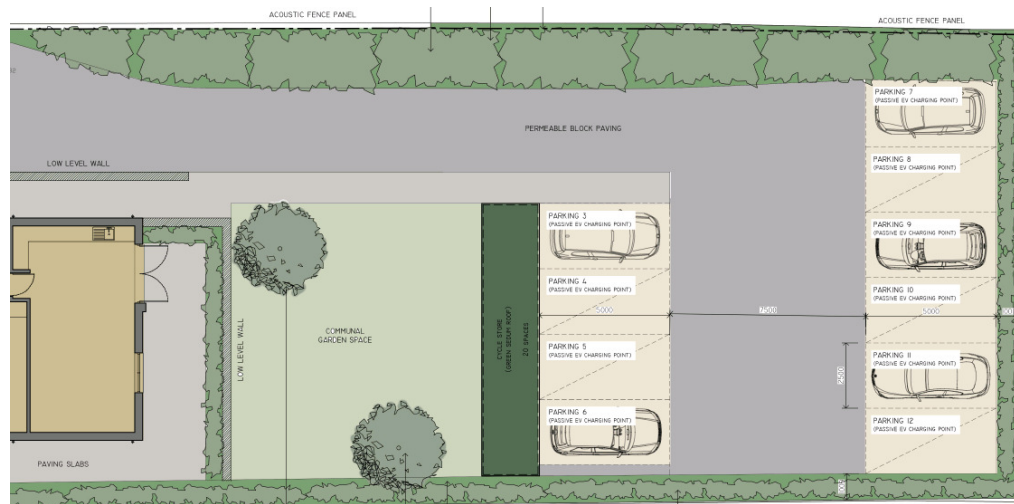
Biodiversity enhancements including retention of the hedge

- 1.06 With regard to the existing front hedge, the Applicant confirms that the existing hedge is predominantly non-native and in poor quality, offering very limited habitat potential; but, that, in lieu of the previously proposed wall, it will be replaced where necessary with native hedgerow on three sides of the front forecourt. The side hedgerow along the driveway will be retained and enhanced where necessary.



- 1.07 Officers consider this an appropriate response to existing conditions which will result in a material net improvement to the site frontage.

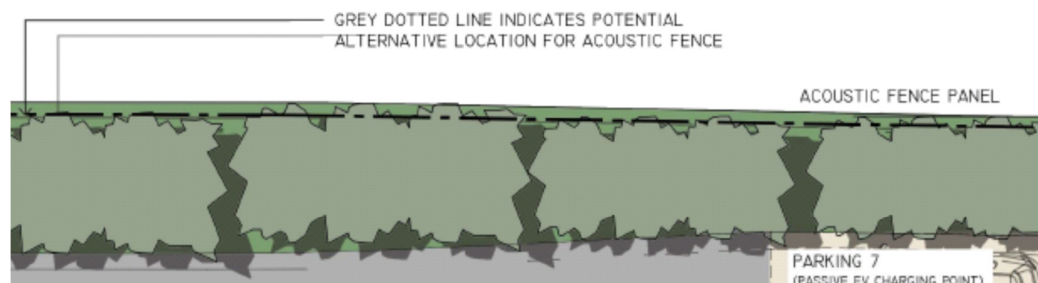
- 1.08 To the rear of the site, adjacent to The Yews, a new hedgerow is proposed. This will vary in depth between 1.8 and 2.5 metres and is circa 38metres in length.



- 1.09 A narrower hedgerow margin, circa 1m in depth will extend around the remainder of the site and extends to circa 60metres in length. The landscape officer has recommended species for the margins, which will include native planting, supplemented by wildlife friendly ornamentals / evergreens such as Cornus Kelsey (dogwood), Skimmia (Rubella) and Danae (Poet's Laurel). Within the communal garden two native trees are proposed to be Sorbus Aria (common whitebeam) and Prunus Avium Plena (native cherry).
- 1.10 Bird, bee and bat habitats are proposed, both within the site margins and on the building fabric and as per the original report, will be secured by condition No. 7.
- 1.11 Officers consider that the clarified details of the planting scheme demonstrate that an appropriate level of biodiversity opportunity can be achieved, which will represent a significant uplift when compared to the both the existing site and the previously approved scheme.

Acoustic fence installation.

- 1.12 The immediate Neighbour raised concerns regarding the acoustic fence that is proposed along the boundary, indicating that on their deeds this appears as their fence. Whilst boundary issues are a private matter, as the installation of an acoustic fence is necessary in order to mitigate the impact of the scheme, it is important to ensure that this can be implemented should the Neighbour wish to retain their existing boundary fence. The Applicant has annotated the layout plan (P06B) to show that an acoustic fence could be installed inside the line of the existing boundary fence without compromising either the access arrangements or proposed landscaping.



- 1.13 Officers note that the dimension for fence posts for a typical acoustic system is similar to a domestic fence, at 120mm, and therefore consider that an acoustic fence could be inserted inside the existing fence line should the neighbour wish to see it retained and that the required mitigation could therefore be secured.

Turning area and parking facilities, including cycle parking.

- 1.14 With regard to vehicle turning, the dimensions and layout of the access and car parking arrangements; these are essentially as per the approved scheme and KCC Highways raise no objection. The width of the access is as already approved and KCC has not requested any modification.
- 1.15 The parking bays are 5m X 2.5m in size, therefore above the minimum requirements. In addition, the bays are spaced 7.5metres apart, which is significantly in excess of the minimum 6m requirement. Officers are satisfied that this additional spacing allows vehicles to manoeuvre without requiring excessive movements or generating unnecessary disturbance.
- 1.16 To further enhance the non combustion vehicle options, the Applicant has also increased the level of secure cycle bay provision up to two spaces per apartment. A sedum covered secure cycle store will be located within the communal garden.
- 1.17 Whilst not a matter raised by Members, two parking bays, one each to the front and rear (Nos 1 and 3 respectively) have been located such that, if necessary at a future date, they can be marked out as 3.3m wide 'accessible' bays.

Bin storage

- 1.18 Objectors raised concerns regarding the potential for refuse bins to obstruct the pavement. The proposed refuse storage arrangements are shown on the image under paragraph 1.06 above Plan P06B). As a communal development, it is not necessary for residents to place bins out for collection, however, they do have to be accessible for operatives. They are sited immediately adjacent to the access and well within the carry distances stipulated by the Council's refuse team. As such, it is not necessary for them to be placed on either the footway or driveway and as such, pedestrian movements will not be hindered.

The design treatment of the windows to the rear of the development.

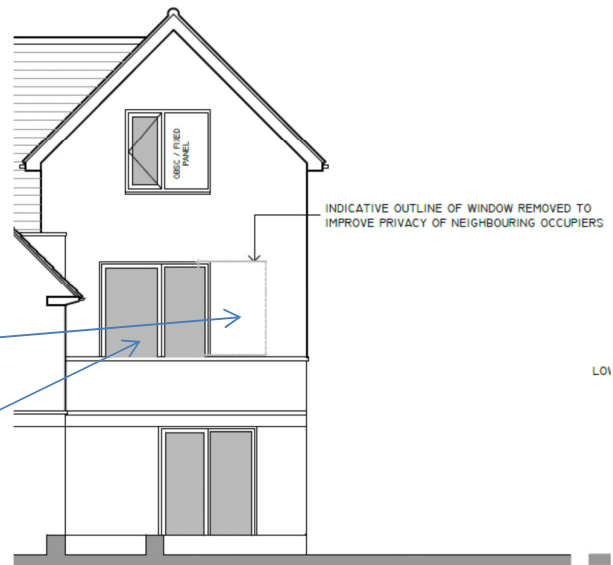
- 1.19 The Applicant has provided further information in response to this point, including an updated window scheme. Firstly, the Applicant has annotated the level of the parapet wall on the link block. This is denoted by the drawn line on this photo supplied by the neighbour. The Applicant highlights that the effect of the parapet wall is to screen windows increasingly as they cross the elevation.
- 1.20 It is understood that the closest window shown in the photograph served a bedroom when previously occupied; whilst in the permission for 7 units, this would become a living room.



- 1.21 Whilst re-planning the internal layout to improve consistency of flat sizes, the Applicant has proposed that this room be switched from a living room to a bedroom, thus reducing the propensity for an occupier to look out.

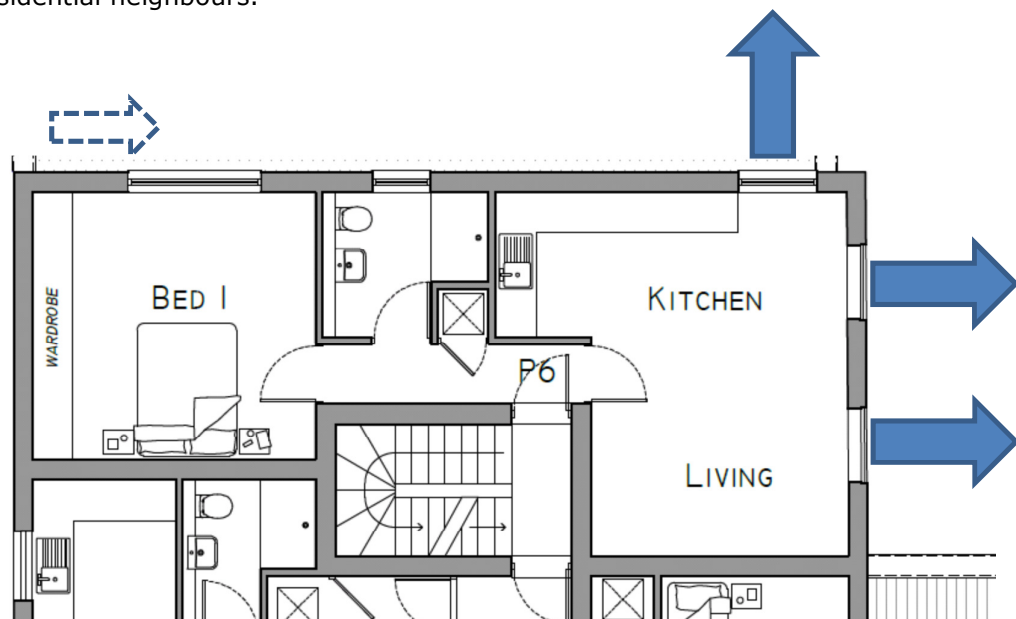
- 1.22 In addition, the Applicant now proposes that the closest first floor window be removed....

.... and that, what is now a bedroom window, be relocated further away from the boundary.



- 1.23 In Officers view this window would not lead to direct overlooking of the neighbour as its view is down its own garden. In addition, having regard to the fact that; in the previously approved permission there are two living room windows in this part of the elevation, and as the function of this room reverts to a bedroom with what is now a single window moved further away than currently exists; Officers consider that this latest update represents a material benefit when compared to either the existing situation or the approved fallback.

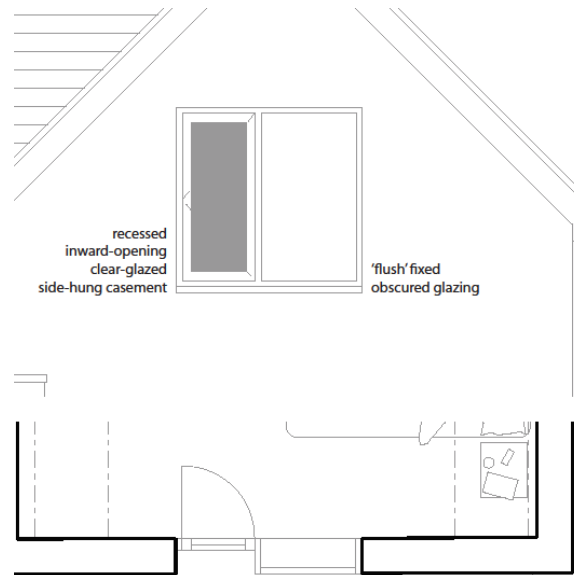
- 1.24 The principal living room windows to this apartment now look away from the residential neighbours.



- 1.25 The Applicant has also proposed an amendment to the new second floor rear window. Again the internal layout is 'flipped' so that this room changes from living room/kitchen to a bedroom, thus, again the propensity for outlook is reduced.

- 1.26 That part of the window closest to the neighbour will be a fixed obscure pane; whilst the clear glazed opening part will be recessed, thus ensuring no unacceptable loss of privacy would occur.

- 1.27 Officers do not consider that this new window would result in any loss of privacy.



- 1.28 Whilst not a question raised in the minutes, as it was mentioned by a visiting Member, it is clarified that the flat roof of the link block is not to be used as a terrace and a new condition is proposed to prevent its use.

- 1.29 Finally on the issue of privacy, to correct the original Officer presentation, the two existing side windows in the existing northern elevation are currently obscure glazed, but there are no planning restrictions preventing clear glazing from being installed. The Applicant has agreed to a condition requiring obscure glazing to be permanently retained.

A revised internal layout to address room sizes and space standards guidelines.

- 1.30 As identified at the previous committee, national space standards are not a statutory requirement. Nevertheless, the applicant has, without altering the number of units or character of mix of accommodation, amended to the internal configuration to improve efficiency and to ensure that, as requested by Members, the scheme now fully complies with the national space standards. As updated the scheme will provide:

		<u>Oct Cmte</u>	<u>As Revised</u>	<u>National Space Std</u>	
Plot 1	1bed 2person	52m ²	64m ²	50m ²	+14
Plot 2	2B4P	85m ²	77m ²	70m ²	+7
Plot 3	1B2P	48m ²	50m ²	50m ²	
Plot 4	2B4P	75m ²	76m ²	70m ²	+6
Plot 5	1B2P	47m ²	53m ²	50m ²	+3
Plot 6	1B2P	46m ²	52m ²	50 m ²	+2
Plot 7	1B2P	48m ²	37m ² (1B1P)	37-39 m ²	
Plot 8	1B2P	69m ²	60m ²	50 m ²	+10
Plot 9	2B4P	62m ²	66m ² (2B3P)	61 m ²	+5
Plot 10	2B4P	85m ²	85m ²	<u>70m²</u>	<u>+15</u>
				Net Overall	+62 sq.m

- 1.31 Whilst the previous scheme had a number of oversized units the revised internal layout is considered to provide a more equitable balance between the units. Whilst national space standards are not currently a statutory requirement, Officers consider that the table above demonstrates that future residents will receive acceptable standards of internal amenity.

The suitability of units for elderly/disabled residents.

- 1.32 Members requested clarification on the Applicant's assertion that the scheme would provide accommodation suitable for the elderly or disabled.
- 1.33 The scheme provides four units at ground floor level, 2 No. 1-bed and 2 No. 2-bed; each with access at grade. Two of the units have large external terraces and one a balcony sized terrace.
- 1.34 In 2019 The Government issued guidance on how LPA's should plan for the needs of an ageing population and people with disabilities. The NPPG clarifies that disability is not simply physical:

People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

- 1.35 Detailed standards are provided by building control (Part M) rather than planning policy. The standards allow for three types of accessible dwellings:
1. Visitable
 2. Accessible and adaptable
 3. Wheelchair useable
- 1.36 For *visitable* accommodation, there are requirements such as; level approaches, step free access, low thresholds, communal clear openings of 775mm internal corridors of 750-900mm. All four units would meet these requirements
- 1.37 For *accessible and adaptable* units there are additional requirements, for example, that parking bays can be widened to 3.3m, entrance door widths of 850mm, 1200mm clear worktop space to kitchens, max window cil heights of 850mm, 750mm bedroom circulation areas. With two parking spaces capable of being widened, at least two units would be capable of meeting this standard, whilst all four ground floor units appear to be capable of meeting the internal requirements.
- 1.38 For the *wheelchair useable* standard additional requirements include: communal openings of at least 850mm, 1200mm to both sides of parking bay, 1500 turning circle in lobbies, wider internal corridors of 900-1050mm, living dining kitchen space of 25-29 sq.m, additional kitchen worktop lengths, 1200 turning areas within rooms, main bedroom minimum 13.5sq.m with 1,000mm circulation space. The ground floor units appear to meet these requirements to varying degrees, but as the parking bays cannot be adapted to provide 1200mm each side without reducing the overall number of bays, a full assessment has not been undertaken.
- 1.39 Whilst this Council has yet to consider whether to adopt the Government's Optional Technical Standards for accessible housing, based upon the above assessment, and the fact that there are 4 ground floor units with level step free access suitable for elderly occupiers and that at least two (20% of the overall scheme) could meet

accessible and adaptable requirements, then Officers consider that should Members wish to do so, it would be appropriate to afford some weight to this.

PUBLIC SECTOR EQUALITY DUTY

- 1.40 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.

2. CONCLUSION

- 2.01 Officers remain of the view that this is a good quality design that will provide good quality accommodation for future residents that will add to the overall mix of accommodation available within Staplehurst.
- 2.02 Careful consideration has been given to the amenity of neighbours and with the responses now proposed by the Application, it is considered that the scheme offers the opportunity to improve its impact when compared to the previously approved scheme and would not result in any unacceptable impacts upon any neighbouring amenity in accordance with policy DM1
- 2.03 Having regard to the above, it is recommended that planning permission be granted subject to the conditions listed below. Members should note that the following conditions have been updated from the original report:

C2&6 Updated plan numbers
C3 Updated window references
C4 Updated PV condition
C5 Updated EV charging condition
C11 Amended as refuse details now provided
C14 New condition preventing use of flat roof as terrace.

3. RECOMMENDATION

GRANT planning permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans/drawings: PO4B Floor / roof plans, PO5B Elevations, PO6B Site plan, A054 Second Floor Window Detail.
Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.
- 3 Before the development hereby permitted is first occupied:
 - the first floor window openings on the northern elevation of the existing building
 - the new windows in the rear annex at first floor level (as shown on drawing number P05B) and
 - the northern part of the second floor window as shown on approved plans P04B and p05B)

shall be obscure glazed and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such:

Reason: To safeguard the privacy of neighbours.

- 4 No development above slab level on the extensions hereby permitted shall take place until details of the photovoltaic array, as shown on Plan 04B, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation and maintained thereafter.

Reason: To ensure an energy efficient form of development. Details are required prior to commencements as these methods may impact or influence the overall appearance of the development.

- 5 Prior to the first occupation of the development hereby approved the passive electric vehicle charging connection points shall be installed to each parking space, together with two pre-installed charging posts and shall thereafter be retained and maintained in accordance with the approved details. Such details shall allow future residents access to the supply without requiring excavation or other building works.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with the NPPF.

- 6 The development hereby approved shall not commence above slab level until, written details of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the local planning authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

- 7 Notwithstanding the details as shown on drawing number P06B the development shall not be occupied until details of hard and soft landscape works which shall include the use of permeable paving upon the access and hard standing parking areas have been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall include details of native species planting and habitat for birds, bees and bats, both within the landscaping and as part of the building fabric.

The approved landscaping shall be planted in the first available planting season. If any part of the approved native planting becomes dead, dying or diseased within 5 years of planting it shall be replaced with a similar species of a size to be agreed in writing with the Local Planning Authority and shall be retained at all times in accordance with the terms of this condition.

The approved hardstanding shall be carried out in accordance with the approved details before first occupation of the apartment and retained thereafter;

Reason: To ensure satisfactory appearance to the development and in the interest of sustainable water drainage.

- 8 No development shall take place until details of on site parking and turning for all construction traffic have been submitted to and approved in writing by the local planning authority. The details shall be implemented before construction commences and retained until the completion of the construction.

Reason: To ensure adequate on site parking and turning provision is made for construction traffic In the interest of highway safety and the free flow of traffic.

- 9 Prior to the occupation of the apartments, details of an acoustic fencing along the northern boundary of the site to protect the neighbouring site against transmission of airborne sound shall be submitted to and approved in writing by the local planning authority and the approved scheme shall be completed before first occupation of any dwelling and shall be maintained thereafter.
Reason: To mitigate the effects of potential noise nuisance.
- 10 Any external lighting shall be in accordance with details that have been previously been submitted to and approved in writing by the local planning authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details and retained as such thereafter.
Reason: In the interests of visual amenity.
- 11 The refuse storage facilities shown on Plan 06B shall be provided before the first occupation of the building and maintained thereafter;
Reason: To ensure that adequate refuse provision and collection access is maintained.
- 12 No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the north or east facing wall(s) of the building hereby permitted;
Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of their occupiers.
- 13 The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;
Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.
- 14 The flat roof above the link block as shown on Plan P04B shall not be accessed other than for the purposes of repair and maintenance and shall not be used at any time as a terrace, balcony or amenity area.
Reason: To protect the privacy of neighbours.

INFORMATIVES

- 1) In the interest of ensuring sufficient foul capacity is provided to the development, prior to the commencement of development, an application shall be made to the statutory undertaker under s106 of the Water Industry Act 1991 requesting a connection to the public sewer.
- 2) The applicant is advised that in order to avoid nuisance to neighbours they should seek to only use plant and machinery used for demolition and construction 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.
- 3) The applicant is advised that in order to avoid nuisance to neighbours they should only seek to allow vehicles to 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.