

2.2 REFERENCE NO - 19/503819/FULL		
APPLICATION PROPOSAL Erection of a detached residential dwelling (revised scheme to 18/506309/FULL).		
ADDRESS Land Adjacent To Cromas Callaways Lane Newington Kent ME9 7LX		
RECOMMENDATION Grant subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION The new dwelling would not cause unacceptable impacts to residential or visual amenities, and provides an adequate parking provision.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection		
WARD Hartlip, Newington And Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT Pimpernel Properties LTD AGENT
DECISION DUE DATE 01/10/19	PUBLICITY EXPIRY DATE 05/09/19	

Planning History

18/506309/FULL

Construction of a detached, single residential dwelling (resubmission of 17/503997/FULL).
Approved Decision Date: 16.05.2019

17/503997/FULL

Construction of a detached, single residential dwelling.
Refused Decision Date: 16.10.2017 Dismissed on appeal

17/500525/FULL

Construction of a single residential dwelling
Approved Decision Date: 27.06.2017

16/504504/FULL

Construction of a single, detached residential dwelling.
Withdrawn Decision Date: 31.01.2017

SW/91/1070

Outline application for a two bedroomed bungalow
Refused Decision Date: 10.12.1991

1. DESCRIPTION OF SITE

- 1.1 The application site comprises an empty plot of land, which previously formed part of the garden at the adjacent detached bungalow, Cromas. The immediately surrounding residential properties on the opposite side of Callaways Lane and to the northwest along Callaways Lane are detached. There are semi detached properties located approximately 65m away from the application site to the north east. Newington Manor Conservation Area is located roughly 45m from the site.

- 1.2 There have been several applications for planning permission on the site, the most recent of which, ref. 18/506309/FULL was approved for the erection of a detached chalet bungalow, which is similar to the dwelling proposed here. This consent is yet to be implemented on site.

2. PROPOSAL

- 2.1 This application seeks planning permission for the erection of a detached chalet bungalow with front and rear facing gables. It is a revised scheme to the chalet bungalow approved under 18/506309/FULL. To the front of the dwelling parking and landscaping would be provided with access taken from Cranbrook Lane to the east of the site. Private amenity space would be located to the rear measuring 10m in depth and ranging between 9.5m and 11m in width.
- 2.2 The proposed property would measure 9m in width and ranging between the 11m and 11.7m in depth, 2.8m to the eaves and 5.9m in overall height. Originally, five rooflights and solar panels were proposed on the south western flank elevation and a six rooflights were proposed on the north east flank elevation. During the course of the application, the solar panels were removed from the proposal and the number of rooflights reduced to provide one rooflight in each roof slope. Internally, a kitchen / dining room, bedroom, study and two bathrooms would be provided at ground floor level with one bedroom, lounge and a bathroom at first floor level. The external walls would be finished in painted render with the roof materials to match the existing adjacent property, Cromas.
- 2.3 Several applications for a new dwelling on this site have been submitted in the past, and as mentioned at paragraph 1.2, the most recent one (ref. 18/506309/FULL) was approved. This application is similar to the approved design. The footprint of the proposal is almost exactly the same scale as what was approved, and the proposed dwelling is located in approximately the same position. The eaves and ridge height are both 0.3m taller than the approved design, and the rooflights proposed here replace three flat roof dormer windows. The fenestration on the front and rear of the dwelling is also different, with more contemporary glazing being proposed here. The parking and access remains the same as approved. This application proposes a three bedroom chalet bungalow, whilst the approved dwelling had only two bedrooms.

3. PLANNING CONSTRAINTS

- 3.1 Newington Manor conservation area – Would affect the setting of.

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 4.2 Development Plan: Policies CP4, DM7, DM14 and DM33 of Bearing Fruits 2031: The Swale Borough Local Plan 2017
- 4.3 Supplementary Planning Guidance (SPG): 'Conservation Areas'

5. LOCAL REPRESENTATIONS

- 5.1 None received

6. CONSULTATIONS

- 6.1 Newington Parish Council object to the application, stating the following:

“Councillors have considered the application, the latest in a series on this site, and note, with regret, that the previous application had been passed following the resolution of points made by the Planning Inspectorate last year. This latest scheme has material amendments to previous ones, notably the living room moved to the first floor with rooflights fitted. The Parish Council is concerned that the site, on the edge of the Newington Manor Conservation Area would have solar panels which would be out of keeping with the Conservation Area and visually intrusive from it. We are concerned about the potential for overlooking and ask that any neighbour comments are taken into account when making a decision. Councillors have serious misgivings regarding the driveway being off Cranbrook Lane and believe that the plans provided would make vehicular access very difficult.”

- 6.2 KCC Highways – Originally commented stating that the development does not meet the criteria to warrant involvement from the Highways Authority. I later contacted the Transport Planner regarding the proposed access. Whilst he was generally happy with the proposed layout, which is almost identical to the access approved under 18/506309/FULL, the bin store located on the corner of the site will need to be relocated, and the soft landscaping restricted to a maximum height of 900mm to ensure adequate visibility is provided for vehicles entering and exiting the site. Amended plans were submitted relocating the bin store and removing a tree from the soft landscaping on this area of the site.
- 6.3 Natural England – See advice under previous application, as these are relevant here. The previous comments stated mitigation is required with regards to the nearby SPA.
- 6.4 Environmental Health – No objection subject to a condition restricting hours of construction.

7. BACKGROUND PAPERS AND PLANS

- 7.1 Plans and documents relating to 18/506309/FULL and 19/503819/FULL.

8. APPRAISAL

Principle of Development

- 8.1 This application is a resubmission of approved application 18/506309/FULL, which clearly establishes the principle of the development. Therefore only the differences between the two applications will be discussed here, namely the increase in the ridge and eaves height, replacement of the dormer windows with rooflights, changes to the fenestration and reconfiguration of the internal layout.

Visual amenity and impact upon the setting of the conservation area

- 8.2 During the course of the application, I raised concerns with the applicant regarding the amount of rooflights and solar panels proposed on the new dwelling. I believe these features will lead to the roof slopes appearing cluttered and I consider this would represent poor design that would be harmful to the character and appearance of the area, and nearby conservation area. The applicant was informed of this, and removed all the solar panels and the majority of the rooflights, leaving one on each roof slope. This overcomes my concerns. Whilst I appreciate the proposed fenestration serving the

first floor represents an usual design that is not currently present in the streetscene, I take the view it will not cause significant harm to the character and appearance of the area.

- 8.3 The site is located near to Newington Manor Conservation Area, and the Council should pay regard to whether an application preserves or enhances the character and appearance of conservation areas. Whilst the current proposal would result in an increase in the height of the dwelling and a resulting increase in its bulk compared with the previous scheme, the eaves height and ridge height are only being raised by 0.3m whilst the footprint of the dwelling would be the same, I therefore do not consider the proposal would cause unacceptable harm to the setting of the conservation area. I include several conditions below which were imposed upon the previous approved scheme, relating to materials, rooflights and eaves and verges detailing, which will ensure the proposal has a high standard of finish.

Residential Amenity

- 8.4 The proposed dwelling will be approximately located in the same position as the previously approved chalet bungalow. However the eaves and ridge height of the dwelling will be 0.3m taller than approved. Due to the slightly different ground levels (Cromas sits on higher ground), the eaves height on the development will be similar to the eaves height on Cromas. The ridge height will be 0.7m taller than Cromas, and taking into account the proposed property only extends 1m rearwards of Cromas and 2.5m forwards, with a gap of 1.5m between the properties, I do not consider the minor increase in the ridge and eaves height will lead to unacceptable overshadowing at this neighbouring property. A ground floor window is proposed in the north east elevation. This window serves a bathroom, and the plans stipulate that it will be obscure glazed. I therefore consider any overlooking impact from this window will be acceptable. Following amendments, there is also one rooflight proposed in the north eastern roof slope. I include a condition below to ensure that this rooflight obscure glazed and non-opening, unless it is located above 1.7m from the internal floor height of the room it will serve. In my view, with this condition imposed, any overlooking impact upon Cromas will be minimal.
- 8.5 On the opposite side of the dwelling the site abuts a highway and there are existing residential dwellings on the opposite side of Callaways Lane. Therefore due to this layout I do not believe that the proposal would give rise to any serious impact in this regard.

Highways

- 8.6 The parking and access arrangements remain almost the same as the approved development. Whilst the scheme proposed here has an additional bedroom, the parking provision for a three bedroom property in this location remains the same as the two bedroom approved design. Therefore, the two parking spaces proposed to the front of the dwelling comply with the parking requirements and I do not consider that this element of the scheme would give rise to parking on the highway which was inconvenient to other road users.
- 8.7 The proposed access from the track (Cranbrook Lane) to the side of the site is similar to the approved application, and following amendments relocating the bin store and limiting the height of soft landscaping on this corner of the site, KCC Highways have no objections to this arrangement. As such I believe this aspect of the scheme is acceptable and include a condition below ensuring adequate vision splays are provided and maintained at the access.

SPA Impact

- 8.8 The Council now seeks a mitigation fee on all development that results in the additional of residential units. I note this fee was paid under the previous approval on the site for one new dwelling (ref. 18/506309/FULL). Taking into account this application proposes one new dwelling also, no additional mitigation fee will be required as part of this application.

9. CONCLUSION

- 9.1 On the basis of the above, the scheme would not cause any unacceptable harm to visual amenities, the nearby conservation area or residential amenities. The proposed access is acceptable and will not cause harm to highway safety or convenience. As such I recommend planning permission is granted.

10. RECOMMENDATION - Grant subject to the following conditions:**CONDITIONS**

- (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.

Reason: 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 shall be carried out in accordance with the following approved drawings: 126/02 Rev C and 126/03 Rev C.

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

- (3) No development beyond the construction of foundations shall take place until details of the colour of the render and its finish and texture to be used in the construction of the dwelling have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenities and to protect the setting of the conservation area.

- (4) No development beyond the construction of foundations shall take place until details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be of a conservation style with a central glazing bar.

Reason: In the interest of visual amenities and to protect the setting of the conservation area.

- (5) No development beyond the construction of foundations shall take place until full details at a suggested scale of 1:5 of the eaves and verges have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenities and to protect the setting of the conservation area.

- (6) The area shown on the submitted plan as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as

amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- (7) Upon completion, no further development, whether permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out.

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

- (8) Notwithstanding the provisions of Class A, Part 2, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order, no fences, gates walls or other means of enclosure shall be erected within the application site.

Reason: In the interests of visual amenity.

- (9) No development beyond the construction of foundations 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 existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (10) 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.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (11) Upon completion of the approved landscaping scheme, any trees or shrubs that are 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.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (12) 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 0800 – 1800 hours, Saturdays 0800 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (13) No development beyond the construction of foundations shall take place until details have been submitted to the Local Planning Authority and approved in writing, 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 in accordance with the approved details prior to the first use of any dwelling.

Reason: In the interest of promoting energy efficiency and sustainable development.

- (14) The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwelling shall not be occupied unless the notice for that dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability

- (15) Prior to the use of the access onto Cranbrook Lane hereby permitted, 2 metres x 2 metres pedestrian visibility splays shall be provided on both sides of the access and shall thereafter be maintained clear of any structure, tree, plant or other obstruction which exceed 0.9 metres above footway level.

Reason: In the interests of highway safety and convenience.

- (16) The rooflight in the north east elevation of the dwelling hereby permitted shall be obscure glazed and incapable of being opened unless it is a minimum of 1.7m above the finished floor level. It shall be obscure glazed prior to the occupation of the dwelling and maintained as such.

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of neighbouring occupiers.

INFORMATIVE

- (1) This permission has only been granted after receipt of a financial contribution to the Strategic Access Management and Monitoring Strategy in respect of the nearby Special Protection Area.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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.

