

DELEGATED REPORT

REFERENCE:	19/03436/MMA	DATE:	30.1.20
SUBJECT:		NAME:	Jim Sperryn
ADDRESS:	Boons Park, Toys Hill, Brasted		

Background:

This application seeks to amend that recently granted for the erection of 4 houses and garages, in October 2019. The proposals remain the same in terms of siting, scale, bulk and massing.

This application seeks to amend the external materials only. Therefore, reference should be had to application 19/02064/FUL, which provides detailed consideration of the relevant policy background and material planning issues. This is attached as Appendix A. The extant permission is material consideration of significant weight.

Description of site & location:

The application site is located approximately 1.6km to the south of Toys Hill (junction with Puddledock Lane) and the same distance north of Four Elms, on the west side of the main road.

The site previously accommodated an extensive Victorian mansion house, originating from 1896, with extensive outbuilding to the north, arranged around a courtyard. The building was vacant for several years, become dilapidated and was partly damaged by fire. Main access was originally from the south of the house, directly from Toys Hill Road. There are extensive grounds surrounding the house and extending considerably to the south. The former buildings were previously used as a drug rehabilitation centre (residential institution which comprised a Class C2 use).

Planning permission was granted in March 2015 for the comprehensive re-development of the site. Details were discharged and work commenced. However, works later ceased following extensive ground works including the creation of the extensive basement to the replacement house. The development site remains secured by Heras fencing, with the original fencing adjacent to the main road retained.

Planning History (Most relevant only):

14/03641/FUL: Demolition of existing drug rehabilitation centre and associated outbuildings. Erection of a large single dwelling with attached outbuildings Coach House East consisting of garage, poolhouse and spa, with basement, Coach House West consisting of staff flat and estate office/function room with basement and Collonade walkways. Granted 31.3.15.

Details to this permission were discharged and works commenced on site with the excavation and creation of a very extensive basement area.

19/02064/FUL: Erection of 4 detached dwellings and garages together with access, parking and amenity space following clearance of existing built form on site. Granted 11.10.19.

Proposal:

The proposals seek permission for a development of 4no. large, 2 storey, 5-bedroom houses, set around a roughly circular courtyard.

It is proposed to close the existing southern access into the site and re-open the access from Toys Hill Road to the north. This would run from east to west and then turn 90° south into the site. This would be set off the northern boundary and tree lined. This would lead into the courtyard, within which would be a circular access route around a central landscaped area. Each house would have a flat roof double garage accessible via this courtyard.

The houses generally take a modern design approach, the detailed design consistent for all, except for several being handed versions. They would have a concave shaped frontage to the courtyard approximately 12.8m in width, with a depth of approximately 17.5m. The remainder of the footprint would be roughly rectangular in form. Apart from the front façade, which would be slightly higher, the parapet level of the rest of the houses would be between 6.3-6.7m above ground level. The roof form would be flat and grass covered and would include several, large, low level rooflights, apart from a small element to the rear, which would include a roof terrace.

The houses would incorporate extensive floor-to-ceiling glazing to the front and rear, with limited fenestration to the flanks. Rear (private garden) facing rooms would incorporate recessed balconies.

Helping to re-inforce the central circular courtyard theme, it is proposed to connect the houses and detached garages by way of a high (3m) brick wall, set slightly behind the front facades. To the rear, the individual curtilages would take the form of a more limited circular area surrounding the development, to be defined by estate boundary fencing, with the wider site apparently accessible to all houses.

The approved scheme proposed facing brick to the front façade, Portland stone window surrounds but with timber boarding and contemporary cladding to the flank elevation.

The current application is the same as that recently approved (as described in detail above), but proposed to change the external materials as follows:

- Facing brick, gault-coloured in Flemish bond.
- Precast Portland stone window surrounds.
- Timber framed windows, painted white on precast stone cills.
- Portland stone balusters, stone freeze and copings.
- Hardwood doors.
- Glazed, powder-coated aluminium bronze coloured curtain walling system and roof access box.
- Powder-coated metal balustrade, bronze coloured.

Constraints:

- Green Belt, house & surrounding buildings within Area of Outstanding Natural Beauty, but garden to south of application site outside AONB, Public Right of Way in vicinity to east and south of site.

Policies

Core Strategy:

- L01 Distribution of development
- L08 The Countryside and the Rural Economy
- SP1 Design of New Development and Conservation
- SP2 Sustainable development and Low Carbon Energy Generation
- SP3 Affordable Housing
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP11 Biodiversity

Allocations and Development Management Plan:

- SC1 Presumption in favour of sustainable development
- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- GB9 Replacement buildings in the Green Belt
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points.

Consultations

Brasted Parish Council: Support the application.

Arboricultural Officer (from previous application):

No objection providing trees to be retained are adequately protected.

Highway Authority: (in summary)

Does not meet criteria to warrant involvement.

However, previously made comments raising no objection subject to conditions relating to visibility splays, entrance gates and bound surface drive. Conditions were attached to the previous permission as would be repeated in the event permission is to be granted.

Natural England: (In summary)

No comments on the application - refer to standing advice or consult own Ecological service.

Forestry Commission:

Note ancient woodlands are an irreplaceable resource and it is Government policy to refuse development that will result in loss or deterioration of irreplaceable habitats, ancient woodland or veteran trees.

They note that they are a non-statutory consultee on developments in or within 500m of ancient woodland and refer to their standing advice.

K.C.C. Ecology: (in summary)

Comments made on previous application are still valid.

Various conditions relating to ecological mitigation and enhancement were attached to the previous permission. These would again be attached to any permission on this application.

Representations - None received.

APPRAISAL

Principle issues

Principle of Use:

The development which this application seeks to amend has by definition been judged to be acceptable in principle. On this basis an assessment under section 73 should be focussed on whether any national or local policies or other material considerations have changed significantly since the original grant of planning permission, as well as the changes sought.

In this regard, there have been no significant changes to Government or Local Plan policy in the last 3 months, which would materially impact the conclusions reached before.

This report should be read in conjunction with the earlier report and decision to grant permission (reference 19/02064/FUL - Appendix A) which addresses the principle of the development, layout design, impact on character of area and highway considerations implications on residential amenity, ecological and tree implications and other matters relating to the need for the proposals.

However, in light of the above, I consider the principle of the development of the site along the lines proposed to be acceptable.

The other implications of the changes will be considered further below, following the format of the original application for consistency.

Green Belt Implications:

The relevant planning policy was set out in detail in the previous report (Appendix A)

In considering the original proposals, it was accepted that the site represented previously developed land. Indeed, works have already commenced on an earlier permission, but stalled.

Whilst the proposals would represent a very marginal increase in footprint, they would represent a reduction in overall floorspace and consequent built volume on site. Also the roof height would be lower than the consented building and is to incorporate a grass flat roof. The scale, bulk, massing and height of the proposals, including the spread of development was not considered to have a greater impact on the openness of the Green Belt than the extant permission.

The proposals were therefore considered to represent appropriate development, which would maintain the openness of the Green Belt.

The present proposals have no implications in terms of siting, scale, bulk or massing and thus the impact on the Green Belt remains acceptable.

Therefore the proposals represent appropriate development within the Green Belt.

Impact on Area of Outstanding Natural Beauty:

The policy background remains as set out in Appendix A.

The site lies within the Kent Downs AONB and sits at the top of a gently sloping parkland site, with the site of the proposed houses surrounded by landscaping, including numerous mature trees. This considerably softens the appearance of the site. It was previously concluded that the proposals would preserve the landscape setting of the site.

It was previously concluded that though there would be views from the public highway directly to the east of the house, the impact could be considerably softened by modest planting along this boundary. There would also be public views directly from the south, but these are at a distance, are outside the AONB boundary and would again be well screened and softened by existing tree planting.

It was concluded that the proposals would have no greater impact on the landscape than the very large single house approved. There are limited views of the site from close-to and from a distance.

The change of external materials now proposed, the major one being use of a more traditional brick, rather than more contemporary materials, would have little impact on the conclusions reached before. The proposals retain the grass roof, which would help soften the visual impact, particularly any longer distance views.

In the circumstances, subject to retention of existing trees and a landscape scheme to help enhance the setting of the site and soften the impact of the new buildings, I would again conclude that the proposals would not erode or harm the otherwise open and rural character of the landscape. Furthermore, the enhancement of the site with proposed additional planting and ecological measures would represent enhancement to the AONB and I consider the relevant policies to be met.

Layout, design and impact on character of area & highway considerations

The principle of the proposals, including the siting of the other buildings, scale, height, layout, landscaping and parking/highways etc. has been established.

The change in materials is the key consideration for this application.

The proportions, height, depth, window positions remain as approved, although some first floor flank windows have increased in size. The front façade would remain brick, but the flanks would change from a mix of vertical timber cladding and green-brown Chameleon cladding panels and windows to plain brickwork. Also of note is the change in style from a much more contemporary appearance, partly through use of modern materials, to a more traditional (Georgian) character with stone coping freeze and coping detailing.

There was some third party criticism of the previous submission in that it failed to reflect the local character and design. The change in materials would perhaps better reflect local materials, although there is quite a diversity in the wider locality. They would also potentially appear more subdued particularly to the flank and rear elevations. On the other hand, in my view some of the detailing and originality of the original proposals would be

lost. However, the site is largely well screened and thus the wider impact, as explained previously, would be very limited. Thus I consider the benefits from a more subdued colour pallet would balance the loss of originality. I would stress that with existing and proposed landscaping the wider visual impact would be very limited and the proposals would retain the grass roof feature, which would reduce the visual impact from longer distance views.

There are no highway objections to the proposals, which remain as approved.

In light of the above, I am satisfied that the proposals meet the relevant policies (SP1, SP11, EN1, T1 and T2) and are policy compliant.

Impact on residential amenity:

The only property likely to be directly affected is Boonswood, the dwelling to the north of the site. However, it was concluded that because of the distances involved and intervening foliage screening, the impact would be acceptable. The change to materials has no implications for this and the proposal would have an acceptable impact in my view.

I do note that a design change to the first floor flank windows of the houses would now omit an angled screen to restrict outlook, this is more of an issue for the occupants of the properties themselves, rather than the occupiers neighbouring the site. Similarly, no objection was raised to the roof terraces.

In light of the above, I am satisfied that the proposals would be policy compliant in this regard.

Impact on ecology:

The impact on ecology was discussed in detail under ref: 19/02064/FUL. The proposed change in materials has no implications in this regard, subject to the imposition of the same conditions.

I therefore consider the proposals policy compliant in this regard.

Affordable Housing:

It was accepted that the provision of an affordable housing contribution would render the proposals unviable. The change in external materials would not have a significant bearing on this.

Community Infrastructure Levy:

As the application would comprise new dwellings, it would be CIL liable. No exemption has been sought.

Conclusion

The change to external materials does not go to the heart of the permission and would not significantly impact the appearance of the houses.

In light of the above, I consider the proposals would represent appropriate development, which would preserve the openness of the Green Belt. They would also conserve and enhance the character and appearance of this part of the AONB.

Subject to conditions as attached to the previous approval, the landscaped and ecological qualities of the site can be preserved. The impact on residential amenity and highway conditions is considered acceptable.

In light of the above, I consider the proposals to be policy compliant and would therefore recommend permission be granted.

RECOMMENDATION: Grant

Case Officer: Jim Sperryn

Date: 30.1.20

Manager / Principal: Aaron Hill

Date: 5/2/2020