

NOTES FOR TECH		
<b>APPLICATION PROPOSAL</b>		<b>Ref No 17/500093/FULL</b>
Demolition of existing warehouse and construction of 1no. detached dwelling and 3no. terraced dwellings together with associated car ports, garage, parking and drive areas with access from Kingsland Grove.		
<b>ADDRESS</b> 7 Wheeler Street Headcorn TN27 9SH		
<b>RECOMMENDATION</b> - Application Permitted		
<b>WARD</b> Headcorn	<b>PARISH/TOWN COUNCIL</b> Headcorn	<b>APPLICANT</b> Mr J Claydon <b>AGENT</b> Essenden Design Limited
<b>DECISION DUE DATE</b> 06/03/17	<b>PUBLICITY EXPIRY DATE</b> 10/02/17	

## HISTORY

**11/0925** - Outline application for 4 terrace houses in replacement of commercial premises - APPROVED

**85/0973** - Change of use of depot for sale of horse and pet supplies- APPROVED

## DESCRIPTION OF SITE

The site represents a commercial property within the settlement of Headcorn which lies between a retail premises to the west and a residential property, no.9 Wheeler Street to the east. The lawful use of the site is as warehouse and according to the applicant's statement has also been used as a pet food wholesale warehouse. The building is around 7 metres in height to the ridge and is a substantial warehouse type building that runs to the rear of the site. The building is set back from the building line of the adjacent properties and has area used for parking by the adjacent business and has access to the east of the property. It is understood a structure previously existed on the frontage parking court until it was demolished. The site is also accessed onto Kingsland Grove, a residential cul-de-sac runs to the north of the site and accesses onto Wheeler Street further to the east.

The site is located centrally within Headcorn and has good access to shops and local facilities as well as bus routes to larger settlements such as Maidstone.

## PROPOSAL

The proposal relates to the demolition of the existing warehouse and cessation of the commercial use and construction of 4 dwellings which will consist of a terrace of 3 units facing onto Wheeler Street and a detached dwelling to the north of the site which will front onto Kingsland Grove

## POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF): Section 1, 4, 7  
National Planning Practice Guidance (NPPG)  
Development Plan: Maidstone Local Plan 2000, Emerging Maidstone Local Plan  
Supplementary Planning Documents: SP5, SP7, DM1, DM4, DM12, DM27

Headcorn NP: NP submitted for examination in 2016. The final examiners report was published in March 2017 advising that the NP does not meet several Basic Conditions and has advised that the NP should not proceed to referendum.

### **LOCAL REPRESENTATIONS**

	COMMENTS RECEIVED	OFFICER RESPONSE
Parish/Town Council	The Parish state there is no support for the application but do not require a planning committee referral. Feel it is overdevelopment of the site and draw attention to building lines and height in relation to existing building. Also note the parking to the front of the building	Addressed in report below
Residential Objections  Number received:1	Overlooking of their property and design not in keeping with the character of the locality	Addressed in report
Residential Support  Number received:1	Adjacent neighbour supports residential and building line with line with previous brick building on site. Overlooking no more than any other property in area	Addressed in report

### **CONSULTATION RESPONSES**

**KCC Highways** Does not consider parking and use of garages and car ports within provision would cause a severe impact and has no objections to the scheme subject to conditions relating to construction management plan and an informative regarding highway land.

### **APPLICANT'S SUPPORTING COMMENTS (summary of key points)**

- Function well with the quality of the area and establish a strong sense of place
- Optimise site to provide development and respond to local character
- Be visually attractive and would comply with current planning policy

### **BACKGROUND PAPERS**

**Location plan**

**Elevations Plot 1 and car ports 160805/4A**

**Elevations Plot 2-4 and car ports 160805/6A**

**Ground and 1<sup>st</sup> Floorplans Plot 1 and car ports 160805/5 A**

**Ground and 1<sup>st</sup> floor plans plots 2-4 160805/7A**

**Roof plans plots 2-4 160805/8A**

**Topographical plan and existing site layout plan 160805/9A**

**Application forms**

**Design and Access Statement**

**Site Context plan 160805/1A**  
**Street Elevations Plan 160805/3A**

**APPRAISAL**

EIA Screening

EIA Development	No
Comments	Due to scale and location of the site it is not considered to represent EIA development

Principle of Development

The site lies within the development boundary of Headcorn and thus will accord with the strategy of the 2000 local plan and that of the emerging local plan including Policy SP5 and SP7. These policies support new housing within the settlement boundaries where this is either minor development such as infilling or redevelopment of previously developed land of a scale appropriate to the village. Policy DM4 of the new local plan relates to development on brownfield sites and states that proposals for development on previously developed land (brownfield land) in Maidstone urban area, rural service centres and larger villages that make effective and efficient use of land will be permitted providing the site is not of high environmental value and suitable density and design standards are met for new residential development. The NPPF seeks to direct development that generates significant movement to locations where sustainable modes of transport can be maximised. In this case, the site lies very close to a railway station and bus routes and is thus considered to be a sustainable location for new housing.

The employment use of the site is also recognised but it is not considered to weigh against the principle of development. Firstly, the council has accepted the loss of this employment site in a previous application, 11/0925 which granted the replacement of the employment use with 4 x terraced houses. This has now expired but supports the view that there is no direct policy for retaining employment uses and the NPPF states that planning policy should avoid the long term protection of employment use (paragraph 22). Thus it is considered the lawful employment use should not act as a constraint to development.

The development would therefore utilise a redundant brownfield site which is encouraged by both local and national policy and thus the scheme would be acceptable in principle subject to other matters such as design/layout, highways and amenity issues.

Design/Layout

The application includes a terrace of 3 properties fronting onto Wheeler Street with a further detached property to the north of the site fronting onto Kingsland Grove. The terrace is designed in a traditional architectural style incorporating a staggered building line, incorporating hipped and catslide roof forms, stock brick at ground floor level and white weatherboarding at first floor. The terrace would measure 8.4 metres to the ridge and has addressed its relationship with no.9 Wheeler Street through the use of a catslide roof which lessens the impact on this eastern boundary. The applicant has provided a street scene drawing which shows the various heights involved and I consider the scheme will bring interest to the street scene and be acceptable in the context of the neighbouring properties.

There have been concerns raised by one respondent who raises concerns regarding the terrace and its position forward of the building line of adjoining properties, but the scheme seeks to address this through the staggered front elevation and is set back from the store to the west. The applicant has shown a historic photograph of a two storey brick building which previously fronted almost directly onto the footpath and so this scheme could be said to be reinstating the original building line with no.9 set back from this. However, unlike the earlier brick building, the terrace will utilise a sloping roof form to address its relationship with no.9 Wheeler Street. In relation to the street scene at Kingsland Grove, the property will remove a much larger building and there are link detached properties opposite, detached properties to the east and in the near vicinity and thus a detached property in the context is considered to be acceptable. All properties will be laid out over three floors with plots 2-4 being 3 bedroom and plot 1 being 4 bedroom.

Access will be taken from the northern boundary which will allow the front terrace to address the street and avoid any over dominance of car parking. The access will provide turning and access and the parking area will be located within the central part of the site along with the western boundary, with three gardens to the rear of the front terrace properties. The car ports will be located along the western boundary with the private garden to Plot 1 located on the western boundary to the side of the property providing a private space and allowing a greater separation between Plot 1 and the properties located to the west at Thorpe Cloud, Hayfield and Little Grove and those properties to the eastern side of New Road which lies to the north west.

In summary it is considered the development will conform to a good standard of design as advocated by the NPPF and Policy DM1 of the emerging plan as it provide adequate internal floorspace and will enhance the existing site which will currently overgrown and has a somewhat redundant appearance. High quality materials will be secured though conditions.

#### Residential amenity issues

The application site is flanked by a residential property to the east, no.9 Wheeler Street, a commercial store to the west and residential gardens to the northwest and residential properties to the north, on the opposite side of Wheeler Street. As the terrace of 3 properties are positioned forward of no.9, it considered the resultant angle of view would preclude any overlooking nor cause any loss of privacy. In terms of plot 1, the southern elevation does not have any first floor windows other than roof lights within the roof slope which are located 1.7m above floor height. However, due to the angle of the roof slope and orientation of the windows it is considered appropriate to impose a condition to require these windows to be obscured glazed. The windows on the side elevation of Plot 1 serve an en-suite and bedroom windows but due to the angle and distance to no.9, these windows are considered acceptable. Thus it is considered the relationship between the development and no.9 is acceptable.

In terms of the relationship with the gardens to the north-west, the distance of plots 2-4 and these properties of over 25m and intervening mass of the adjacent store, it is not considered any harm will occur to these properties by way of overlooking or loss of privacy or loss of outlook. With regard to the impact of plot 1, there is one 1<sup>st</sup> floor window on the facing western elevation which will serve a landing area and again it is considered necessary to impose a condition to require this window to be obscure glazed. Concerns have been raised

by a property on the northern side of Kingsland Grove but it is again, over 20 metres between the front of plot 1 and these properties, beyond the intervening highway.

In relation to the amenity of future occupiers of the new housing, the garden areas, whilst not being significant in size, do provide sufficient private outdoor space and are appropriate in a more urban context such as this central village location. It is also noted there are no local standards on minimum garden sizes. The location of car ports and parking adjacent to these garden areas, is on balance, considered acceptable having regard to the low vehicle trips associated with these four houses. The relationship between plot 1 and plots 2-4 are also considered to be acceptable on account of intervening distances, lack of facing windows on the facing elevation of plot 1 and the intervening bulk of the car ports which provide some privacy to the rear garden of plot 1.

Having regard to the current commercial use which could realistically be carried out on site in close proximity, it is considered there would be an improvement to the amenity of adjoining occupiers by the removal of commercial activity close to boundaries of residential gardens. On this basis, the creation of an access and parking on the boundary of no.9 is considered justified as commercial traffic and access could equally park and turn along this boundary and the scheme includes some landscaping along the boundary to create additional separation

Therefore it is considered the development would secure a good standard of amenity for existing and future occupiers in line with Paragraph 17 of the NPPF and Policy DM1 of the Council's emerging plan.

### Highways

The scheme provides 2 parking spaces for each property via the use of tandem parking and use of an open parking space and a car port. Plot 1 will have one space and garage instead of a car port. Whilst, it is recognised the optimum parking requirements would require independently accessible spaces, it is considered the constraints of the site in terms of its size and the policy aim of making efficient use of brownfield land for new housing, justifies an exception to allowing tandem parking and garaging as counting towards the parking allowance in this case. This is on the basis, the garage and car ports are over 6 x 3 m in floor area which exceed KCC highway standards and the fact the scheme still provides 2 spaces per property which meets the standards. This full provision and the proximity to the railway station and bus routes which lie within a 3 minute walk and its close proximity to other travel modes, also offers a potential to reduce vehicle usage. The access is also considered to be acceptable in terms of its standard. The Parish Council raise the existing parking provision to the front of the building but it is understood this is ad-hoc parking rather than any formal parking provision associated with the adjacent building. The detail has been reviewed by KCC Highways who raise no objection to the scheme on the basis the highway matters would not result in a severe transport impact and they suggest conditions relating to a construction management plan and an informative regarding highway land.

### **Conclusions**

The development would be an efficient use of a brownfield site which will deliver 4 good quality homes in a sustainable location close to facilities and public transport. The existing employment status is not considered to be a constraint to the development bearing in mind

the planning history and policy context and thus it is considered the site offers an appropriate site to provide additional housing within the village without harm to the character of the village. The development is considered to be acceptable in terms of design, street scene, parking and will accord with the relevant policies and the NPPF.

**APPROVE Subject to conditions**

RECOMMENDATION – Application Permitted subject to the following conditions/reasons:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The development hereby approved shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted and the proposed hard surfaces within the site have been submitted to and approved in writing by the local planning authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

(3) Upon completion, no further development, whether permitted by Classes A, B, C, D and 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.

(4) Before the development hereby permitted is first occupied, the proposed window in the first floor of the western elevation of Plot 1 and the rooflights to the southern roofslope of Plot 1 shall be obscure glazed (to not less than the equivalent of Pilkington Glass Privacy Level 3) and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such;

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

(5) The approved parking, car port and garage areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

(6) The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed [, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value [together with the location of any habitat piles] and include a planting Spec, a programme of implementation and a [5] year management plan.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

(7) The use of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

(8) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan, Elevations Plot 1 and car ports 160805/4A, Elevations Plot 2-4 and car ports 160805/6A, Ground and 1st Floorplans Plot 1 and car ports 160805/5 A, Ground and 1st floor plans plots 2-4 160805/7A, Roof plans plots 2-4 160805/8A, Topographical plan and existing site layout plan 160805/9A, Design and Access Statement, Site Context plan 160805/1A, Street Elevations Plan 160805/3A

Reason: To clarify which plans have been approved.

(9) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

- a) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- b) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To deal with the risks associated with contamination of the site.

(10) The development hereby approved shall not commence above slab level until details for a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the design and appearance of the extension by means such as swift bricks, bat tube or bricks. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future

(11) The development hereby approved shall not commence until a method statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. Details submitted in respect of the method statement, incorporated on a plan, shall provide for wheel-cleaning facilities during the demolition, excavation, site preparation and construction stages of the development. The method statement shall also include details of the means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: To ensure the construction of development does not result in highway safety.

## INFORMATIVES

(1) KCC Highways- It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of

this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land> The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

The Council's approach to this application

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 application was acceptable as submitted and no further assistance was required.  
The applicant/agent was provided formal pre-application advice.

Case Officer Diane Chaplin

Case Officer Sign	Date
Diane Chaplin	19.05.2017