

REPORT SUMMARY

REFERENCE NO - 19/02067/FULL		
APPLICATION PROPOSAL Demolition of existing house and garage. Erection of new house with bike/wood/bin store and landscaping		
ADDRESS 83 Woodhill Park, Pembury, Tunbridge Wells Kent TN2 4NP		
RECOMMENDATION to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation)		
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> - The site is located within the Limits to Built Development where the principle of the development is considered acceptable. - The scale, location and design of the development would respect the context of the site and preserve the visual amenity of the street scene. - There would not be any significant adverse impact upon occupants of neighbouring properties. - The proposed parking layout would make adequate independent parking provision for the resulting property and would facilitate safe access to the highway. - Other environmental impacts have been assessed and there are not any which are potentially significant and which cannot be controlled by conditions. 		
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 Annual New Homes Bonus (for first 6 years): N/A Estimated annual business rates benefits for Borough: N/A		
REASON FOR REFERRAL TO COMMITTEE The application has been called into the planning committee by Councillor Hayward for the following reason: <ol style="list-style-type: none"> 1. Loss of privacy to immediate neighbours 2. Loss of light/sunlight to immediate neighbours 3. Increase in floor area 4. Out of keeping with immediate area 5. Noise from the air source heat pump. 		
WARD Pembury	PARISH/TOWN COUNCIL Pembury Parish Council	APPLICANT Mr Dean and Jolyon Kenward AGENT Mr Sam Moss

DECISION DUE DATE	PUBLICITY EXPIRY DATE	OFFICER SITE VISIT DATE	
19/09/19	06/09/19	12/08/19	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
19/01625/FULL	Part two storey and single storey rear extension. Link roof between house and garage. Alterations to garage. Lightweight enclosure to rear of garage. New bike and bin store. Alterations to existing house.	Approved	02/08/19

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site, 83 Woodhill Park, is a two storey detached property located on the east side of Woodhill Park, accessed via a shared driveway, in the Pembury Parish of the Borough. The plot is set back approximately 25m from the road. The property fronts towards the north, has a driveway and detached single storey garage to the east of the property and garden to the rear. The dwelling is gable ended with a pitched roof and is finished in brick with tile hanging. The detached garage is flat roofed and also brick finished.
- 1.02 The ground floor comprises an entrance hall, toilet, living room, dining room and kitchen and the first floor hosts four bedrooms, one with an en-suite bathroom and a family bathroom. The property is presently unoccupied and understood to have been since December 2018.
- 1.03 The site sits on slightly higher land level to that of Woodhill Road and the immediate neighbour of 85 Woodhill Park to immediate south west of the site. To the immediate rear of the dwelling lies a patio area which leads to a raised garden level (between approximately 0.5-1.0m higher than the patio) and accessed by steps.
- 1.04 The front of the site is presently open and the rear garden is bounded by 1.8m high timber fencing with trellises to the sides and a lower fence approximately 1.5m high timber fence to the rear. Beyond the east boundary of the site lies a row of predominantly conifer trees and to the rear also lies an area of relatively dense tree planting which sits on a higher land level to the site.
- 1.05 The site is located within a predominantly residential area. To the south west of the site lies 85 Woodhill Park which is a detached two storey property that also fronts towards the north and has a garden to the south. To the north of the site lies 81 Woodhill Park, a two storey dwelling which fronts towards the west and onto the road of Woodhill Park and has a garden to the east. The garage of this property is accessed via the same access which serves the proposal site. The southern boundary of the rear garden of this neighbouring property is marked by a brick wall. To the north east lies the property of Parkside, formerly known as Bymeside, a single storey detached dwelling which fronts towards the north and is accessed by a separate access track from Woodhill Park further to the north which also serves the Recreation Ground which lies to the east of this property. To the south east of the site lies the property of Lane End, a detached property accessed from Lower Green Road. The immediate area is generally not characterised by a single property design or external finish.

- 1.06 The site is located Inside the Limits to Built Development (LBD). To the rear of the site lies an Area of Landscape Importance designation and the Pembury Conservation Area.
- 1.07 Permission has been recently granted at the site under 19/01625/FULL for the erection of a part two storey and single storey rear extension along a side extension linking the main dwelling and garage, alterations to the garage including the insertion of roof lights and erection of a lightweight structure to the rear and the creation of a bin and bike store at the site. This permission has not yet been implemented.

2.0 PROPOSAL

- 2.01 The proposal is for the demolition of the existing dwelling and garage and the construction of a new dwelling along with a bike/wood/bin store. The proposed dwelling would be two storeys in height and comprise a living room, kitchen, utility room, study, toilet, hallway and integrated garage at ground floor level and four bedrooms and two bathrooms at first floor level with a walk in wardrobe serving the master bedroom. The bedrooms are proposed to the rear of the property with the bathrooms, walk in wardrobe and landing to the front of the property. A flat roofed single storey element is proposed to have a greater depth than the remainder of the property.
- 2.02 The roof is proposed to be made up of artificial slate and the walls are proposed to be made up of fair face brown stock brick, vertical timber boarding and matt black cladding. The front elevation is proposed to be timber boarding at ground floor level and black cladding at first floor level. The windows are proposed to be black double glazed aluminium.
- 2.03 The proposed dwelling would be set back further into the plot compared to the existing dwelling by approximately 1.3m (including the existing property's porch which extends outwards approximately 0.8m from the main dwelling). It is also proposed to be located 1m from the site's south west side boundary whereas the existing dwelling is flush with it. The proposed dwelling would extend further to the east of the site than the existing dwelling but would not extend beyond the position of the existing detached garage. The proposed dwelling would be of a greater height than the existing property. Where the existing property is flush with the west boundary of the site a new close boarded fence is proposed. The proposed ground floor level is proposed to be reduced by 0.15m into the ground.
- 2.04 The access arrangements to the site would remain as existing although the detached garage to the east of the site is to be removed and replaced by an integral garage to the west. Parking is proposed to the front of the garage. A triangular planter is also proposed to the front of the plot. A pedestrian access is proposed to the east of the proposed dwelling leading to the proposed bike/wood/bin store. The front driveway of the site is proposed to be surfaced in permeable resin bound gravel. Sandstone paving is proposed to the east side of the dwelling and stone paving proposed to the rear before leading up to the lawn garden.
- 2.05 Amended plans have been received during the application process moving a proposed air source heat pump units from the west elevation to the east side of the building.

3.0 SUMMARY INFORMATION

	Existing	Extension and works approved under 19/01625/FULL	Proposed	Change (+/-) between existing and proposed
No. of storeys	2	2	2	-
Max height	6.9m	6.9m	7.3m	+0.4m
Max eaves height	4.8m	4.8m	4.9m	+0.1m
Max depth	6.1m	9.7m	9.8m	+0.1m
Max width	11.0m	11.0m	16.1m	+5.1m
No. of residential units	1	1	1	-
No. of bedrooms	4	4	4	-
Floor Area	166.75m ²	215.75m ²	238.5m ²	+71.75m ²
Volume	474m ³	603m ³	700m ³	+226m ³

4.0 PLANNING CONSTRAINTS

- Ashdown Forest Ashdown Forest 15 Km Habitat Regulation Assessment Zone
- Inside the Limits to Built Development (LBD)
- Area Of Landscape Importance - to the rear of the site
- Pembury Conservation Area – to the rear of the site
- Aquifer Protection Zones 3 and 4

5.0 POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework 2019 National Planning Practice Guidance

Tunbridge Wells Borough Core Strategy 2010

- Core Policy 1: Delivery of development
- Core Policy 3: Transport infrastructure
- Core Policy 4: Environment
- Core Policy 5: Sustainable design and construction
- Core Policy 6: Housing provision
- Core Policy 14: Development in the Villages and Rural Areas

Tunbridge Wells Borough Local Plan 2006

- Policy EN1: Development control criteria
- Policy EN5: Development within, or affecting the character of, a Conservation Area
- Policy EN16: Protection of groundwater and other watercourses
- Policy EN22: Areas of Landscape Importance
- Policy H5: Residential development within the Limits to Built Development
- Policy TP4: Access to road network
- Policy TP5: Vehicle parking standards

Supplementary Planning Documents (SPD):

- Pembury Conservation Area Appraisal
- Tunbridge Wells Borough Landscape Character Assessment

6.0 LOCAL REPRESENTATIONS

- 6.01 Site notices were put up on 12/08/19 notifying neighbours of the application. Five letters of objection have been received raising the following, summarised, concerns:

- Impact of demolition and reconstruction works.
- Detrimental impact upon residential amenity, in regards to noise, privacy, outlook and light.
- Damage, safety and security concerns to neighbouring properties during construction phase.
- Damage to shared driveway by heavy vehicles.
- Proposal would fail to respect the character and context of the site and area.
- Overbearing effect caused by increase in height and location.
- Submitted drawings do not provide adequate detail.
- Impact of the positioning and noise from air source heat pump.
- Unclear boundary treatments.
- Contrary to policy.
- Devaluation of neighbouring properties.
- Replacement dwelling would result in increased carbon footprint to that of the previously approved application.
- Proposal will appear dominating.
- Impact on health of neighbouring residents.
- Contrary to Alterations and Extensions SPD referred to in the applicant's statement.
- Proposal would set a precedent in the area.
- Road blocking for considerable periods.
- No access for emergency vehicles during demolition and construction works.

7.0 CONSULTATIONS

Pembury Parish Council

7.01 (28/08/19) The Parish object to the application on the following grounds:

- a. Loss of light for immediate neighbours
- b. Loss of privacy for immediate neighbours
- c. Not in keeping with the immediate area
- d. The huge increase in floor area
- e. Noise from the air source heat pump.

Southern Water

7.02 (27/08/19) Requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. Request that should this application receive planning approval an informative is attached to the consent.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.

- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The disposal of surface water from this development should be in compliance with Part H3 of Building Regulations.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

KCC Highways & Transportation

- 7.03 (13/08/19) Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Mid Kent Environmental Protection

- 7.04 (11/11/19) Demolition/construction activities may have an impact on local residents and so the usual conditions/informative should apply in this respect. Before demolition, building should be checked for the presence of asbestos and any found should only be removed by a licensed contractor.

TWBC Conservation Officer

- 7.04 (27/08/19) Further to your request for heritage advice regarding the above application, our view is that specialist advice from the Built Heritage Team is not, in this case, necessary for the determination of this application.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 The proposed house is considered to be a positive enhancement to the local area. It creates an attractive home and therefore is an enhancement to the locality.

The new property is significantly more sustainable than the existing dwelling by virtue of it being insulated to meet current requirements and embodying a considerable quantity of renewable technology.

The amenity and privacy of the surrounding properties is enhanced by the careful design that has been undertaken to minimise overlooking and impact upon neighbouring properties.

The application has been carefully prepared to replace the house in such a way as to enhance the dwelling for the applicants and to make a positive contribution to the local area.

9.0 BACKGROUND PAPERS AND PLANS

Design and Access Statement
Rd939-40 - Proposed Ground Floor Plan
Rd939-41 - Proposed First Floor Plan and Elevations
939.32 - Proposed Elevations

939.33 - Proposed Site Plan
Rd939 Rev A - Site Plans
Rd939-1 - Existing Plans
MCS 020 - MCS Planning Standards For permitted development installations of wind turbines and air source heat pumps on domestic premises
Pembury Boundary-Model (sheet 2)
Response Letter
Sun Shadows Plan

10.0 APPRAISAL

Background Information

- 10.01 The application follows a previously approved application at the site, 19/01625/FULL, which granted consent for the erection of a part two storey and single storey rear extension along with a link roof between the main house and detached garage, alterations to the garage, a new lightweight enclosure to rear of garage a new bike and bin store and alterations to the existing house.

Principle of Development

- 10.02 The site is located within the Limits to Built Development of Pembury where Policy H5 of the Local Plan states that the redevelopment of existing developed sites is acceptable.
- 10.03 The proposal would result in a one for one replacement in terms of housing numbers and therefore the 5 year housing land supply position is not a significant consideration. In this case, the main issues for consideration are the design and visual impact of the dwelling, impact on residential amenity, impact on highway safety and parking, and these issues (along with all other material considerations) are discussed in greater detail below.

Visual Impact

- 10.04 In design terms the proposal falls to be considered against the relevant policies and guidance at local and national level. Local Plan Policy EN1 requires the design of a proposal to respect the context of its site and that the proposal would not result in the loss of significant buildings, related spaces, trees, shrubs, hedges, or other features important to the character of the built up area. CP4 (1) requires the Borough's urban landscapes to be conserved and enhanced.
- 10.05 Chapter 12 of the NPPF emphasises the importance of achieving good design through the development process. Paragraph 124 sets out that good design is a key aspect of sustainable development and Paragraph 130 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.
- 10.06 Design is also addressed within the PPG. Paragraph 001:26 sets out that good design responds in a practical and creative way to both the function and identity of a place. It puts land and other such resources to the best possible use – over the long and short term. Paragraph 006:26 underlines the importance of the physical environment supporting economic, social and environmental objectives beyond the requirement for good design in its own right. Paragraph 020:26 underlines that distinctiveness is what often makes a place special and valued. It relies on physical aspects such as the local pattern of street blocks and plots, building forms, details and materials, style and vernacular plus landform and gardens, parks, trees and plants.

- 10.07 To the rear and north of the site lies a designated Area of Landscape Importance. Policy EN22 of the Local Plan states that proposal affecting such areas will only be permitted where no significant harm would be caused to the appearance or landscape character of the area and that the development would not materially detract from the contribution the area makes to the locality.
- 10.08 Also to the rear of the site lies to the Pembury Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act is applicable; as is Policy EN5 of the Local Plan (new development should preserve the special character of conservation areas).
- 10.09 The site is located within a predominantly residential comprising a variety of property types, designs and scales. The property is set back from Woodhill Park by approximately 25m and accessed from a shared driveway. The existing property fronts to the north west rather than the road located to the west of the site. This is consistent with the two immediate properties to the west of the plot. By virtue of this set back from the road and the partial screening provided from neighbouring properties and some planting, it is not considered that the site is highly prominent in the street scene or forms part of the roads main character frontage.
- 10.10 Given the residential character of the area it is not considered that a replacement dwelling would be out of character with the locality. The proposed dwelling is also proposed to be sited on a similar footprint to that of the existing property. The proposal would also result in a 1m separation distance between the dwelling and the boundary of no.85 Woodhill Park. The proposed location of the dwelling would also be considered to protect the building line where the proposal would not extend further forward in the site than the existing property and would not project significantly beyond the rear of the adjacent property.
- 10.11 Whilst the proposed dwelling would be of a larger scale to that of the existing dwelling and would be of a greater footprint and height it is not considered to be of a scale that would appear overly cramped or constitute overdevelopment of the site or at odds with the locality. By virtue of the set back from the road the proposed dwelling is not considered to be highly prominent in the street scene or harmful to the area's overall character. It is acknowledged that the proposed external finishes would be different to the immediate properties, however, as the property would not front onto the road itself, is well set back from the road, partially screened from surrounding public vantage points and is not considered to be visually intrusive; the proposal is not considered to have a harmful visual impact that would warrant the application being refused on such grounds. It is also noted that the proposed materials are similar to those approved under 19/01625/FULL.
- 10.12 The land levels along Woodhill Park significantly alter and there is not a consistent property type in terms of design and scale throughout. Because of this there is not considered to be entirely consistent roof line along the road. Nonetheless the property is set back from the road and does not form part of the properties which front onto the road. The existing property is of a similar height to that of the immediate neighbouring property to the west of the plot. This neighbouring property would also appear to be a slightly lower land level to the existing property. Whilst the proposed dwelling would be of a greater height, the increase is not considered to be significant, and by virtue of the plot's location with neighbouring properties and the road along with the general character of the area; it is not considered that this increase in height would appear highly prominent or be detrimental to the character of the area.

- 10.13 The main increase in bulk and built form at the site would be towards the eastern parts which are currently occupied by the single storey detached garage and would be effectively replaced with a two storey element. However, by virtue of the property fronting towards the north west rather than the west and towards the road and immediate public vantage points; this loss of spacing at first floor level and increase in built form would not appear significantly prominent from the street scene or highly visible from the immediate public vantage points, it is therefore considered, on balance, not to have a detrimental visual impact. The proposed dwelling would not be significantly larger than existing properties within the area,
- 10.14 The design and scale of the proposal is considered to be acceptable and would preserve that character of the street scene and not appear visually intrusive in the sites locality. It is considered that the replacement dwelling in this location would not appear alien or significantly out of context with the area and that the proposed dwelling is not of an excessive scale in comparison to other surrounding properties in the area. The proposal is of a relatively modern and contemporary design which is considered to be of a good quality which would not appear visually intrusive.
- 10.15 In order to ensure a satisfactory appearance to the development a condition is recommended requesting material samples and details are submitted to and approved in writing prior to works commencing.
- 10.16 Whilst the new parking arrangements would result in additional hardstanding at the site and the loss of a small grass surfaced area and appear more urban this would not be considered to be out of character with the area and would not warrant the application being refused on such grounds. The proposal would however not result in the loss of significant planting or trees at the site. It is understood that a small number of large conifers have recently been removed from the front of the site. These trees were not protected and therefore could be removed without any consent.
- 10.17 From discussions with the Council's Conservation Officer it is not considered that the proposed development would have a detrimental impact upon the adjacent Pembury Conservation Area. Given the size scale and nature of the proposed development the proposed development is also not considered to have a detrimental impact upon the area of Landscape Importance.
- 10.18 The proposed bike/wood/bin store is considered to be of a modest scale that would not appear highly prominent or visually intrusive. It is not considered to have a detrimental impact upon the character of the area or the street scene.
- 10.19 It is concluded that the amount, scale and design of the proposals would be in keeping with the character and appearance of the surrounding area, in accordance with Local Plan Policies H5 and EN1.

Residential Amenity

- 10.20 In terms of residential amenity the proposed development is considered to have the most impact upon the adjacent properties of 85 Woodhill Park (to the west), 81 Woodhill Park (to the north west), Parkside (to the north east), Lane End (to the east), 5 Lower Green Road (to the south) and Red Thimbles (to the south).

85 Woodhill Park

- 10.21 The property of 85 Woodhill Park is located to the west of the application site and comprises a two storey detached property which fronts to the north west with a parking area to the front and garden to the rear. The site is situated on a slightly lower land level to that of the application site. The rear garden is based over two

levels with a patio immediately to the rear of the dwelling and raised grass surfaced area access by steps from the patio.

- 10.22 The existing dwelling is flush with the boundary that these properties share and is situated approximately 1-1.5m from the side elevation of this neighbouring property. The proposed dwelling is proposed to be 1m in from this boundary, set slightly deeper into the site and be of a greater height. 85 Woodhill Park has two ground floor windows on the side elevation, one of which is obscure glazed, that face towards the application site. From reviewing application 06/03505/FUL which granted permission for a single storey front extension, these two windows would appear to serve a toilet and a utility room. The property has no windows at first floor level on this side elevation.
- 10.23 Whilst the proposed dwelling would be of a greater height and set deeper into the plot, it is considered by virtue of the increased separation gap between the proposed dwelling and 85 Woodhill Park that the proposed development would not result in a significant increased loss of light or outlook that would result in an unacceptable loss of amenity to the occupiers of this neighbouring property. In regards to privacy the proposed first floor rear windows are all to serve bedrooms and whilst there would be views of the more rear parts of this neighbouring property this is not considered to be significantly worse than the existing situation. The dwelling is of a scale and location that would not be considered to have an overbearing impact.
- 10.24 Concern has been raised by the owner and occupant of this neighbouring property in regards to noise caused by the proposed air source heat pump. Since these comments have been received amended plans have been receiving moving the proposed air source heat pump from the west elevation to the east elevation. It is therefore considered that the air source heat pump in its now proposed location would have a detrimental impact upon the amenity of this property.

81 Woodhill Park

- 10.25 This property is located to the north west of the application site and comprises a two storey detached property which fronts to the west and towards the road with an open grassed surfaced garden to the front and enclosed garden to the rear. The rear of the site is enclosed by a brick wall. To the south east corner of this plot lies a detached garage which is accessed via the same driveway as the application site. The property has a side door and a window between ground and first floor level on the side elevation which faces the application site.
- 10.26 In regard to privacy the first floor front windows of the proposed dwelling would overlook the rear garden of this neighbouring property similar to the existing situation. These windows are proposed to serve bathrooms, the landing area and a walk-in wardrobe. It has been agreed with the applicant that the bathroom windows and walk-in wardrobe window are to be of obscure glazing and high opening only. This has can be secured by condition. This would leave the landing windows that would have the potential to overlook the rear garden of this neighbouring property. The existing property presently has a landing and bedroom window at first floor level which overlook parts of the rear garden of 81 Woodhill Park. The proposed landing windows are not considered to cause a significant increase in the amount of overlooking or loss of privacy and it is not considered that the impact would be such that the application would warrant refusal.
- 10.27 Whilst the proposed dwelling would be of a greater height than the existing property it would be set slightly further back into the plot and would be set back from this neighbouring site by approximately 11m to the boundary and 16m from the property.

By virtue of this separation distance it is not considered that the proposed development would result in such a loss of light to 81 Woodhill Park that would warrant the application being refused.

- 10.28 The proposed development would result in a loss of part of the view from 81 Woodhill Park by virtue of the loss of currently open first floor space above the existing garage. However, the distance between properties would ensure that this would not harm the outlook of this property. In addition, main outlook from the neighbouring dwelling is to the rear and east of the site rather than to the south east where this additional built form would be introduced. Because this and the separation distance the proposed development is not considered, on balance, to result in a significant amount of outlook that would warrant the application being refused on such grounds. For the same reasons it is also not considered to have an overbearing impact.

Parkside

- 10.29 This property comprises a single storey property located to the north east of the site and accessed by a separate driveway located further to the north along Woodhill Park which also leads to the recreation ground. This property fronts towards the north where a parking area and garage is located at the front of the site.
- 10.30 The boundary which separates the two sites is largely marked with fencing along with some trees and planting. The proposed dwelling would be situated approximately 7.5m to the boundary and 16m to the dwelling. By virtue of the separation distance, location of the proposed dwelling and screening in place it is not considered that the proposal would cause this neighbouring property and unacceptable loss of light or outlook. The proposed dwelling is also not considered to have an overbearing impact upon this dwelling.
- 10.31 No side windows are proposed that would face towards the site and because of this and the orientation of the proposed dwelling in relation to this neighbouring plot it is considered that the proposal would not result in a significant amount of overlooking or loss of privacy.

Lane End

- 10.32 Lane End is a two storey detached property accessed from a shared driveway off of Lower Green Road and situated to the east of the site where the rear garden of the property backs onto the application site. The boundary separating the application site with this neighbouring property is marked by a fence with denser tree planting beyond situated on a higher land level to that of the rear garden of the application site. The property of Lane End would be situated approximately 20m from the proposed dwelling.
- 10.33 By virtue of the separation distance between the two properties, boundary treatments and scale and orientation of the proposed dwelling; the development is not considered to cause an unacceptable loss of light, outlook or privacy to this property. The proposal is also not considered to have an overbearing impact upon this neighbouring dwelling.

5 Lower Green Road

- 10.34 5 Lower Green Road consists of a large detached dwelling located on the north west side of Lower Green Road. The property has a long rear garden, approximately 80m in length which backs onto the application site. By virtue of this separation distance the proposed development is considered to respect the amenities of this property.

Red Thimbles

- 10.35 This property comprises a single storey detached dwelling accessed from a shared driveway off of Lower Green Road. The north west corner of this plot almost adjoins the south east corner of the application site. The property fronts towards the south east and has a garden to the rear.
- 10.36 This plot is well screened from the application site by relatively dense tree planting and the property itself would be situated approximately 30m from the proposed dwelling. By virtue of the separation distance, the screening in place and scale of the proposal, the development is not considered to cause an unacceptable loss of light, outlook or privacy to this property. The proposal is also not considered to have an overbearing impact upon this neighbouring dwelling.

Noise

- 10.37 Concerns have been raised in regard to the proposed air source heat pump, which following the receipt of amended plans is now proposed to be located on the east facing side elevation instead of the west facing side elevation. The separation distance is considered to be sufficient that any noise generated from the unit would not be considered to be harmful to the amenities of the neighbouring properties. It is also noted that Environmental Health have raised no objection to the proposed air source heat pump in regards to the potential noise levels.

Living Conditions of Future Occupiers

- 10.38 The proposed dwelling would be considered to have adequate living conditions and no nearby property would be considered to cause an unacceptable loss of light, outlook or privacy to the proposed replacement dwelling.

Summary

- 10.39 Taking account of the above it is considered that the proposed development would respect the amenities of all nearby neighbouring properties and that the proposed dwelling would have suitable living conditions.

Highways

Access

- 10.40 The existing vehicular access to the site is proposed to be maintained as existing. The vehicular movements generated by the proposed replacement dwelling with parking spaces to the front and an integrated garage are considered to be comparable with that of the existing dwelling. It is not considered that this application could be refused on the grounds of inadequate or unsuitable vehicular access. It is also noted that the access to the adjacent property to the west and garage to the north east of the site are to be maintained as existing and unaffected by the proposed development.

Parking provision for occupiers of the proposed development

- 10.41 With regards to parking provision for the proposed replacement dwelling, the proposal provides a driveway to the front of the dwelling large enough for two parking spaces along with an integral garage. The site is also considered to be in a sustainable location within a defined built up area and in relatively close proximity to local services. The proposal is considered to accord with KCC parking standards. Therefore, the level of parking provided for the development is considered to be acceptable for the site's locality.

Emergency Vehicle and Refuse Access

- 10.42 Concern has been raised in regards to the access of emergency vehicles and disturbance caused by road blockings by large vehicles during the construction

phase. Should the road be blocked by virtue of the development this would be a Highways and legal matter. It is however noted that KCC Highways have not objected to the proposal. Concern has also been raised in regards to damage to the shared driveway this would be considered a civil matter rather than a planning issue.

Summary

- 10.43 Taking the above into account, it is not considered that there would be grounds to refuse this application in relation to highway safety. The proposal therefore is considered to comply with the relevant planning policies.

Other Matters

Construction Management

- 10.44 Objections have been raised regarding disruption during the construction phase, but given its temporary nature little weight can be given to this matter. It is considered that due to the small scale of the development for a replacement dwelling a construction management plan is not required. There are greater powers to deal with statutory nuisance from noise from construction sites through Environmental Health Legislation.

Submitted Plans

- 10.45 Concern has been raised in raised in regards to the standard of the drawings provided. The plans provided are considered to be of sufficient quality to determine the application.

Devaluation of Neighbouring Properties

- 10.46 Concerns have been raised in regards to the developments impact upon the value of the surrounding properties. The impact upon property values is not a planning consideration.

Future Precedent

- 10.47 Concern has been raised that the proposed development if approved would set a precedent in the area. Each application is assessed on its own merits. The application, as set out above, is considered to be in accordance with the relevant planning policy and guidance and is therefore considered to be acceptable.

Conclusion

- 10.48 Based on the above, the residential development proposed is considered to be acceptable in principle and would be within a sustainable location. The scale, massing and design of the proposed dwellings is considered to be acceptable and in keeping with the surrounding area. The siting and scale of the proposed dwelling in relation to the neighbouring properties is not considered to be detrimental to residential amenity. It is considered that there is sufficient parking provision to serve the new dwellings and the existing surrounding properties and that the proposal would not be detrimental to highway safety. Issues relating to tree protection, landscaping and drainage can be adequately controlled through conditions. It is therefore recommended that this application be approved subject to the conditions set out below.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements 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 not be carried out except in complete accordance with the details shown on the following submitted plans:

Rd939-40 - Proposed Ground Floor Plan
Rd939-41 - Proposed First Floor Plan and Elevations
939.32 - Proposed Elevations
939.33 - Proposed Site Plan
Rd939 Rev A - Site Plans

Reason: To clarify which plans have been approved

3. Written details, including source and manufacturer and samples to be made available to view on site, of all bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before any above ground work is undertaken and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity

4. The proposed boundary treatments as shown on the approved drawings shall be implemented prior to the commencement of any above ground works and shall thereafter be retained.

Reason: These are required to be erected prior to the commencement of development In the interests of residential amenity.

5. Prior to commencement of above ground construction of the development details of landscaping and surfacing shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall specifically provide additional tree planting within the parking area of the site and proposed boundary treatments.

Reason: These details are required prior to the commencement of development as no such details have been submitted and to ensure a satisfactory setting and external appearance to the development.

6. The landscaping and boundary treatments shall be implemented in accordance with the approved landscape scheme and associated landscape and arboricultural details unless the Local Planning Authority gives written consent to any variation and shall be carried out during the first planting season following completion or first occupation of the development which ever is the sooner. 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: To ensure a satisfactory setting and external appearance to the development.

7. Prior to the commencement of development (excluding any demolition works down to the existing ground level), details of the existing and proposed slab level shall be submitted to and approved in writing by the Local Planning Authority. The

development shall then be carried out at the approved levels.

Reason: In the interest of visual and residential amenity.

8. Before the first occupation of the hereby approved dwellings hereby permitted the windows at first floor level on the front elevation shown to serve bathrooms and the walk-in wardrobe on Rd939-41; shall be fitted with glass that has been obscured to Pilkington level 3 or higher (or equivalent) and shall be non-opening up to a maximum height of 1.7m above internal floor level. Both the obscured glazing and the non-opening design shall be an integral part of the manufacturing process and not a modification or addition made at a later time. The windows shall thereafter be retained as such.

Reason: In the interests of protecting the residential amenities of adjacent dwellings

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows or similar openings shall be constructed in the elevations or roof of the building, other than as hereby approved.

Reason: In the interests of the amenity of occupants of the nearby dwellings.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no development shall be carried out within Classes A and B of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order).

Reason: In the interests of protecting the character and amenities of the area.

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. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link
<https://beta.southernwater.co.uk/infrastructure-charges>
3. 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.

Case Officer: James Moysey

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.