

2.4 REFERENCE NO - 14/505762/FULL			
APPLICATION PROPOSAL Proposed 2no. 3 bedroom semi-detached houses			
ADDRESS Land Adjacent To 17-18 Arthur Street Sittingbourne Kent ME10 1BA			
RECOMMENDATION - Grant subject to conditions and to the views of the Environmental Health Manager			
SUMMARY OF REASONS FOR RECOMMENDATION OF APPROVAL The proposal would be in accordance with the development plan and would not cause unacceptable harm to the residential or visual amenities the area or prejudice highway safety or convenience.			
REASON FOR REFERRAL TO COMMITTEE At the request of Councillor Whelan			
WARD Chalkwell	PARISH/TOWN COUNCIL	APPLICANT Amberlink (BVI) Ltd AGENT Clark Designs Ltd	
DECISION DUE DATE 09/03/15	PUBLICITY EXPIRY DATE 09/03/15	OFFICER SITE VISIT DATE 18/03.15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW//12/1393	Two semi-detached 3 bedroomed houses	Refused	21/12/12
Layout with parking bays adjacent to highway would harm visual amenities			
SW/10/0837	Terraced block of two 2 bedroomed dwellings and two 1 bed flats	Refused	
Undesirable overdevelopment of the site, inadequate amenity space and poor design. Appeal – dismissed.			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site consists of an area of vacant land, which is situated on the western side of Arthur Street, within an established predominantly residential area to the west of Sittingbourne town centre. The site is in an untidy, overgrown condition and contains a disused garage sited at the rear of the site. The level of the land is raised up from the Arthur Street frontage by almost one metre and is level with the dwellings on Hawthorn Road to the north west of the site.
- 1.02 Arthur Street and the surrounding streets and highways have been developed with mainly Victorian terraced housing. There are some more modern semi-detached houses on some infill dwelling plots in the vicinity of the site.
- 1.03 The land to the rear of the site has been developed for a modern block of residential flats

2.0 PROPOSAL

- 2.01 The application seeks planning permission for the construction of a pair of semi-detached houses on land at 18 Arthur Street, Sittingbourne.
- 2.02 The proposed semi-detached houses have a conventional design, which features front bay windows at ground floor level, sash windows and the walls have a rendered finish. The dwellings are sited with a staggered position, whereby the right hand unit would be set back almost 3.4 metres from the left hand unit. Each dwelling would be 5m wide by 8.8m deep and have a maximum ridge height of 8.7m.
- 2.03 Each dwelling would provide a lounge, kitchen and w.c.at ground floor, with three bedrooms, bathroom and en-suite at first floor level. One car parking space would be provided at the front of each house. The dwellings will have rear garden depths in excess of 10 metres.
- 2.04 The side wall of the left hand unit when facing the site from Arthur Street will be sited almost 21 metres from the rear elevation of the existing houses on Hawthorn Road. It will also be sited almost 14 metres from the front elevation of the houses which are built on Arthur Street.
- 2.05 Amended plans have been received which provide soft landscaped areas across the front of the site, so as to reduce the dominance of hardstanding across the site frontage facing Arthur Street.

3.0 SUPPORTING DOCUMENTS

- 3.1 The applicant has submitted a Design and Access statement in support of the application.

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are relevant in terms of encouraging sustainable housing development within existing urban areas. They also encourage good design standards and minimising the potential impacts of any development upon the amenity of neighbouring residents.
- 4.02 The adopted Swale Borough Local Plan 2008 echoes a similar sentiment, and policies E1, E19, H2, T3 and T4 in particular encourage the provision of high-quality housing development within sustainable locations, with adequate parking provision, and minimising potential amenity impacts for local residents.
- 4.03 The publication draft of the emerging Local Plan, entitled Bearing Fruits 2031, was agreed by Members at Full Council late last year and, as such, carries some weight in the determination of planning applications. Policies DM14, DM16, DM19 are relevant in this instance.
- 4.04 Although not directly relevant here, the Council's adopted Supplementary Planning Guidance entitled "Designing an Extension" is relevant in that it stipulates that there should be a minimum rear-to-rear separation distance between dwellings of 21m in order to minimise the opportunities for mutual overlooking.

5.0 LOCAL REPRESENTATIONS

5.01 Eight letters of objections have been received from local residents. The issues raised are as follows:

- There is insufficient parking space for local residents
- Access to properties is difficult already
- Arthur Street is a narrow one-way street and is already used to full capacity
- The site is unsuitable for these dwellings, it represents an overdevelopment of the site.
- It will lead to vehicles reversing onto a one way street
- Builder’s vehicles using Arthur Street will lead to more congestion
- The site needs more than one parking space per dwelling
- Car parking could be provided in the un-made road in front of 17-20, Arthur Street
- One or two properties would make a better use of the site.
- It will cause overshadowing of adjoining gardens.
- It will block out views from the adjoining properties
- A tree on the site will need to be removed

5.02 Councillor Whelan has requested that this application be reported to the Planning Committee, as “several residents have raised concerns.”

6.0 CONSULTATIONS

6.01 Kent Highways Services – No objections to the layout of the site and the car parking provision for the two dwellings. There is sufficient visibility to accommodate the movement of vehicles exiting the site.

6.02 Southern Water – No objections. A formal application to connect to a public sewer will need to be made by the developer.

6.03 I have yet to receive the comments of the Environmental Services Manager and will update Members at the Meeting.

7.0 BACKGROUND PAPERS AND PLANS

7.1 The detailed plans and completed forms for the application.

8.0 APPRAISAL

Principle of Development

8.01 The site is located within the built up area of Sittingbourne and is within a sustainable location close to the town centre, shops, services and public transport links. The National Planning Policy Framework encourages development within such locations and therefore the proposals are acceptable in principle.

Visual Impact

8.02 The proposed pair of semi-detached houses are acceptable in terms of size, siting and design. The houses differ from the traditional two storey terraced housing on Arthur Street, but nevertheless the dwellings are acceptable in form within the street scene. The traditional features such as bay windows and sash windows help to

assimilate them with the overall character of residential development in the area. The pair of semi-detached houses will fit well on the site, without leading to a cramped type of development. Adequate space would be provided for the provision of on - site parking and private amenity space.

Residential Amenity

- 8.03 The proposed housing development would be unlikely to result in any serious amenity problems that would be sufficient to warrant refusal of these proposals. The respective distances of side walls to adjoining main walls are acceptable as are the front to front distances with the houses on Arthur Street at 14 metres. These distances are adequate to prevent any serious overlooking problems or loss of privacy for the adjoining residents. Conditions preventing the provision of additional window openings in the side walls of the dwellings to further reduce the potential for overlooking problems for the residents.

Highways

- 8.04 The amended plans provide off road parking space for the dwellings, which meets adopted standards. The proposed parking arrangements would not be out of character with the overall appearance of the area, which is characterised by on street parking.

Landscaping

- 8.05 The amended plans which provide soft landscaped areas across the site frontage will improve the overall appearance of the development in the street scene. In my view, the landscaping proposed would be acceptable.

9.0 CONCLUSION

- 9.01 The proposed development will provide two new semi-detached houses within the built up area and in a sustainable location close to shops, services and public transport links. The submitted scheme addresses the problems raised by previous applications and appeals for the residential development of the site. Planning permission should be granted for the development as indicated in the submitted amended plans.

10.0 RECOMMENDATION – GRANT Subject to the following 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 hereby permitted shall not be carried out otherwise than in complete accordance with drawings 462/1B and 462/4, received 27th.April 2015 and 462/3A and 462/2 received on 14 November 2014.

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

3. The development hereby approved shall not commence 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 as approved.

Reasons: In the interest of promoting energy efficiency and sustainable development, and to ensure that such matters are agreed before work is commenced

4. Prior to the commencement of development, details in the form of samples of external finishing materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure that such matters are agreed before works commence.

5. No development shall take place until full details of the method of disposal of foul and surface waters have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason: In order to prevent pollution of water supplies and to ensure that such matters are agreed before works commence..

6. 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 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, where possible), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reasons: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity, and to ensure that such matters are agreed before work is commenced.

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.

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

8. 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.

9. 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.

Reason: In the interests of residential amenity.

10. No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor any other day except between the following times:-

Monday to Friday 0900-1700hours unless in association with an emergency or with the written approval of the Local Planning Authority.

Reason: In the interests of residential amenity and in pursuance of policy E1 of the Swale Borough Local Plan 2008.

11. During construction of the development adequate space shall be provided on site, in a position previously agreed by the Local Planning Authority to enable all employees and contractors vehicles to park, load and off load and turn within the site.

Reason: In the interests of highway safety.

12. Adequate precautions shall be taken during the period of demolition and construction to prevent the deposit of mud and/or other debris on the public highway.

Reason: In the interests of highway safety and convenience.

13. If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the LPA, details of how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details in the interests of protection of controlled waters.

14. The areas shown on drawing 462/1B (received 27th.April 2015) as “Car Parking” 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) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown 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 dwellings 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 and detrimental to amenity.

15. Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015, no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or any dwelling fronting on a highway without the prior written consent of the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

16. Upon completion, no further development, whether permitted by Classes A, B, C or D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) or not, shall be carried out without the prior permission in writing of the Local Planning Authority.

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

17. No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the southwest facing first floor wall of the dwellings hereby permitted unless agreed in writing with the Local Planning Authority.

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

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

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

INFORMATIVES

Case Officer: Harry Heywood

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.