

<b>2.2 14/501632/FULL</b>		<b>Faversham</b>	
<b>APPLICATION PROPOSAL</b> Erection of new bungalow on land between 25 and 27 Wells Way, Faversham.			
<b>ADDRESS</b> Land Between 25 And 27 Wells Way Faversham Kent ME13 7QP			
<b>RECOMMENDATION:</b> Grant, Subject to Conditions			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> Proposal is in accordance with policy			
<b>REASON FOR REFERRAL TO COMMITTEE</b> 1) Request of Ward Member. 2) Contrary Representations from Town Council. 3) Contrary local representations.			
<b>WARD</b> Davington Priory	<b>PARISH/TOWN COUNCIL</b> Faversham	<b>APPLICANT</b> Mr Billy McQuoid <b>AGENT</b> Miss Nicola Harvey	
<b>DECISION DUE DATE</b> 30/07/14	<b>PUBLICITY EXPIRY DATE</b> 30/07/14	<b>OFFICER SITE VISIT DATE</b> 02/09/2014	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
SW/14/0414	Erection of new bungalow	Withdrawn	30/05/2014

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 This site is located in Wells Way, part of a housing estate on the edge of west Faversham, constructed in the late 1960s which is attractive and well laid out.
- 1.02 The site itself occupies a triangle of flat open greenspace, between numbers 25 & 27 Wells Way. A number of such small parcels of land were sold at auction earlier this year. Two semi-mature trees are situated on the site, one of which would be retained, if the proposal were to be approved. Two new trees are shown on the submitted drawings.
- 1.03 The site is situated within the built-up area boundary, and is not subject to any specific planning restraints.

### 2.0 PROPOSAL

- 2.01 The proposal is for a single-storey two bedroomed bungalow. The bungalow would be of conventional brick and tile construction and would have a floor area of 65.7 square metres. The dwelling would provide two bedrooms, a wc and wet room, and a combined living/dining/kitchen area. The dwelling would have a private garden area and off-road parking for two cars.
- 2.02 Earlier this year, an application for a much larger L-shaped bungalow was withdrawn by the agent (SW/14/0414). That proposal also included a 1.8 metres high boundary wall close to the public footpath, which is omitted from this scheme.
- 2.03 It should be noted that, due to an administrative error, the application was registered twice, under the present reference and under reference 14/501547. That reference has now been deleted, and any comments received with regard to that reference have been transferred to this application.
- 2.04 The application is accompanied by a Planning Statement, a Design & Access Statement and an Arboricultural Impact Assessment. In these the applicant explains that the density of development is acceptable, that the site is large enough to accommodate small bungalow without directly impacting on either of the neighbouring bungalows, and that adequate parking is provided. He notes that residents may see a precedent being set if this application is approved, but points out that of the 9 green spaces on the estate (excluding a roundabout site), 6 are in front of other houses or bungalows and the others (apart from the application site) are too small to satisfactorily accommodate a new bungalow. Therefore the issue of precedent should not be an issue in determining this application.

### 3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.04	0.04	
Approximate Ridge Height (m)		5.2	
Approximate Eaves Height (m)		2.3	
Approximate Depth (m)		7.3	
Approximate Width (m)		9.0	
No. of Storeys		1	
Net Floor Area		65.7	
Parking Spaces		2	
No. of Residential Units		1	
No. of Affordable Units		0	

### 4.0 PLANNING CONSTRAINTS

None.

## **5.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF): Paragraphs 49 and 60.

Development Plan: Swale Borough Local Plan – Policies E1, E19, H2, T3 and T4

## **6.0 LOCAL REPRESENTATIONS**

Twelve letters and emails of objection have been received from or on behalf of local residents. Their contents may be summarised as follows:

- Loss of green space which was part of the original design of this estate
- Would change the character and landscape of the area
- Proposed bungalow too close to adjacent properties
- Lead to pressure on on-road parking
- Will create a dangerous precedent for other nearby parcels of land
- Removing green spaces will force children to play in the road
- Not in keeping with surrounding properties most of which are semi-detached
- Open frontage to habitable rooms
- Hipped roof not in keeping
- Property would overshadow no. 25
- Tandem parking should be discouraged
- Does not enrich the qualities of the existing environment and does not strengthen the sense of place
- It is vital that the trees on site should be protected
- This and other plots sold at auction. Auctioneer advised that ‘The sites afford possible potential for development, subject to obtaining all necessary consents.’
- Loss of vital amenity area
- The land is classified as highway land, even if they are not owned by KCC
- Low lying area – problems of drainage
- Modern properties generally include a garage – further future development?
- If this application is approved, a condition should be imposed stating that none of the other grassed areas on the estate can be developed
- Problems during construction – where are site offices, plant, etc., to be situated?
- Too close to boundaries
- ‘Shoe-horned’ into the plot
- Scale and design is inappropriate
- The site is not allocated as a housing site

## **7.0 CONSULTATIONS**

7.01 Faversham Town Council recommends refusal, citing their reasons as being the loss of green space, a harmful effect on the appearance of the estate, and setting a harmful precedent.

7.02 Kent Highway Services raises no objection, subject to the conditions noted

below.

7.03 The Council's Tree Consultant raises no objection.

## **8.0 BACKGROUND PAPERS AND PLANS**

### **9.0 APPRAISAL**

#### **Principle of Development**

9.01 As the site is situated within the built-up area boundary, it is acceptable in principle.

#### **Visual Impact**

9.02 Whilst the loss of green space is regrettable, this is a fairly small area of greenspace, and the bungalow and its garden leave an open feel to the roadside part of the site, the estate will continue to have an open feel if the proposal is approved.

#### **Residential Amenity**

9.03 I am not of the opinion that issues of residential amenity are raised by the proposal. The loss of public access to this land is regrettable, but it is my understanding that the land has never been within public ownership. Other areas of open space would still be available, should the proposal be approved. Similarly, the proposal would create no issues of overlooking or overshadowing, due to the modest scale and height proposed

#### **Highways**

9.04 Kent Highway Services have raised no objection, subject to the inclusion of the highways conditions below, and I have no reason to disagree with their expert opinion.

#### **Landscaping**

9.05 Whilst the loss of the tree is perhaps regrettable, that tree is semi-mature and not of a quality which would justify its formal protection. I am comforted by the fact that two new trees are proposed as part of the application.

#### **Other Matters**

9.06 Residents and the Town Council are concerned with regard to the precedent that may be set in granting permission for this dwelling. As has been noted, the site is one of a number which were sold at auction. However, I am aware of the fact that this plot appears to be the largest and best located of those sold, and would certainly be the easiest to justify in terms of use for a new dwelling. Other plots, due to their positions, form and size would be less likely to be suitable for a new dwelling, and any new cases would be judged upon their own merits.

I am of the opinion that, should this proposal be refused for this reason only, then it may prove difficult to justify that refusal on those grounds alone at appeal.

## **CONCLUSION**

10.01 I am generally of the opinion that most of the factors to consider in judging this case would not lead to any negative impact. Although residents who have objected to this proposal have concerns with regard to precedent, I do not believe that this reason alone is sufficient to justify refusal. I therefore consider that planning permission should be granted for the development subject to conditions.

**11.0 RECOMMENDATION – GRANT** Subject to the following conditions:

CONDITIONS to include

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Grounds: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) The development hereby approved shall be carried out in complete accordance with drawings 14/10/04 Rev A and 14/10/05 Rev A.

Grounds: For the avoidance of doubt and in the interests of proper planning.

(3) No development shall take place until samples of all external facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

Grounds: In the interests of visual amenity.

(4) No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development as approved.

Grounds: In order to ensure sustainable development.

(5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the planting of native species, planting schedules of plants, noting species, plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Grounds: In the interest of visual amenity.

(6) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Grounds: In the interests of residential amenity.

(7) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Grounds: In the interest of visual amenity.

(8) Upon completion of the approved landscaping scheme, any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Grounds: In the interest of visual amenity.

(9) As an initial operation on site, adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway.

Grounds: In the interests of amenity and road safety.

(10) The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for 2 cycles to be securely parked and sheltered.

Grounds: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of highway safety.

(11) Pedestrian visibility splays 2 m x 2 m with no obstruction over 0.6 m above the access footway level shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained.

Grounds: In the interests of highway safety.

(12) Before the dwelling hereby approved is first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed, details of which shall have been submitted to and approved by the Local Planning Authority.

Grounds : In the interests of highway safety and convenience.

(13) The areas marked on approved drawing 14/10/04 REV A as parking spaces shall be reserved for vehicle parking at all times that the dwelling is in use, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order), shall be carried out on that area of land or in such a position as to preclude vehicular access to these areas.

Grounds: In the interest of highway safety and amenity.

(14) Upon completion, no further enlargement of the new dwelling whether permitted by Classes A or B of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 or not, shall be carried out without the prior permission in writing of the Local Planning Authority.

Grounds: In the interests of the amenities of the area.

## **COUNCIL'S APPROACH**

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation, where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales.

In this case the application was decided by the Council's Planning Committee.

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.