

APPLICATION: MA/12/1844 Date: 11 October 2012 Received: 14 December 2012

APPLICANT: Mr Robert Senft

LOCATION: LAND ADJOINING, 49, OAK LANE, HEADCORN, ASHFORD, KENT, TN27 9TG

PARISH: Headcorn

PROPOSAL: Construction of a new three-bedroomed dwelling with basement and detached garage as shown on drawing nos. 010/P2, 011/P3, 012/P2, 013/P3, 014/P4, 015/P3, 016/P4, 017/P4, 018/P3, 019-1/P3, 019-2/P4, 019-3/P3, 020/P2, 021/P3 received on 6/12/12.

AGENDA DATE: 31st January 2013

CASE OFFICER: Geoff Brown

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by the Parish Council and committee consideration has been requested.

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV6, H27
- South East Plan 2009: CC1, CC4, CC6, BE1
- Village Design Statement: N/A
- Government Policy: NPPF

## **2. HISTORY**

The relevant planning history is considered to be:

MA/10/0019 – Outline application for the erection of a new two storey dwelling with all matters reserved for future consideration – Approved

## **3. CONSULTATIONS**

3.1 HEADCORN PARISH COUNCIL states:

“Please be advised that my Council would wish to see this application refused and would wish for this to be reported to the planning committee for the following reason if it is contrary to your decision.

1. The appearance of the building would be out of keeping with the existing street scene.

Concerns were raised regarding the construction of a cellar on heavy Wealden clay to neighbouring properties which may lead to subsidence and flooding. We note that on drawing number 11, a soakaway to the rear of the property is planned, this is not an acceptable form of drainage in Headcorn and an alternative method should be sought.”

- 3.2 THE MBC ENVIRONMENTAL HEALTH OFFICER has no objection.

#### **4. REPRESENTATIONS**

- 4.1 LETTERS OF OBJECTION HAVE BEEN RECEIVED FROM FOUR LOCAL RESIDENTS. The following points are made:
  - a) The design and materials of the house are not acceptable. It would be out of keeping with its surroundings. Existing screening would be reduced.
  - b) The dwelling would cause a loss of privacy to neighbours.
  - c) The construction of a basement would affect the stability of neighbouring property.

#### **5. CONSIDERATIONS**

##### **5.1 Site Description**

- 5.1.1 The application site is located within the defined village envelop of Headcorn. It is situated off the north east side of Oak Lane and comprises a long rectangular area of garden land. This is side garden to No. 49; a detached two storey dwelling with a double garage in its front garden, close to its own access onto Oak Lane. No. 49 is to the west of the site. To the east is No. 51; a detached bungalow that presents a blank side elevation to the application site.
- 5.1.2 The site is principally laid to grass and is an intensively managed side garden. It has a beech hedge to Oak Lane with a gated vehicular access to the highway. The site has a large shed in a roughly central position and a scattering of bushes and small trees.

## **5.2 Proposal**

- 5.2.1 This application is a full application for the erection of a detached two storey dwelling (with a basement below) and a detached garage. This follows the grant of outline permission under reference MA/09/0019.
- 5.2.2 The existing access would be utilised with the frontage hedge cut back to provide improved visibility. The new dwelling would be located in a central position, with its front elevation roughly in line with that of No. 51. The new property would feature three bedrooms and a rear conservatory
- 5.2.3 The architect describes this as a “contemporary eco-house” and the design concept as “a re-interpretation of ‘Art-Deco’ but in a more modernist style”. The two storey building would have a combination of flat and monopitched roofs with a parapet to the main roof. The elevations are broken up horizontally and vertically and exhibit the curved lines of art deco design. Materials would involve white rendered walls, patinated copper cladding and black aluminium glazing units and copings. The dwelling would achieve at least Level 4 in the Code for Sustainable Homes, with features including solar panels, an air source heat pump and a very high standard of insulation incorporated in the design.
- 5.2.4 A flat-roofed double garage of a similar design and materials is proposed in the front garden.

## **5.3 Principle of Development**

- 5.3.1 The principle of a new two storey dwelling has already been accepted by virtue of extant permission MA/09/0019. This application is a full application (rather than the reserved matters pursuant to that outline application) but the principle remains established. This current application presents issues as to whether the detail of what is proposed is acceptable.

## **5.4 Visual Impact**

- 5.4.1 The main issue with this application (and the main source of objection from the Parish Council and local residents) is the impact of the dwelling on the character of the area.
- 5.4.2 This is a locality within the built up area of Headcorn that is relatively unconstrained. There are no listed buildings or conservation areas affected by this application, nor are there any other significant constraints on design. Such localities present the opportunity for a more adventurous design approach than would be the case on other developable sites, particularly as this part of Oak Lane exhibits a range of different scales and styles in terms of building design. There are bungalows here but also a range of two storey properties of varying

ages and styles. In these circumstances I see no need for the architect to seek to replicate or copy elements from these surroundings.

- 5.4.3 In my view the dwelling proposed represents an interesting contemporary approach with art deco elements. Given the quality of the design I do not consider that it would represent a jarring element in the street scene. Its overall scale and height has been devised to present a step from the two storey dwelling at 49 down to the bungalow at 51. In fact the house would only be marginally higher than the bungalow at 51 and lower than 49. The detailing and the choice of materials represent good contemporary design and I disagree with the view that such a development would be harmful to the character of the area.
- 5.4.4 There is no significant building line hereabouts and houses to the west have garaging in their front gardens. With this in mind, I consider the garage proposed (which is of similar design and materials as the house) would be acceptable.

## **5.5 Residential Amenity**

- 5.5.1 The dwelling has been designed to respect the amenities of neighbours. Neither immediate neighbour has significant windows on flank elevations facing the site. There would be no loss of light or outlook to those properties. Objection has been raised due to loss of privacy but there is only one window proposed above ground level in the flank facing 51 and that would be near the front of the building such that it would not face any window or sensitive area. I conclude that the proposed development would not adversely affect the living conditions of neighbours to any significant degree.

## **5.6 Highways**

- 5.6.1 The development would use an existing access which I consider suitable to serve a single dwelling. The new dwelling would have adequate parking and turning space.

## **5.7 Landscaping**

- 5.7.1 An arboricultural assessment has been submitted which confirms my view that no tree on site is of significant amenity value. However, four trees are worthy of retention and are shown as retained on the submitted plans. This includes the small beech near the site frontage and the beech hedge at the front boundary. New landscaping is offered in the application and the detail of this can be secured by conditions. This is intensively managed garden and I consider it unlikely to be of significant ecological value. The application indicates that bat boxes would be put in place and, again, this could be the subject of a condition.

## **5.8 Other Matters**

- 5.8 A consulting engineers' report has been submitted which states that there are a number methods that could be successfully employed to deal with surface water disposal: I conclude that the method of surface water disposal could be the subject of a condition. The report also states that the construction of a basement in this location could be achieved without adversely affecting the stability of neighbouring properties or groundwater conditions. There is no justifiable reason to refuse this application on those grounds. The architect informs me that the dwelling would achieve at least Level 4 in the Code for Sustainable Homes and this is to be welcomed (the Council normally requires a minimum of Level 3).

## **6. CONCLUSION**

- 6.1 The principle of a new dwelling has already been accepted. I consider the detail, including the contemporary design, to be acceptable and I recommend that permission be granted.

## **7. 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:  
drawing nos. 010/P2, 011/P3, 012/P2, 013/P3, 014/P4, 015/P3, 016/P4, 017/P4, 018/P3, 019-1/P3, 019-2/P4, 019-3/P3, 020/P2, 021/P3 received on 6/12/12;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers. This in accordance with Policies CC1, CC6 and BE1 of The South East Plan 2009.

3. The development shall not commence until, written details and samples 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. This in accordance with Policies CC1, CC6 and BE1 of The South East Plan 2009.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping (including boundary treatments, details of the trimming back of the front hedge and ecological enhancement works), 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. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted. This in accordance with Policies CC1, CC6 and BE1 of The South East Plan 2009.

5. 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 building(s) 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 setting and external appearance to the development. This in accordance with Policies CC1, CC6 and BE1 of The South East Plan 2009.

6. The dwelling shall achieve a minimum of Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that (at least) Code Level 4 has been achieved;

Reason: To ensure a sustainable and energy efficient form of development in accordance with Policy CC4 of The South East Plan 2009 and the National Planning Policy Framework 2012.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Schedule 2, Part 1, Class A shall be carried out without the permission of the Local Planning Authority;

Reason: To ensure a satisfactory appearance to the development is maintained and to ensure levels of amenity are maintained in accordance with Policies CC1, CC6 and BE1 of the South East Plan (2009).

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.