

REPORT SUMMARY

REFERENCE NO - 17/501308/FULL		
ADDRESS 1 Brooklands, Headcorn, Kent, TN27 9QS		
RECOMMENDATION- Grant subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The details are considered to comply with the policies of the Development Plan, where relevant, and the National Planning Policy Framework, and there are no overriding material considerations to indicate a refusal of planning consent.		
REASON FOR REFERRAL TO COMMITTEE Headcorn Parish Council recommends refusal and request referral to planning committee.		
WARD Headcorn	PARISH/TOWN Headcorn	COUNCIL APPLICANT Mr P Fox AGENT E P Architects Ltd
DECISION DUE DATE 05/05/17	PUBLICITY EXPIRY DATE 15/05/17	OFFICER SITE VISIT DATE 07/04/17
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): 16/501929/FULL - Erection of 2no detached dwellings in the garden of 1 Brooklands – Withdrawn to address objection raised by the EA. 13/2088 - Single storey side extension to existing dwelling and demolition of detached double garage, subdivision of plot and erection of 1(no) detached dwelling with access and associated works – Withdrawn to address objection raised by the EA.		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 1 Brooklands is a detached two storey residential property located at the junction of Brooklands and Ulcombe Road with frontage and vehicle access onto Ulcombe Road. The house is located in the southern corner of the site with a detached garage located in the northern section with block paving / off road parking between the house and garage. The Ulcombe Road boundary is characterised by a circa 2m high mature hedge to the front of the house, a vehicle access and close board fencing with a hedge behind. The rear garden of 1 Brookland is largely laid to lawn with close boarded fencing along the boundary.
- 1.2 To the north of the site is a stream. The stream is separated from the site by a 2m high close board fence. The site is located in flood zone 3a according to the EA records.
- 1.3 The surrounding area is predominantly residential in character, with properties of differing scale, design and age. For the purposes of the Local Plan, the site is within the defined village envelop / urban area of Headcorn. To the east of the site is pair of semi-detached houses that has been approved and constructed within the last 10 years.

2.0 PROPOSAL

- 2.1 Erection of a pair of semi-detached 3 bed dwellings in the side garden of 1 Brooklands, to the north of the existing house.
- 2.2 The houses would be two storey with a void below to allow for flood alleviation. A traditional design is proposed with gable ends, pitched roofs and two small pitched roof dormers on the front elevation. Pedestrian access at the front of each house would be via a raised walkway spanning the width of the building. Access to the rear garden would be via a raised veranda at the rear of the building with steps down to the garden. Materials include facing brick at ground level, weatherboarding to the first floor and gables and plan roof tiles.
- 2.3 The existing hedge along the Ulcombe Road boundary would be retained except for a gap required for the proposed vehicle access which would accommodate two rows of tandem parking (4 cars in total) in the northern part of the site.

Amended plans

Amended plans have been submitted during the course of the planning application to address comments received from the EA and relocate the building / parking area further away from the stream running outside the northern boundary of the site.

3.0 POLICY AND OTHER CONSIDERATIONS

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Local Plan (2017): SP1, SP7, DM1, DM9, DM11, DM27

4.0 LOCAL REPRESENTATIONS

- 4.1 **Local residents:** 3 representations received from local residents raising the following issues:
- The site and road are liable to flooding. In December 2012 there was severe flooding.
 - Highways safety.
 - Ulcombe Road is not suitable for additional traffic.
 - Impact on local sewerage system.
 - Additional traffic.
 - Insufficient parking provision.
 - Loss of light, overshadowing and overlooking to neighbouring property.
- 4.2 **Headcorn Parish Council:** Objects and requests referral to planning committee for the following summarised reasons:
- Gross overdevelopment
 - Location in a flood plain
 - Parking for provision for the existing property

5.0 CONSULTATIONS

KCC Highways: The proposal does not meet criteria for consultation with KCC.

EA: No objections subject to conditions.

KCC Ecology: No objections subject to conditions.

MBC Environmental Health Officer: No objections

6.0 APPRAISAL

Principle of Development

- 6.1 The site is located in the residential urban area of Headcorn as defined on the saved and emerging policy maps. Headcorn is designated as a rural service centre in the new local plan and policy SP5 and SP7 of the new local plan state that outside the Maidstone urban area, rural service centres are the second most sustainable settlements in the hierarchy to accommodate growth. Policy SP5 and SP7 support, (inter alia) minor development such as infilling and redevelopment of appropriate sites. Policy DM11 of the new local plan supports development of residential garden land in rural services centres subject to certain criteria. Saved policy H27 allows new minor residential development within the village envelope.
- 6.2 Having regard to the above policies I consider the principle of additional residential development on garden land at this property within the rural service centre to be acceptable.
- 6.3 Key considerations are flooding, design, amenity (future occupiers and neighbours), highways safety and parking.

Visual Impact

- 6.4 The proposed development would be clearly visible from close range views outside the site on Ulcombe Road. The existing boundary hedge would be retained and enhanced and would screen the void area, elevated walkway and majority of the ground floor of the proposed development. A new gap in the hedge would provide access to the vehicle parking spaces.
- 6.5 The surrounding area is characterised by a variety of residential properties including a recently constructed semi-detached pair on the opposite side of Ulcombe Road. The front building line would reflect the established building line to the south of the site and the existing hedge along Ulcombe Road would be retained with the proposed development located behind the hedge. The bulk of the proposed ridge line would reflect the height of the existing property at 1 Brookland with the gable sections extending slightly higher, which is considered to be acceptable at this section of Ulcombe Road as the existing properties located to the north would not be viewed in the same streetscene context. The fenestration heights / alignment at ground and first floor level would reflect the fenestration at 1 Brookland Road. Objections have been raised regarding overdevelopment of the site. In this regard both proposed houses would provide adequate rear gardens, road frontage boundary treatment would be retained and enhanced and distances to the side / shared boundary would be similar to neighbouring residential properties. As such I consider that the proposed layout and traditional form and design would reflect the surrounding residential development in this part of Headcorn in accordance with policy DM1 and DM11. A condition is recommended to ensure good quality materials are used that reflect the local vernacular of the area.

Residential Amenity

- 6.6 The closest residential property to the proposed development would be the existing property at 1 Brooklands located to the south of the site. There are not considered

to be any unacceptable amenity impacts upon this property due to the orientation of the proposed development and location of proposed and existing windows.

- 6.7 Residential properties to the north and west of the site would not be affected due to the separation distances involved and natural screening.
- 6.8 The property located on the opposite side of Ulcombe Road has raised objections regarding loss of light, overshadowing and loss privacy. The development would be located some 18m from the house on the opposite side of the road and, Ulcombe Road, which is a public highway, would be located between the proposed development and neighbouring property. It is therefore considered that the proposal would not result in an unacceptable loss of amenity to this neighbouring property.

Highways

- 6.9 The proposal includes four parking spaces in total, two tandem parking spaces for each property. The parking provision is in accordance with the councils saved and emerging parking policy. Two off-street parking spaces would be retained at 1 Brookland Road. There would be no on-site turning area and future occupiers would have to either reverse onto the site or road. This is a similar arrangement to existing houses on Ulcombe Road, including the semi-detached pair recently constructed opposite 1 Brookland Road and, does not warrant a sustainable reason for refusal.
- 6.10 The proposed development would not result in a significant increase in traffic generation or severe highway impact to warrant an objection in highways terms.
- 6.11 Cycle storage is proposed to the rear / side of each house in accordance with policy.

Landscaping

- 6.12 The existing hedge along Ulcombe Road would be retained with the development located wholly behind this existing boundary feature. The retention of the boundary hedge would reflect the boundary treatment to the south of the site at 1 Brookland Road. A condition could be attached to ensure any gaps in the hedge are filled in and the hedge is extended across the frontage where possible as shown on the proposed layout plan. The rear gardens would be laid to lawn.
- 6.13 One small apple tree would be removed to facilitate the proposed development. The tree is not protected by a TPO and is not visible from a public vantage point such that its proposed removal does not warrant objection. In accordance with policy I consider it would be appropriate to provide a new tree as mitigation which could be secured by condition.

Flooding

- 6.14 The EA has advised that the application site is located within flood zone 3a and neighbours have objected to the proposed development on grounds of flooding. The development has been designed following advice from the EA and applicants flood specialists and the semi-detached pair would be raised above ground level with a void below the houses to allow flood water to flow unobstructed over the site. Following the submission of a revised layout the EA does not raise any objections to the proposed development subject to a condition requiring a buffer zone to safeguard the existing water course as delineated by the existing fencing and shown on the submitted site layout. The buffer zone would safeguard the existing watercourse buffer zone and ensure no outbuildings / extensions are built and would be secured by condition 2.

- 6.15 The FRA advises that safe access can be provided to the site as Ulcombe Road is located above the predicted flood water level and the driveways will also be above the predicted flood water level. The design / ground floor height and raised access would ensure the properties and residents are safe at times of flooding and the void area below the houses would ensure there would be no loss of flood plain storage.
- 6.16 The EA has advised that the sequential test should be applied by the LPA. The application site comprises part of the applicants residential garden and there are not considered to be any alternative appropriate sites for the purposes of the sequential test. The EA has advised that the proposed development would pass the exception tests and does not raise an objection in terms of increased flood risk to neighbouring properties or to future occupiers of the site.

Ecology

- 6.17 The application is accompanied by a preliminary ecology survey which indicates that the site comprises a managed residential garden land and offers negligible potential for amphibians and reptiles, no potential to support the hazel dormouse. The site and surroundings offer potential to support breeding birds and bats. With the exception of the apple tree in the rear garden the trees and hedgerows within / adjacent the site would be retained thus continuing to support these species. The ecology report advises it is unlikely that water voles are present, however, surveys are recommended as a condition (as suggested by the ecology report and EA) to ensure they are not present and safeguard their habitat during the course of the construction.

Other issues

- 6.18 Impact on the local sewerage system has been raised by a neighbour. Connection to the local sewerage system would fall within the remit of Southern Water and is controlled under the Water Industry Act.

7.0 CONCLUSION

- 7.1 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. I therefore recommend approval of the application on this basis.

8.0 RECOMMENDATION – GRANT Subject to the following conditions for the following reasons:

- (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) No development shall take place until a scheme for the provision and management of a buffer zone no less than that currently delineated by the existing fence line alongside the watercourse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone shall be kept free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (to be of native species).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term.

Reason: To safeguard the existing watercourse buffer zone during the construction and thereafter.

- (3) No development shall take place until a report detailing water vole surveys carried out between April and September by a competent surveyor has been submitted to the Local Planning Authority. The report should detail the results of surveys carried out within the most recent survey season and, if present, include a plan for the protection of the species and their habitat:

Such a plan should include:

- detailed drawings of the location and construction of the proposed development (including timing of works, methods and materials to be used);
- details of how water voles and their resting places are to be protected during construction works;
- a scheme for the long-term management and protection of the water vole population and its habitat;
- details of mitigation and / or compensation for the loss of habitat used by the water vole
- the design, construction, mitigation and compensation measures should be based on the results of a survey carried out at an appropriate time of year by a suitably experienced surveyor using recognised survey methodology.

The development shall be carried out in accordance with the approved details / plan.

Reason: In the interest of wildlife protection during the construction and thereafter.

- (4) The approved details of the parking 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) 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 is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (5) The development hereby approved shall not commence above slab level until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained thereafter;

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

- (6) Prior to commencement of development above damp proof course level, written details of a scheme of landscaping shall be submitted to and approved in writing by

the Local Planning Authority which shall include a long term management plan. The scheme shall be designed using the principles established in the Councils adopted Landscape Character Assessment and Landscape Guidelines;

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory appearance to the development.

- (7) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved, 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 commencement as these methods may impact or influence the overall appearance of development.

- (8) The development shall not commence above slab level until written details and samples of the materials to be used in the construction of the external surfaces of the building, including those of the roof, elevations, hard surfaces and retaining walls, hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Proposed materials shall include details of bat/bird bricks/boxes incorporated into the building. The development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

- (9) The development hereby approved shall not be occupied until a minimum of two electric vehicle charging points have been installed on the proposed dedicated off street parking, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

- (10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class(es) A,B, D, E, to that Order shall be carried out without the permission of the local planning authority;

Reason: To safeguard the character and of the surrounding area and to safeguard flood risk.

- (11) The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether

they are to be retained or removed [provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value [together with the location of any habitat piles] and include a planting specification, a programme of implementation and a [5] year management plan. The landscape scheme shall specifically address the need to provide a replacement tree and details of the frontage hedgerow.

The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- (12) The development hereby permitted shall be carried out in accordance with the following approved plans:

1692.P.101 Rev B; received 26.09.2017 and 1692.P.100 Rev B; received 21.07.2017 and 1692.P.100, 1692.P.101 and 1692.E.01; received 08.03.2017. And supporting documents: KB Ecology Preliminary Ecological Appraisal; dated 16th December 2015 and Arboricultural Report; date January 2016.

Reason: To clarify which plans and documents have been approved.

Andrew Jolly

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