

2.5 REFERENCE NO - 16/501475/FULL			
APPLICATION PROPOSAL Change of use for the existing wall to be moved to extend the size of the garden and driveway.			
ADDRESS 9 Gore Road Bredgar Kent ME9 8EP			
RECOMMENDATION Approve – SUBJECT TO: Clarification of the intended nature and extent of new boundary treatment and outstanding representations (closing date 1 August 2016)			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal complies with the Development Plan and would not have a detrimental effect on residential or visual amenity			
REASON FOR REFERRAL TO COMMITTEE Parish Council Objection			
WARD West Downs	PARISH/TOWN COUNCIL Bredgar	APPLICANT Mrs Julie West AGENT	
DECISION DUE DATE 28/07/16	PUBLICITY EXPIRY DATE 13/05/16		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/04/0570	Proposed two storey side extension and alterations	Approved	02/07/2004

1.0 DESCRIPTION OF SITE

- 1.01 The application property is a semi-detached property located on a corner plot between Gore Road and Travers Gardens. There is private parking space to the front of the property and private amenity space to the rear. The site is located within the built up area boundary.
- 1.02 The site is located within the Kent Downs Area of Outstanding Natural Beauty.
- 1.03 Between the side boundary of the property and Travers Gardens is a broad greenspace with a row of three small trees , creating a wide verge/open space alongside Travers Gardens. The piece of land in question is currently owned by Swale Borough Council; however the sale of the land to the applicant is conditional, subject to approval of planning permission for the change of use.
- 1.04 Opposite the site are open-plan gardens fronting Travers Gardens.

2.0 PROPOSAL

- 2.01 The application seeks permission for the change of use of the part of the greenspace land to additional residential curtilage to extend the size of the garden and the driveway. The piece of land concerned is approximately 2m in width and the new boundary fence will be parallel to the existing curtilage. The road name sign currently attached to the boundary wall would be placed on the new extended boundary

treatment, with a fence being used instead of the wall, as to allow KCC free access when necessary.

3.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty Maidstone AONB directive

Area of Outstanding Natural Beauty KENT DOWNS

4.0 POLICY AND OTHER CONSIDERATIONS

Development Plan – The Swale Borough Local Plan 2008 saved policies E1 & E9

5.0 LOCAL REPRESENTATIONS

There were no representations from local residents. However, the Parish Council object to the proposal stating:

- The land is not owned by the applicant and is SBC owned land
- The proposal would be detrimental to the visual appearance of the entrance to Travers Gardens with its balanced, broad grass areas
- The character of this part of the village would be lost

6.0 BACKGROUND PAPERS AND PLANS

All documents relating to 16/501475/FULL

7.0 APPRAISAL

7.01 The proposal seeks planning permission to slightly extend the residential curtilage of the property onto open space on a prominent corner plot. It should first be noted that the position of the new boundary appears to come within 4m from the base of the adjacent trees. This distance is likely to skirt the root protection areas of the trees. The foundations of any new wall could result in unnecessary root damage and so a fence is proposed and a condition is recommended to ensure these trees are not damaged. I have yet to receive clear details of the height, nature and extent of the fence proposed but hope to be able to report further at the meeting.

7.02 Policy E9 requires that any development protects or enhances the quality, character and amenity value of the AONB. The extension of the garden would not have a significantly detrimental impact to the street scene nor the setting of the AONB as the majority of the space and the trees themselves would remain outside the fencing, and of course the existing trees will provide some screening, retaining the character of the surroundings.

8.0 CONCLUSION

8.01 Overall the proposal would not create a significant negative effect on the character of the surrounding area and complies with the policies within the Swale Borough Local Plan 2008.

9.0 RECOMMENDATION – GRANT Subject to clarification of the nature and extent of the new boundary treatment, to any outstanding representations (closing date 1 August 2016) and 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.

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

- (2) No development shall take place until a tree protection plan; arboricultural impact assessment and arboricultural method statement in accordance with the recommendations of BS 5837:2012 have been submitted to and approved in writing by the local planning authority. The method statement shall detail implementation of any aspect of the development that has the potential to result in the loss of or damage to trees, including their roots, and shall take account of site access, demolition and construction activities, foundations, service runs and level changes. It shall also detail any tree works necessary to implement the approved scheme. Works shall proceed only in accordance with the approved details.

Reasons: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

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 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.