

2.2 REFERENCE NO - 17/505865/FULL			
APPLICATION PROPOSAL Erection of a 3 bedroom detached dwelling with associated amenities, as amended by drawings received 10 th January 2018			
ADDRESS Land At Sondes Arms, Station Approach, Selling, Faversham Kent ME13 9PL			
RECOMMENDATION Grant subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION: Amended proposal is in accordance with national and local planning policy			
REASON FOR REFERRAL TO COMMITTEE Contrary Representations from Parish Council and local residents, and called in by Cllr Bobbin			
WARD Boughton And Courtenay		PARISH/TOWN COUNCIL Selling	APPLICANT Mrs Penny Fisher AGENT Mr Richard Baker
DECISION DUE DATE 09/01/18		PUBLICITY EXPIRY DATE 18/12/17	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
17/503106/FULL	Weekend Chalet	Refused	18.07.2017
Refused due to poor design			
SW/12/0919	Residential Dwelling	Approved	04.04.2013
In accordance with policy			

1.0 DESCRIPTION OF SITE

- 1.01 The site is a fairly narrow strip of land behind the former Sondes Arms public house, which used to be part of the curtilage surrounding the pub. The public house ceased trading some years ago, and now serves as a village shop and tea rooms. The site in question is now in separate ownership, and fenced off from the remaining (former) pub garden, but is overgrown and unkempt.
- 1.02 The site has a frontage to Station Approach, which leads to Selling railway station, from which it is fenced off with tall railings. I understand that the access to the land is by way of an agreement between the applicant and Network Rail.
- 1.03 The land in question is situated within the established built-up area boundary around Selling station as defined on the Local Plan proposals map. Land to the north and east of the site has recently been developed for housing (some of which takes access from Station Approach) and the site now sits between new housing and the rear of the former pub.
- 1.04 Planning permission for a single detached dwelling on the site was granted under planning reference SW/12/0919. That permission may have been begun, at least some of the pre-commencement conditions have been complied with, but the formal position in terms of time of implementation is not entirely clear.
- 1.05 In 2017, an application for a light construction 'weekend chalet' was refused under reference number 17/503106/FULL, due to its poor design and materials.

- 1.06 I note that the application site address was originally described as land off Sondes Court ,Faversham when it was submitted, whereas it is in fact more accurate to describe it as land off Station Approach Selling. I have therefore amended the address accordingly.

2.0 PROPOSAL

- 2.01 This proposal is for a three bedroom house and garage and gardens. The house would be of appropriate design, situated towards the centre of the site, with a 10m depth rear garden and a driveway for two cars to the front. The amended drawings show a parking area which would allow vehicles to reverse on site, so as to allow egress in a forward gear.
- 2.02 As originally submitted, the application included a proposal for a single detached garage set parallel to Station Approach, but this has since been deleted as I considered it likely to be an intrusive feature.
- 2.03 The application is supported by a Design and Access Statement that describes the plot as generous, that the layout minimises circulation space, and that the scale and materials of the proposed house will be compatible with the locality.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Car parking spaces (inc. disabled)	N/A	2	+2
No. of storeys	N/A	2	+2
No. of residential units	N/A	1	+1

4.0 PLANNING CONSTRAINTS

- 4.01 None.

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework (NPPF): Paragraphs 14 (Sustainable Development) and 58 (Quality of Development).
- 5.02 Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies ST1 (Sustainable Development), ST3 (The Swale settlement strategy), CP3 (Delivering High Quality Homes), CP4 (Good Design), DM7 (Parking) and DM14 (General Development Criteria).

6.0 LOCAL REPRESENTATIONS

- 6.01 Seven letters and emails of objection have been received from local residents. Their contents may be summarised as follows:
- Traffic problems already in Station Approach
 - Noise and disruption during build
 - The plot is contaminated with concrete which will take a lot of effort to remove
 - Not in Sondes Court
 - No details of sewage disposal
 - Detached garage will obstruct awareness of traffic movements
 - Heavy traffic along Station Approach, particularly mornings and evenings

- Much development in the immediate area over the years
- Junction is complicated and dangerous
- Over-development of site
- Access dangerous with no sight lines
- Will overshadow the garden at the Sondes Café (*NB. The café is situated to the south of the site*)
- Access to the site is via a private road owned by Network Rail; if access is denied, any property would be land locked
- Other new houses have been built in groups, a stand-alone house will not be in keeping with the local vicinity
- A smaller property with no garage might be more acceptable
- New dwelling would look into our garden and windows
- *'The pub was here first'*. The proposal would lead to the loss of this community asset
- Domestic noise; *'DIY, working on cars, garden B-B-Qs, etc.'*
- Not enough room for cars to turn, and dangerous entrance with no sight lines
- Design of dwelling not in keeping with surroundings

7.0 CONSULTATION RESPONSES

- 7.01 Selling Parish Council raises objection to the proposal. Their comments are as follows:

'We held an extraordinary meeting on Wednesday 13th (December) to discuss the above planning application. The application was discussed at length and several member of the public had strong views on this.

We took a vote on our view on this, and the majority voted in favour of these comments: The building would be too large for the site and there are no details about the foul water drainage. The ingress and egress of the site is very restricted and does not have full view of the road from the proposed driveway and garage. The garage blocks the view of the road.

It was also thought that the parking in the area, due to being near the station would also aggravate this problem. It was also suggested that the proximity to the community facility (the Sondes shop and café) might affect the business. The fact that there were previous footings and foundations on that site might also cause a problem.'

- 7.02 I have discussed the proposal with the Senior Engineer from Kent Highways and Transportation. The original drawings submitted showed a single garage adjacent to the highway, and he was concerned that if that proposal were to be approved, there would be no sightlines to the south of the site for cars or pedestrians whatsoever, due to the position of that garage. He was also of the opinion that, due to the proposed parking configuration, vehicles are unlikely to be able to leave the site in a forward gear, which might further exacerbate the problem of the lack of sight lines. Due to these concerns and similar concerns from local residents, the applicant has submitted new drawings which have removed the garage and have turned the parking spaces about by 90°, allowing forward egress from the site.

8.0 APPRAISAL

- 8.01 As the site is located within an established built up area, where policy ST3 suggests that infill development is acceptable, the main issues to consider in this case are

those of residential amenity and highway safety. For the sake of regularity, I shall take each in turn.

Residential Amenity

- 8.02 The proposed property would be situated within an existing residential area, where the principle of residential development is acceptable. The proposed dwelling has been designed to offer no new issues of overshadowing, and it should be noted that, as the Sondes café is situated to the south of the site, there is not likely to be overshadowing from the proposed property. One objector has noted that a first floor side window would overlook her property, but this is a small window which would be situated on the landing at the top of the stairs. As such, this window would not serve a habitable room, and the position of this window is therefore acceptable. One objector notes that the previous application for a weekend chalet was refused partly due to issues of mutual overlooking, but that proposal consisted of large windows to habitable rooms, albeit at ground floor level, not a small landing window, so there is no comparison here.
- 8.03 Sounds from everyday living are already present in the area, as this is a predominantly residential area. It is regrettable that any form of development is likely to bring some noise and inconvenience during construction, but this would be for the period of the building works only and can be kept to a minimum via suitable planning conditions. As such, I consider that the effect upon the residential amenity of the area to be acceptable.
- 8.04 I note the concerns raised with regard to the effect of the proposal on the Sondes Café and Shop which appears to be a popular destination for people using both facilities, with a pleasant area of garden to the rear. I appreciate that the proposed site used to be part of the pub garden, but I am not convinced that the proposal would have a significantly damaging effect on this successful and popular community facility.

Highway Safety

- 8.05 Prior to the submission of amended drawings showing the removal of the detached garage and showing the original parking configuration, I was concerned with regard to highway safety issues. Station Approach is indeed quite a busy roadway at peak times, with commuters arriving at and departing from the station, and cars tend to be parked along one side of the road during the day. There are no parking restrictions on Station Approach, as it is a private roadway and, as such, access and egress from the site would be restrictive as originally submitted.
- 8.06 However, with the removal of the garage and the re-configuration of the parking changed, I am satisfied that the parking issue has now been effectively answered. I note that a dwelling on this site was approved in 2012 under planning reference SW/12/0919; that this proposal did not include a garage; and that the car parking configuration was northwest-southeast, as now submitted. All other design issues are acceptable, with the proposed design representing a pleasing design, in an area where there is no single established style or design of dwellings.
- 8.07 The scale of development (one single dwelling) would not normally be commented on by Kent Highways and Transportation, but in view of the comments received from local residents, and my own observations on site, I have discussed the proposal with them. Originally, they expressed concern regarding the safety of the proposed access, but they are reassured by the amended drawings now submitted.

- 8.08 Finally, as mentioned above, I note that a similar sized property was approved on this site under planning reference SW/12/0919. This approval has set a precedent for acceptance of a dwelling on this site, which is within the defined built-up area boundary. The proposal accords with Paragraph 14 of the NPPF and Policy ST3 of the Local Plan, and represents sustainable development. As such, I recommend that the application be approved, subject to conditions.

9.0 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 be carried out in complete accordance with the following drawing: 2698/1A.

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 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.

- (4) No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- (5) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of the amenities of the area and highway safety and convenience.

- (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.

Reason: In the interests of residential amenity.

- (7) 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.

- (8) 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.

- (9) 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.

- (10) No development beyond the construction of foundations shall take place until detailed drawings at a suggested scale of 1:5 of all new external joinery work and fittings together with sections through glazing bars, frames and mouldings have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (11) 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 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.

- (12) No development beyond the construction of foundations shall take place until details of a covered secure cycle parking facility shall be submitted to the Local Planning Authority for approval in writing and the approved facility shall be provided prior to the occupation of the dwelling hereby approved and shall be retained in perpetuity.

Reason: To ensure that there is sufficient cycle parking at the site in the interests of sustainable development

- (13) Upon completion, no further enlargement of the property whether permitted by Classes A or B 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.

Council's approach to the 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:

Providing a pre-application advice service

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 case, the application was considered acceptable upon the receipt of amended drawings.

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.

