

REPORT SUMMARY

REFERENCE NO - 23/00989/FULL		
APPLICATION PROPOSAL Demolition of existing dwelling, construction of replacement dwelling with solar panels and associated landscaping (Part Retrospective)		
ADDRESS High View Grovehurst Lane Horsmonden Tonbridge Kent TN12 8BG		
RECOMMENDATION – to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation)		
SUMMARY OF REASON FOR APPROVAL <ul style="list-style-type: none"> • The proposal for a replacement dwelling would be considered to comply with Policy H10 of the adopted Local Plan. • The proposed access as altered would not be considered harmful to highway safety. • The proposed dwelling is not considered to directly harm the residential amenity of any neighbouring occupiers. • The design of the garden curtilage and the measures proposed to improve and enhance the landscape are considered to minimise the visual impact of the dwelling. These measures would also make a long-term contribution towards improving the biodiversity of area. 		
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application: Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A Net increase in numbers of jobs: N/A Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A The following are not considered to be material to the application: Estimated annual council tax benefit for Borough: £N/A Estimated annual council tax benefit total: £N/A Estimated annual business rates benefits for Borough: N/A		
REASON FOR REFERRAL TO COMMITTEE The application has been referred to Planning Committee by the Head of Planning		
WARD Brenchley & Horsmonden	PARISH/TOWN COUNCIL Horsmonden Parish Council	APPLICANT Mr Joe Busby AGENT Mr Mark Selden
DECISION DUE DATE 21/07/23	PUBLICITY EXPIRY DATE 26/05/23	OFFICER SITE VISIT DATE 03/05/23

Application No.	Proposal	Decision	Date
22/00011/FULL	Demolition of existing dwelling and construction of a replacement dwelling with solar panels, plus associated landscaping.	Approved	17/03/22
22/01785/SUB	Submission of details in relation to conditions 5, 6 and 10 (Site Levels, Protection Areas, Landscaping and Hardstanding) with application 22/00011/FULL	Not Determined	
22/02987/FULL	Variation of Condition 2 of Planning Permission 22/00011/FULL (Demolition of existing dwelling and construction of a replacement dwelling with solar panels, plus associated landscaping) - (Addition of dormer windows to rear elevations).	Not determined	

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The Application site comprises the residential curtilage of a detached bungalow known as High View. The site lies within a predominantly rural area, but the immediate vicinity comprises sporadic housing characterised by large, detached dwellings in large plots.
- 1.02 The site is situated outside the Limits to Built Development (LBD) of Horsmonsdon village settlement as designated by the Local Plan 2006 within open countryside.
- 1.03 The site comprises a broadly rectangular plot of 0.20 ha with Grovehurst Lane running along the front north-western boundary. Adjacent to the northeast is Wings (previously Parkfield) a contemporary two-storey detached house, which received planning permission as a replacement dwelling in February 2010 under ref. 09/02460/FUL. To the rear south-eastern boundary is Tanglewood a two-storey detached dwelling with large garden backing on to the rear garden of High View. The southwest boundary is heavily vegetated and adjacent to this is a driveway off Grovehurst Lane leading south, serving a number of other houses, terminating at Capel Manor House. beyond the driveway to the west is North Lodge a two-storey grade II listed building.
- 1.04 At date of site visit, the site currently comprises a detached dwelling part constructed (for which this application seeks permission for). Prior to this there was a single storey detached bungalow located broadly in the same position. Given the size of the plot, the closest residential properties lie either side with North Lodge and Wings which both lie approximately 30 and 40m (respectively) from the proposed house. Tanglewood behind to the southeast is approximately 76m away.
- 1.05 The site has a gradient sloping up to the south-eastern rear boundary and falling away with views over a valley of countryside to the northwestern front boundary.
- 1.06 The site's existing vehicular access is served from the front off the highway of Grovehurst Lane.
- 1.07 The main public views of the house are to the front from the northeast boundary of Grovehurst Lane and the valley beyond.

1.08 The site is open grass within the centre and the boundaries comprise hedges and wire fencing. There is a row of conifer trees to the eastern half and there is a copse of trees on a bank of established vegetation within the western boundary to the site. During the site visit, the trees to the west were protected by fencing.

2.0 PROPOSAL

2.01 This application seeks full planning permission for the demolition of the existing dwelling, and the construction of a replacement dwelling, with solar panels and associated landscaping (Part Retrospective).

2.02 This application has been submitted following the granting of planning permission 22/00011/FULL to seek amendments to that permission. The current proposal seeks to regularise the development in light of revisions to the height and the siting of the building, changes which have arisen due to the accuracy of OS maps, creating a difference between OS Mapping data and the actual site positions (to GPS coordinates). This is because measurements have been expressed based from the existing road position however, these have changed over the years and the road is now much wider than indicated on the OS mapping data.

2.03 As a result this application seeks retrospective permission for a dwelling:

- built slightly orientated at an angle to north and very marginally closer to the road.
- The height of the building is approximately 9.1m (0.7m main ridge higher than approved), and side gable approximately 8.7m (0.7m higher than approved).
- The addition of two rear dormer windows which face southeast over the rear garden.
- Landscape and biodiversity enhancements.

2.04 In all other respects the application is as approved under 22/00011/FULL which allowed the existing bungalow to be demolished and replaced. Together with an additional access west of the existing access to allow for improved maneuverability through the site.

2.05 The dwelling would be of modern design and set into the slope, with most of the accommodation on two floors, it would have garage storage at below ground level and additional accommodation within the roofspace. The dwelling would be sited on part of the footprint of the existing bungalow but would extend closer to the highway and toward the front of the site in order to utilize the slope of the hill. The dwelling would provide for additional living space in the form of reception rooms, bedrooms, dining area, utility rooms and a store facility on the lower ground floor.

2.06 The property has been designed to high standards exceeding the Building Regulations in thermal performance. This would incorporate air source heat pumps and high levels of insulation throughout the property to create a low carbon use building. In addition, there will be a PV solar array to provide electricity from a sustainable source.

2.07 To ensure the house is integrated into the slope the design incorporates a comprehensive landscape scheme within the proposals. This would comprise an extensive range of native planting and hedgerows. The landscape proposals incorporate a significant amount of screening to the northeast of the site along the boundary of the adjacent property (Wings).

- 2.08 In addition, the retention of the existing trees and vegetation along Grovehurst Lane and supplementing this further along the western corner frontage, will provide further softening of the new development and obscure the low-level garage.
- 2.09 Enhancements to biodiversity include bird boxes, bat boxes, bug hotels & log piles. This is further supported by native hedgerow planting and a wildflower meadow along the north western side of the property.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Car parking spaces (inc. disabled)	2	2+	+2
Max height (approximately)	6.9m	9.1m	+2.2m
No. of residential units	1	1	0
Accommodation	1x3 bed unit	1x 4 bed unit	+1 beds
Distance from house at the closest point (approximately)			
Wings	38m	38m	0
North Lodge	31m	30	-1m
Tanglewood	70m	76m	+6m

4.0 PLANNING CONSTRAINTS

- Agricultural Land Classification Grade 3 (*This information is taken from the MAFF 1998 national survey series at 1:250 000 scale derived from the Provisional 1" to one-mile ALC maps and is intended for strategic uses. These maps are not sufficiently accurate for use in assessment of individual fields or sites and any enlargement could be misleading. The maps show Grades 1-5, but grade 3 is not subdivided.*)
- Outside the limits to built development (LBD)
- Consult KCC on Major Planning Applications Or Equivalent Only (including Reserved Matters)

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF): 2021 National Planning Practice Guidance (NPPG)

Development Plan:

Site Allocations Local Plan Adopted 2016

- Policy AL/STR 1: Limits to Built Development

Tunbridge Wells Borough Core Strategy 2010

- Policy 1: Delivery of Development
- Policy 3: Transport Infrastructure
- Policy 4: Environment
- Policy 5: Sustainable Design and Construction
- Policy 6: Housing
- Policy 14: Development in the Villages and Rural Areas

Tunbridge Wells Borough Local Plan 2006

- Policy LBD1: Development outside the Limits to Built Development
- Policy EN1: Development Control Criteria

- Policy EN8: Lighting
- Policy EN25: Development Control Criteria for all Development proposals affecting the rural landscape
- Policy H10: Replacement Dwellings outside the Limits to Built Development
- Policy TP4: Access to the road network
- Policy TP5: Vehicle Parking Standards

Horsmonsden Neighbourhood Plan 2022

- Policy 5. 1 Design of new development
- Policy 6.2 Windfall residential development
- Policy 6.4 Replacing or combining existing dwellings outside the Limits of Built Development
- Policy 7.3 Biodiversity net gain:
- Policy 7.4: Trees and hedgerows:
- Policy 7.7 Light pollution:

Supplementary Planning Documents: Borough Landscape Character Area Assessment 2002: Second Edition; Rural Lanes Supplementary Planning Guidance (January 1998)

Other documents: Kent Design Guide Review: Interim Guidance Note 3 (Residential parking);

6.0 LOCAL REPRESENTATIONS

6.01 A site notice was displayed on the 3rd May for 21 days.

6.02 19 responses to the proposal have been received objecting, raising the following comments (summarised):

- The building presently under construction is more obtrusive on the landscape, in terms of its size, appearance and its forward location on the building plot, to be wholly at odds with the general character of Grovehurst Lane, the neighbouring residential amenity and landscape.
- Planning permission should not be granted because the building is obtrusive, overbearing and results in overlooking of my garden. The proposal fails to maintain the inherent value of the landscape or countryside.
- The application has not met the local validation requirements as there is no assessment of whether there is potential harm to North Lodge, Grovehurst Lane, a Grade II listed Building.
- The proposal is contrary to the development plan, in particular Local Plan Policy H10.
- The proposed height of the building and dormers results in intrusive and harmful overlooking into the garden of Wings. When assessed against Policy EN1 of the Local Plan there is an unacceptable and significant degree of harm to the occupiers of Wings by the degradation of our residential amenity.
- The building now overshadows Grade II listed North Lodge, is overbearing, impacting on landscape and amenity. The building now overlooks all aspects of the garden of North Lodge and is intrusive, now affording little privacy (the previous bungalow could not be seen).
- It is not fair that the owner of this property gets away with blatantly ignoring what he was granted permission to build, given that everyone else in the area has adhered to all demands made upon them. Granting retrospective planning permission will only encourage others to follow suit and will also set a precedent.

6.03 2 letters of support

- This beautiful build that will blend into the landscape within a few short years, how can anyone complain. A great family home.
- The new property that has been built in place of High View Bungalow looks much better than the original dwelling and looks in place with the rest of the large properties along Grovehurst Lane. Adding value to the surrounding properties. Yes, not all the same style buildings, but I think that's to be expected in this day and age. Wings is far more modern than High View and stands out. I believe the finished property has been built to a very high standard and the landscaping will be done to the same standards but within keeping of the rural, countryside feel. I believe a local family should create a wonderful home to share with their children.

7.0 CONSULTATIONS

7.01 **Horsmonsdon Parish Council** (16.05.23)

Recommend refusal on the grounds of:

- over development of an existing space outside the limits to build development.
- over dominant design given the rural setting.
- overlooking of neighbouring properties.

The PC request the case is called in to TWBC Planning Committee for a decision.

7.02 **TWBC Landscape & Biodiversity Officer** (02/08/23):

Regarding this revised proposal I understand that there are two key differences to the approved scheme in that the building is slightly higher than approved and that the extent of landscape and ecological mitigation has greatly increased. Whilst the increase in height may exacerbate likely landscape effects this is unlikely to be significant and so I do not see that this would be so great as to lead to a different conclusion on the overall acceptability of the scheme. In addition, there improved offer in landscape and biodiversity terms makes a positive contribution in favour of the scheme. I have no further comments.

7.03 **Tree Officer** (02.08.23)

Following a review of the file and proposals relating to trees and hedges replacement I raise no objections to the scheme.

7.04 **Conservation Officer** (06/07/23)

I have reviewed the application drawings and supporting documents. The site is not listed, is not in a conservation area, is not an historic farmstead and is not a non-designated heritage asset.

The site lies adjacent to a listed building, North Lodge. There are no other heritage assets close to the site that may be affected. North Lodge is one of two lodges associated with Capel Manor. The South Lodge (Listed Grade II) was the entrance to the long parkland access to Capel Manor. This access has been disused since the mid 20th century and the connection between South Lodge and the site of Capel Manor is essentially lost.

The setting of the South Lodge would originally have comprised the parkland and access track as well as the Manor would have contributed to the significance of the lodge. The loss of that connection has effectively reduced the significance of the lodges setting significantly.

North Lodge was more cut off from Capel Manor from the outset. It was separated from the Manor by a woodland and its original setting was essentially the two access

tracks and the woodland. The access tracks in particular contributed strongly to the setting and would have contributed to the significance of the Lodge. The enclosing woodland gave the lodge a sense of enclosure. While the access tracks remain, the woodland has been severely encroached on by residential development both along the tracks and to the NE of the lodge. The woodland therefore no longer makes a strong contribution to the significance of the lodge.

The proposal at High View is sited on part of the former woodland NE of the Lodge which now has residential character and has since the early to mid 20th century. The proposal to remove the former building and replace with a taller larger structure is located on land that now has residential character rather than woodland character. While this proposal would be visible from the lodge, it would not impact the lodge's current setting with its access tracks and would not therefore impact its significance. However, there may be an opportunity to strengthen the setting of the lodge by improving the band of trees between the lodge and the application site and this would be recommended.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 It is important to understand that this property is called High View for a reason, and it relates to the topography of the land which sits on a natural high position relative to Grovehurst Lane. Therefore, any dwelling will always sit relatively higher than the lane itself. This is equally true of the surrounding properties on either side, and it was true of the dwelling which High View has replaced. We consider that the new dwelling relates well to the topography of the land locally and sits well within the wider landscape to create an attractive property to this area along Grovehurst Lane.
- 8.02 In addition to the existing natural screen surrounding the property and woodland area to the south west, there is an extensive landscaping scheme as part of this application, to provide further natural screening of the new dwelling. Therefore, we consider the new dwelling will be significantly screened once the landscape features have become established. We trust the Council will support these proposals.

9.0 BACKGROUND PAPERS AND PLANS

- Application forms
- 1519 P001G Site Plans as Existing
- 1519 P002G Existing Plans and Elevations
- 1519 P003G Proposed Floor Plans
- 1519 P004G Proposed Elevations
- 1519 P005G Proposed Block Plan
- 1519 P006G 3D views of proposed dwelling
- 1519 PC001G Existing Topographical Survey
- 1519 PC002G Proposed Topographical Survey/Site Plan
- 1519 PC003G Proposed site protection
- 1519 PC004G Proposed hard landscaping
- 1519 PC005G Proposed soft landscaping
- 1519 PC006G Foul Drainage

10.0 APPRAISAL

- 10.01 This application seeks part retrospective planning permission for a revised height and siting, the insertion of dormer windows and solar panels to rear roof elevation and details of landscaping, biodiversity enhancements. The application also seeks to confirm levels and tree protection.

- 10.02 The key issue is therefore whether this proposal as a result of increased height and siting closer to the road would result in the proposal not complying with the requirements of Policy H10 on replacements dwellings. Whether the revised proposals would result in harm to neighbouring amenity and any other material considerations. These issues are dealt with in turn below.

Principle of Development, Visual Impact and Impact upon the countryside

- 10.03 This application relates to the replacement of High View an existing dwelling within the rural area of Horsmonden.
- 10.04 Policy H10 of the Tunbridge Wells Borough Local Plan refers to the replacement of dwellings outside of the LBD. This states that outside of the LBD,

'the replacement of an existing dwelling will be permitted provided all of the following criteria are satisfied:
(a) The existing building enjoys a lawful residential use which has not been abandoned.
(b) The replacement dwelling would be sited on, or as close as is reasonably practicable to, the site of the existing dwelling, unless an alternative position on the plot would result in clear landscape, access or local amenity benefits.
(c) The replacement dwelling would be no more obtrusive in the landscape than the dwelling which is to be replaced'.
- 10.05 The existing dwelling had lawful residential use which had not been abandoned and therefore the proposed development satisfies criterion (a) of the policy.
- 10.06 Criterion (b) of the policy requires that replacement dwellings be sited on a similar footprint to the existing dwelling unless an alternative location would result in clear landscape, access or local amenity benefits.
- 10.07 The proposed dwelling is sited upon a similar footprint to the original bungalow and under 22/00011/FULL was permitted to be brought further forward in the site in order to take advantage of the change in levels.
- 10.08 Following concerns raised regarding the level's details given by the applicant's topographical plan, the Council employed a second survey to be conducted. The findings of the new survey has confirmed that the building as built is marginally reorientated but broadly sited on the as approved position. The dwelling has been built approximately 15.6m (13.5m at closest point garage) back from the road. This compares with 23.5m back for the original bungalow. It would still maintain a large set back from the road of (15.6m) with landscaping along the frontage. In line with the approved plans, it would take advantage of the change in levels and is built cut and set into the land by 1.4m with a terrace to the rear of a similar level.
- 10.09 The building would remain broadly similar position to the original bungalow in terms of distance to the side boundary's with 30m east to and 20m west. Overall the built form remains to be sited on a similar position centrally within a large plot and preserves the established landscaping on the boundaries including protecting the belt of trees within the northwest side boundary. The proposals include supplementing the landscaping with additional trees to be planted within the north-eastern side.
- 10.10 With the above in mind, it is considered that given the size of the plot and the proposed location of the building being sited over the existing footprint within the centre of the site, retaining significant distances to boundaries, but also forward to

utilise the change of levels and integrate the building within the slope, the proposed changes to the position are minor and overall are on balance considered to comply with criterion (b) of the policy

- 10.11 Criterion (c) requires that replacement dwellings are no more obtrusive in the landscape than the existing dwelling. At Development Plan level, protection of the landscape is addressed in Core Policy 4 (1) of the CS which seeks to conserve and enhance it. LP Core Policy 14 (6) stresses that a policy of restraint will operate in order to maintain the landscape character and quality of the countryside. Local Plan Policy EN25 sets out the criteria that development outside the LBD is required to satisfy; including that the proposal has a minimal impact on the landscape character of the area.
- 10.12 Concern has been raised by objectors that the dwelling is much larger and taller than permitted and more obtrusive in the landscape than the existing dwelling. Under the original approval the plans 22/00011/FULL indicated that the building would be overall of comparable height to the original bungalow which was approximately 6.9m to ridge. With the building set down and cut into the ground by approximately 1.4m. The building was permitted under 22/00011/FULL at approximately 8.4m.
- 10.13 This application seeks to regularise the consent with as built measurements as further confirmed by the new survey undertaken on behalf of the Council, a dwelling with a main front ridge height of approximately 9.1m and the side gable (lower ridge) measured at approximately 8.7m. On approved plans 22/00011/FULL the front elevation ridge (higher ridge) measures approximately 8.4m the side gable (lower ridge) measures at approximately 8.0m.
- 10.14 The applicant confirms that the alteration to height and siting is due to a slight increase of the eaves and the roof pitch being slightly steeper than that approved and the accuracy of OS maps, creating a difference between OS Mapping data and the actual site positions (to GPS coordinates). This is because measurements have been expressed based from the existing road position however, these have changed over the years and the road is now much wider than indicated on the OS mapping data. The findings of the Councils survey suggest this also to be the case as there are only marginal differences to the height and levels throughout.
- 10.15 It is acknowledged that the site is currently very stark and offers open views of the building, however, this is typical of a site that is under construction and the applicant proposes to comprehensively landscape the site with hedgerows, trees and a bank at the front to ensure that the building would be set within its rural context and reduce the amount of building seen from the road frontage.
- 10.14 As can be seen from the above, the proposal under consideration is different to that previously approved. However, the main considerations remain the requirements of Policy H10 and in particular criterion c as to whether the new dwelling is more visually obtrusive in the landscape than the dwelling to be replaced. There is no definition in the policy of obtrusive. In the absence of such a definition one should consider the normal definition of the word and in that regard the Oxford dictionary definition of obtrusive is “noticeable or prominent in an unwelcome or intrusive way”. Whilst the proposed dwelling would be sited further forward in the site than that it replaces, it would retain a considerable set back from the road of over 15m and remain broadly in line with the building line and frontages of the adjacent dwellings, it would be enhanced by existing trees and planting along the frontage to the road. This would assist in maintaining the character and appearance of the area. The increase in height and revised siting is not considered to result in a building which

would become noticeable or prominent in an unwelcome or intrusive way and therefore it can be considered not to be more obtrusive to the landscape. A building with a ridge of 9.1m is not exceptionally high for a dwelling and it is considered the roof design is proportionate to the overall design of the house. The roof is set at a common pitch which is consistent generally with other dwellings along Grovehurst Lane and could not be considered prominent.

- 10.15 The proposed dwelling while of larger scale to that of the existing dwelling, a bungalow, is not considered to result in harm to the character of the area. In the immediate vicinity there are other large dwellings in similar plots of varying ages and designs. The building would not dominate the plot or stand out as prominent particularly once the landscaping has been planted and become established. The design and materials are of high standard and the proposals consolidate development to one area and include the removal of a dilapidated garage to the north. Having reviewed the layout, grain and context of development in the vicinity, it is concluded that this proposal would not result in over development and would not create detrimental harm to the character of the area. The majority of the plot surrounding the house will be planted with trees and native plants which will overall enhance biodiversity and soften the visual impact on the character of the area.
- 10.16 It is therefore considered that the proposed replacement dwelling would not be considered to appear more obtrusive in the landscape and therefore the proposal would comply with criterion (c) of the policy and would preserve the landscape setting of the site.
- 10.17 The principle of the development is considered to be acceptable as is the visual impact and impact upon the open countryside.

Impact on amenities

- 10.18 The closest dwelling is North Lodge to the west is at closest point 30m from the side elevation of the proposed house. At ground floor on the west elevation there is a utility room back door and the three small windows at first floor serve two en-suite bathrooms and one dressing room. Notwithstanding the distance, there is a bank of land with a belt of trees protected and retained within the western half of the site and established vegetation.
- 10.19 Wings is located to the east and this is at closest point 38m from the side elevation the proposed dwelling. Under this application four windows have been removed from the east elevation of the house at ground and first floor. This application proposes to add additional trees and supplementary planting to the eastern side of the garden.
- 10.20 It is noted that this scheme includes the addition of two dormer windows on the rear elevation. These face only rear and do not have any side glazing so direct views are to the rear. Due to the design of the dormers it is not possible to view the dwellings either side from these windows unless you lean out of them and they are positioned at standing height. Furthermore, due to the house being sited at a lower level and forward and broadly centrally to the plot the rear boundary at closest point is 16m away, with Tanglewood the house to the rear a further 60m to the south. This presents no concerns regarding overlooking or loss of privacy.
- 10.21 The comments of the parish and residents regarding concerns of overlooking are noted however given the distance, relationship and design, this proposal is not considered to cause a detrimental harm to the amenity of neighbouring dwellings.

Impact on Historic Setting

- 10.22 Local residents have raised concerns that due regard was not given to the adjacent Grade II listed building North Lodge. The previous proposal was not considered to affect the setting of the listed building.
- 10.23 In light of the concerns raised a formal consultation was sought from the Principal Conservation Officer for the current application. In summary he has confirmed that:-
- “While this proposal would be visible from the lodge, it would not impact the lodge’s current setting with its access tracks and would not therefore impact its significance. However, there may be an opportunity to strengthen the setting of the lodge by improving the band of trees between the lodge and the application site and this would be recommended.”
- 10.24 The recommendation to strengthen, supplement and enhance the band of trees is noted and has been recommended to the applicant, who has agreed to such enhancements and these are shown on the revised proposed landscape plans. The details of which will be controlled by condition.

Highways and Parking

- 10.25 The proposed development seeks to implement the access arrangement in line with the previous consent and utilise the site’s existing access point as well as creating a new exit point.
- 10.26 Given this seeks a replacement dwelling, it is not considered to result in an increase of movements to and from the site and therefore there is no objection to the continued use of this access or the creation of an in/out arrangement to serve a single dwellinghouse.
- 10.27 The proposal includes a driveway and integral garage/store providing sufficient parking to the front of the site. This is considered to be acceptable to serve a dwelling of the proposed size.
- 10.28 Details of cycle storage and the provision of an electric vehicle charging point have been included on the plans and are acceptable.

Site Biodiversity, landscaping and tree protection

- 10.29 The ecological surveys provided have been prepared by a suitable professional and their findings are considered acceptable. The existing building was low rise and had small roof voids and these are unlikely to support bat roosts. The garden would remain as garden for a single dwelling and existing trees are to be retained therefore bat foraging would be relatively unaffected.
- 10.30 The development site is currently predominantly grassland on the side of a slope with the exception of a section of land to the southwest. In order to mitigate the impact of the new development, the proposal includes enhanced planting along the north-western front boundary. The existing trees on the western side of the site will be retained and further supplementary planting is proposed at the front north-western corner. There is also additional trees proposed to be planted within the north-eastern half of the site, together with a wildflower meadow on the bank. Enhancements to biodiversity include bird boxes, bat boxes, bug hotels & log piles. This is further supported by native hedgerow planting along the frontage.
- 10.31 In order to secure these details and also seek to achieve a gain in biodiversity, a

landscape condition has been applied to ensure that the site provides additional enhancements to biodiversity.

Trees

- 10.32 The works will not affect any trees within the site however a tree protection condition has been applied to ensure the trees particularly to the southwest of the house are protected during construction. The details of tree protection have been submitted and have been agreed by the Tree Officer. No objection is raised.
- 10.33 The proposals seek to add a number of trees to the site.

Conclusion

- 10.34 Having reviewed the layout, grain and context of development in the vicinity, it is concluded that on balance the impacts the increased height and siting closer to the road are not considered to result in a dwelling which would be obtrusive to the landscape. No objection is raised by the landscape Officer, there is no heritage impacts. The site already has residential use whereby residential activity already takes place, the proposed use is served by an existing access not considered harmful to highway safety, and the proposed use is not considered to directly harm any neighbouring amenities. The design of the garden curtilage and the measures proposed to improve and enhance the landscape are considered to minimise the visual harm of the dwelling. These measures would also make a long-term contribution towards improving the biodiversity of area.
- 10.35 It is therefore recommended approval subject to the following conditions.

11.0 RECOMMENDATION – GRANT subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Floor plans P003A
Proposed Elevations P004B
Proposed Block Plan P005B

Reason: To clarify which plans are approved

2. The hereby approved development shall be carried out in strict accordance with the submitted external materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity

3. The area shown on the approved drawings as vehicle parking space and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking/turning space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

4. The erection of approved barriers and/or ground protection 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 protected areas. No alterations shall be made to the siting of barriers and/or ground protection, 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 satisfactory setting and external appearance to the development.

5. The details of hard and soft landscaping hereby approved (which may include entirely new planting, retention of existing planting or a combination of both) including details of a suitable front northwest boundary treatment which does compromise vehicular visibility splays shall be implemented as shown on approved plans unless otherwise agreed in writing by the local planning authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity. 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 a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In the interests of visual amenity and to preserve and enhance biodiversity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A, B, C, or E of Part 1 or Class A of Part 2 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without approval of the Local Planning Authority.

Reason: In the interests of visual amenity.

7. Prior to the installation of any external lighting at the site details shall be submitted to, and approved in writing by, the Local Planning Authority. External lighting shall be installed in accordance with the approved details, and no further external lighting shall be installed at any subsequent time, unless previously agreed in writing by the Local Planning Authority.

Reason: In the interest of protecting the character and amenities of the locality.

INFORMATIVES

1. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

2. As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

3. All Plant and machinery used for demolition and construction should only be operated within the application site between the hours of 08:00 and 19:00 hours on Mondays to Fridays and between 09:00 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays. Vehicles in connection with the demolition and construction of the

development should only arrive, depart, be loaded or unloaded within the general site between the same hours and adequate and suitable provision in the form of water sprays should be used to reduce dust from the site. The road shall remain open at all times and the development should not obstruct other vehicles/users and all materials or machinery in association with the works shall be stored on site.

4. One publicly accessible electric vehicle rapid charge point (of 22kW or faster) should be provided.

Case Officer: Emma Franks

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.