

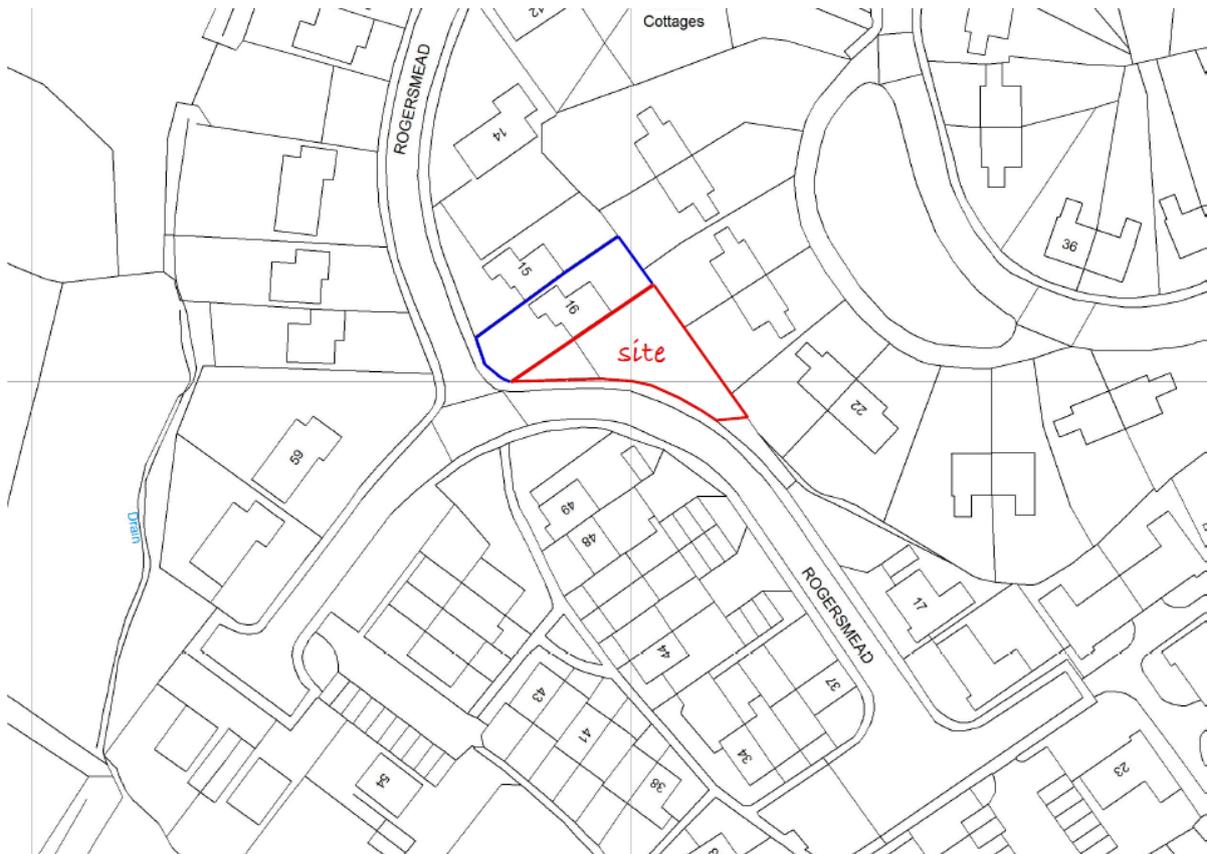
<b>Application Number</b>	19/00632/AS	
<b>Location</b>	16 Rogersmead, Tenterden, Kent, TN30 6LF	
<b>Grid Reference</b>	587994 133314	
<b>Parish Council</b>	Tenterden	
<b>Ward</b>	Tenterden North	
<b>Application Description</b>	Erection of a single storey 2 bedroom dwelling	
<b>Applicant</b>	Mr Theobald	
<b>Agent</b>	Mason Brannan Architects	
<b>Site Area</b>	350 sqm	
(a) 3/R 1/X	(b) Parish Council - S	(c) -

## Introduction

1. This application is reported to the Planning Committee at the request of the Ward Member Cllr Paul Clokie as it *'raises a number of issues of interest to the local area'*.

## Site and Surroundings

2. The application site comprises the side residential garden of 16 Rogersead and is located in the urban area of Tenterden.
3. The site fronts onto Rogersmead and backs onto the residential rear gardens of the properties fronting Pittlesden. The Rogersmead Road frontage is currently dominated by a close boarded fence abutting the pedestrian footpath.
4. There is a group of TPO trees located on the adjoining site to the southeast.



**Figure 1 - Site location Plan**

## **Proposal**

5. Erection of a single-storey 2 bedroom dwelling.
6. The dwelling would front onto Rogersmead with a small kitchen garden to the rear of the site and a larger garden terrace to the side.
7. Vehicle access would be provided onto Rogersmead with two car parking spaces proposed at the front of the house. Integrated bike and bin storage is proposed at the front of the house with access directly onto the driveway.
8. The scheme proposes tree and hedge planting at the front of the site and the replacement/reduction of the close boarded fence along the Rogersmead to provide privacy and security to the garden terrace.

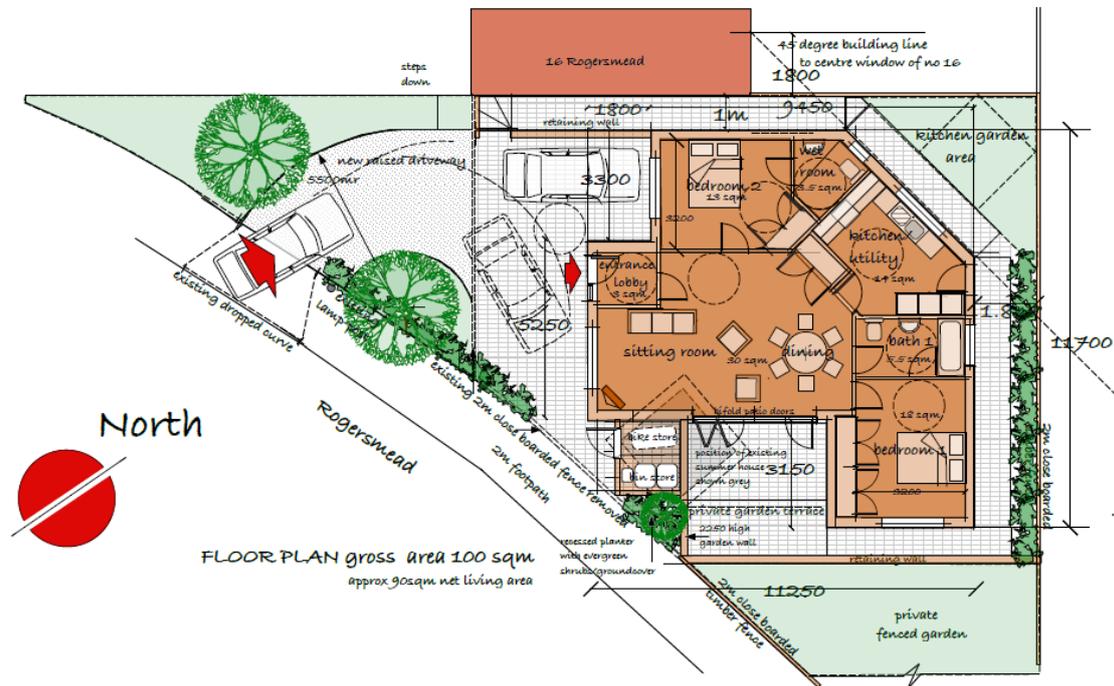


Figure 2: - Proposed block plan

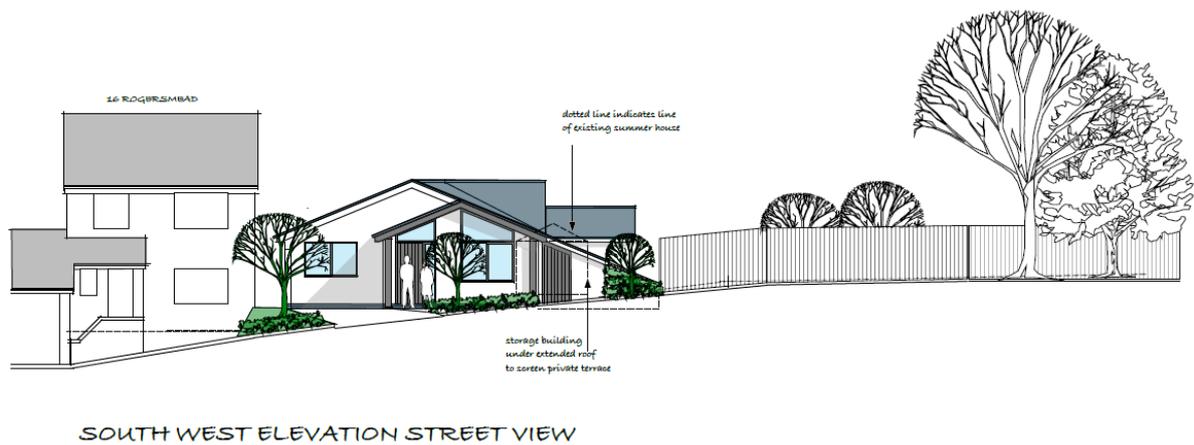


Figure 3:- Streetview - facing brickwork proposed.

## Planning History

None relevant

## Consultations

**Ward Member:** Is a Member of the Planning Committee and has requested that the application be determined by the planning committee.

**Town Council:** Supports on condition that (i) the materials used in the build are similar to those used for 16 Rogersmead as the proposed style is out of keeping with the area; (ii) appropriate screening should be included to protect the privacy of the residents of Pittlesden.

**Neighbours:** Three objections and one general comment have been received. There are summarised as:

- Loss of privacy.
- Overbearing impact.
- Overdevelopment.
- Small garden and poor level of amenity for future occupiers.
- Design/materials is not in keeping with the surrounding area

## Planning Policy

9. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017) and the Kent Minerals and Waste Local Plan (2016).
10. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
11. The relevant policies from the Development Plan relating to this application are as follows:-
  - SP1 – Strategic Objectives
  - SP2 – Strategic Approach to Housing Delivery
  - SP6 - Promoting High Quality Design
  - HOU3a - Residential windfall development in settlements
  - HOU10 – Development of residential gardens
  - HOU12 - Residential space standards internal
  - HOU14 – Accessibility standards
  - HOU15 - Private external open space
  - TRA3a - Parking Standards for Residential Development

TRA6 – Provision for Cycling

TRA7 - The Road Network and Development

ENV9 - Sustainable Drainage

12. The following are also material considerations to the determination of this application.

### **Supplementary Planning Guidance/Documents**

Residential Space and Layout SPD 2011 (now external space only)

Residential Parking and Design SPD 2010

Sustainable Drainage SPD 2010

### **Government Advice**

#### National Planning Policy Framework (NPPF) 2019

13. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-
- 14.
15. Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available .... and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
16. Paragraph 59 relates to the need for the delivery of a sufficient supply of homes. It states that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
17. Paragraph 122 states that planning policies and decisions should support development that makes efficient use of land, taking into account:
- a. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - b. local market conditions and viability;
  - c. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further

- improvement and the scope to promote sustainable travel modes that limit future car use;
- d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e. the importance of securing well-designed, attractive and healthy places.
18. Paragraph 123 outlines that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities.
19. Section 12 of the NPPF refers to achieving well-designed places. As such the creation of high quality buildings and places is fundamental to what the planning process should achieve. Good design is a key aspect of sustainable development, creates better places to live and helps to make development acceptable to communities. It is therefore clear that design expectations is essential for achieving this. Paragraph 127 states the following in relation to good design. It specifies that decision should ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
  - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
  - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
  - Establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive welcoming and distinctive places to live work and visit.
  - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
  - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

National Planning Policy Guidance (NPPG)

20. Technical housing standards – nationally described space standards

## Assessment

21 The main issues for consideration are:

- Principle
- Visual amenity/Design & Layout
- Residential amenity
- Parking & Highway safety

### Principle

22. The site comprises residential garden land located in a sustainable urban area where the principle of additional housing is considered acceptable in accordance with policy HOU3a of the Local Plan 2030 and the aims and objectives of the National Planning Policy Framework.
23. The principle of the proposal would also be in accordance with policy HOU10 which allows proposals involving the redevelopment of residential gardens in the urban area (in accordance with policy HOU3a) subject to achieving acceptable space standards and respecting the character of the area.

### Visual Amenity

24. Rogersmead and the surrounding residential estate is characterised by a wide variety of dwelling designs and sizes including two-storey properties to the north and opposite and bungalows to the south. There is also a variety of materials within the wider area including facing brickwork and white weatherboarding.
25. The scale, form and design of the proposed dwelling would complement the varied streetscape and the materials have been amended to facing brickwork which would be in keeping with the adjacent property and bungalows to the south of the site.
26. The proposed house and landscaped front garden would replace a section of close boarded fencing along Rogersmead which does not currently enhance the streetscape. The new landscaping and high design standard proposed would enhance the character of the streetscape.
27. The development would constitute a high standard of design with low-level pitched roofs and complementary materials. The scale, palette of materials, siting and proposed landscaping would ensure the house sits comfortably within the streetscape and would not appear overly prominent or dominant.
28. The house would be located in proximity to 16 Rogersmead (1 metre separation) which is not uncharacteristic of the surrounding area. Many properties in the surrounding area have separation gaps of less than 1 metre.

29. Given the single-storey height, set back from the road, landscaped frontage and wide side garden the proposal would not appear as a cramped form of development on this site.
30. The cycle storage and bin store would be located at the front of the house and would be integrated into the design of the building to achieve a high design standard. The location of the storage area would also provide easy access at the front of the property in close proximity to the pavement.

### **Residential Amenity**

31. The dwelling has been design to avoid an unacceptable loss of light, outlook and privacy to the adjacent property at 16 Rogersmead.
32. In terms of the impact on the properties located at the rear of the site, the rear elevation would be set in 1.8m from the rear shared boundary which backs onto the rear gardens fronting Pittlesden. There is a drop in ground level between the application site and rear gardens of the adjoining properties and close boarded fencing along the boundary of the application site would provide screening between the properties.
33. The internal layout and window orientation has been designed to avoid direct overlooking towards the neighbouring residential properties and given the single-storey nature of the proposed development all windows would face towards the boundary treatment and would not result in an unacceptable loss of privacy. Views towards the neighbouring properties from the proposed garden area would not change from the current situation so there would be no additional loss of privacy.
34. In terms of the visible impact when viewed from the adjoining properties on Pittlesden which are at lower ground level, the set in from the shared boundary, low eaves and shallow pitch of the roof which would slope up and away from the shared boundary, would ensure the proposal would not appear unacceptably overbearing or dominant from the neighbouring rear gardens.
35. The site is currently residential garden and the additional unit and continued use of the garden would not result in a significant increase in noise and disturbance to neighbouring properties over or above the current situation.
36. The proposed dwelling would benefit from a side garden which would comply with policy HOU15 in terms of the size and would be adequate for the two bed property proposed. There would be some conflict with policy HOU15 as the larger side garden would be located adjacent the road. However the existing 2m high close boarded fencing would provide privacy to the side garden and the rear kitchen garden and side terrace would provide secluded outdoor amenity space for the property. Given the shape and constraints of the site it would not be feasible to provide the larger garden area at the rear of the house, however on balance the proposal would provide adequate private garden space in accordance with policy HOU15. The proposed internal living

accommodation would comply with the National Technical Standards, which are also set out under policy HOU12.

### **Parking and Highway Safety**

37. The development would utilise an existing dropped curve and two on-site parking spaces would be provided in accordance with policy TRA3a. The development would also encourage the use of sustainable modes of transport through the provision of cycle storage to comply with policy TRA6 for cycle parking.
38. There is limited turning space within the site, however this is a similar arrangement to a majority of the properties within the surrounding area. There is a bend in the road outside the application site, however given the cul-de-sac location and gradient of the road it is considered that sufficient visibility would be provided and no significant highway safety objections are raised. A tandem parking arrangement is proposed which is considered acceptable for a private two bed house and there is also ample uncontrolled parking within Rogersmead to accommodate any additional parking if required.
39. One additional dwelling would not result in a significant increase in traffic and the traffic generated could be accommodated on the local and wider road network without harm to highway safety, therefore complying with criterion e) of policy HOU3a.
40. In coming to this conclusion I have had regard to paragraph 109 of the NPPF which states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

### **Ecology and trees**

41. The site comprises a managed area of residential garden, there are no trees within the site and the TPO trees to the south of the site would be a sufficient distance from the proposed development. As such the proposal would not result in a significant negative impact on ecology or trees.

### **Other matters**

42. It is proposed to deal with surface water drainage via the existing mains sewer which is acceptable in principle.
43. Given the close knit residential character of the area, difference in ground levels between the application site and adjoining property and constraints of the site a condition is recommended to remove permitted development rights.

## **Human Rights Issues**

44. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

## **Working with the applicant**

45. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

## **Conclusion**

46. The proposed would constitute sustainable residential development in accordance with policy HOU3a and HOU10 of the Local Plan 2030.
47. The design, siting, scale and palette of materials would complement the immediate and wider streetscape and the dwelling would fit comfortably within the plot with policy compliant garden area and internal living standards.
48. No residential amenity, highways safety, tree or ecology objections area raised.

## **Recommendation**

### **Permit**

**Subject to the following Conditions and Notes:**

**(with delegated authority to either the Head of Planning and Development or the Joint Development Control Managers to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)**

1. Standard time condition
2. Materials

### **Highways/Parking**

3. Parking spaces

4. Electric car charging

### **Landscaping**

5. Walls/Fencing
6. Landscaping scheme
7. Trees/protection measures

### **Drainage**

8. SUDs scheme

### **Ecology**

9. Ecological enhancements

### **Other**

10. Development in accordance with the approved plans
11. Development available for inspection
12. Remove of permitted development residential extensions and outbuildings

### **Note to Applicant**

1. Working with the Applicant

## **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 19/00632/AS)

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