

Application No: Y18/0444/SH

Location of Site: Pennings and Juniper Cottage, School Road, Saltwood, Hythe

Development: Erection of a two storey building comprising 7 residential apartments, including landscaping and parking following demolition of the existing pair of existing semi-detached dwellings and garaging.

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Date Valid: 09.04.18

Expiry Date: 04.06.18

PEA Date: 02.11.18

Date of Committee: 30.10.18

Officer Contact: Louise Daniels

SUMMARY

This application is for a new building to accommodate 7 flats on School Road in Saltwood following the demolition of the existing semi-detached dwellings. The design, scale and layout of the proposed building would reflect the character of the area with a design that resembles a single dwelling house that has evolved over time with traditional materials. The amenities of existing and future occupants are safeguarded and there is no objection on highway safety.

RECOMMENDATION: That planning permission be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Development Management Manager to agree and finalise the wording of the conditions and add any other conditions that she considers necessary.

1.0 THE PROPOSAL

1.1 This application is for the erection of a two-storey building comprising seven flats, including landscaping and parking following demolition of the existing pair of existing semi-detached dwellings and garaging. The proposed

building would be located in a similar position to the existing dwelling, set back from School Road with parking provision to the front. The design of the proposed building follows a more traditional approach and is designed in a fragmented way with some single storey elements to the side, front and rear. Sash windows and stone cills are proposed throughout, with exposed rafter feet to the roof.

- 1.2 The front elevation would have a white rendered barn-hip projection. A single storey tiled canopy detail is proposed to the barn-hip projection with traditional timber frames and matching roof tiles to the main roof. Hanging tiles are proposed to the first floor of the main building with plain tiles and brick detailing to the ground floor. Plinth brick detailing is proposed to the ground floor single storey projection which would have a hipped roof with plain tiles to match the main roof.
- 1.3 The rear elevation would again have white render to the barn-hip projection. A single storey rear addition is proposed which would have a vaulted ceiling and a fully glazed façade. Another single storey canopy detail is proposed to the barn-hip projection with matching roof tiles to the main roof. Tile hanging is also proposed to the first floor of the main building with plain tiles with brick detailing at the ground floor.
- 1.4 The building would accommodate the following arrangement of apartments:

Ground Floor

Flat 1 = 2 double bedrooms, 1 en-suite, bathroom, and lounge/kitchen/diner
Flat 2 = 2 double bedrooms, 1 en-suite, bathroom and lounge/kitchen/diner
Flat 3 = 2 double bedrooms, 1 en-suite, bathroom and lounge/kitchen/diner
Flat 4 = 2 double bedrooms, 1 en-suite, bathroom and lounge/kitchen/diner

Each of the ground floor flats would have access to a private rear garden.

First Floor

Flat 5 = 1 double bedroom, bathroom and lounge/kitchen/diner
Flat 6 = 2 double bedrooms, 1 en-suite, bathroom and lounge/kitchen/diner
Flat 7 = 1 double bedroom, bathroom and lounge/kitchen/diner

All flats would have access to the communal garden to the rear of the site.

- 1.5 The existing vehicular entrance and exit would be utilised to provide an entrance to the west of the site with alligator teeth within the site to prevent vehicles exiting from this point, rather exiting to the east. Secure cycle parking is proposed to the front of the site together with covered bin storage adjacent to the visitor parking space.
- 1.6 The application is accompanied by a Design and Access Statement, a Planning Statement, a pre-development Tree Survey and Report and a Bat Report following comments received by KCC Ecology.

2.0 SITE DESIGNATIONS

2.1 The following apply to the site:

- Inside Hythe settlement boundary
- To the east (approx. 56m away) is the boundary with the Kent Downs AONB.

3.0 LOCATION AND DESCRIPTION OF SITE

3.1 The site is located on the northern side of School Road and is currently occupied by Juniper Cottage and Pennings, a pair of semi-detached two-storey dwellings of an Arts and Craft architectural style. The dwellings are set within large plots, set back from School Road providing a large driveway, yet still providing a large rear garden. There is a detached row of three garages to the front of the site against the side boundary.

3.2 The existing dwellings are set slightly further back within the site than the other dwellings to the west of the site. 'Magnolia Cottage', the neighbouring dwelling to the west, is a detached bungalow. To the east are the rear gardens of properties located on Castle Road, which include 'Kiln Cottage', 'Broadview', 'Hilltop' and 'Rosemount' all two-storey detached dwellings.

3.3 This area of School Road generally comprises large detached family size houses set in spacious landscaped plots. As you move from east to west along School Road towards the village, the character gradually changes to a tighter urban form and greater density with smaller gardens.

4.0 RELEVANT PLANNING HISTORY

4.1 No planning history for the site.

5.0 CONSULTATION RESPONSES

5.1 Consultation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.folkestone-hythe.gov.uk/online-applications/>

Responses are summarised below.

5.2 Saltwood Parish Council

Object on the grounds that the development is not characteristic of the area, School Road is predominantly detached houses in substantial plots and not flats or shared accommodation, insufficient parking and cars will be forced to park on School Road, and that the development and loss of trees to the front of the property which would be detrimental to the street scene.

5.3 Hythe Town Council (neighbouring Town Council)

Object on the grounds of insufficient parking provision for the number of units, the scale of the building would be out of keeping with the street scene and would be contrary to policies SD1, BE1 and BE8.

5.4 KCC Highways and Transportation

No objection subject to conditions safeguarding a construction management plan, retention of cycle and vehicle parking spaces, completion and maintenance of the access (including Alligator Teeth), visibility splays, use of a bound surface and provision to prevent the discharge of surface water onto the highway.

5.5 KCC Ecology

No objection subject to conditions to secure a lighting design strategy for biodiversity and ecological enhancements.

5.6 Arboricultural Manager

No objection subject to condition relating to tree protection measures.

5.7 Southern Water

No objection subject to an informative requiring a formal application to connect to the public foul sewer and an informative should be applied.

6.0 PUBLICITY

6.1 Neighbours notified by letter. Expiry date 12.09.2018

7.0 REPRESENTATIONS

7.1 Representation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.folkestone-hythe.gov.uk/online-applications/>

Responses are summarised below.

7.2 22 letters/emails received objecting on the following grounds:

- The building bulk is substantially increased in height and depth, resulting in a dominating roofline.
- Over intensive development, less flats or houses would be more in keeping on the site and adequate parking could also be achieved.
- May set a precedent for other large projects in the area which would be detrimental to Saltwood.
- Flats would be out of character and would set a precedent for other houses to be demolished and developed in the same way.
- Overbearing on neighbours.
- Waste provision would be inadequate and the collection would be difficult.

- To accommodate the visibility splays the vegetation and trees to the front will need to be removed, impacting negatively upon the 'sylvian' character of the area.
- Car parking is inadequate for the number of flats and the car parking would urbanise the frontage, impacting negatively upon the character of the area. 1 visitor space would mean that visitors would be required to park on the road which would be dangerous.
- Visitors parking on the road would force cars to travel on the opposite side of the road.
- Proposed visibility splays would cross land owned by Kiln Cottage.
- Visibility splays do not meet the original splays specified by Kent Highways, and can not be achieved.
- Highway safety, the development would make the road dangerous with potentially 24 people using the access if full occupancy happens.
- If future residents leave on foot there is no footpath, and visibility is limited.
- Alligator teeth may be noisy, how will wheelchair users use it? The use of them shows how poor the development is.
- Ugly signage will be required to ensure the alligator teeth are used successfully.
- Dust and disruption during construction would be detrimental to neighbouring amenity.
- Adverse impact upon neighbours from increased parking and associated vehicle movements.
- Site notice should have been posted.
- House prices will be affected.
- Busy road and has previously been reduced to 20mph due to safety issues.

7.3 Hythe Civic Society object on the following grounds:

- Mass and scale is greater than surrounding buildings.
- Insufficient on-site parking, 1 space per flat and only 1 visitor space for the whole building.
- Poor visibility onto School Road for traffic exiting the site.
- Fast growing plants would be required to be planted to the front so that the development to fit in with surrounding properties.
- Alligator teeth may not prevent all vehicles, particularly those of visitors.

8.0 RELEVANT POLICY GUIDANCE

8.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1.

8.2 The following saved policies of the Shepway District Local Plan Review apply:
SD1, HO1, BE1, BE16, TR11, TR12, TR13, U2.

8.3 The following policies of the Shepway Local Plan Core Strategy apply:

DSD, SS1, SS2, SS3, SS5, CSD1, CSD5, CSD7

- 8.4 The following policies of the Places and Policies Local Plan Submission Draft apply:
HB1, HB2, HB3, HB10, T2, T5, CC2 and CC3.

The emerging local plan is at an advanced stage, and these policies have no significant objections and are consistent with the NPPF, and therefore in accordance with paragraph 48 of the NPPF 2018, the LPA can give considerable weight to these policies.

- 8.5 The following paragraphs of the National Planning Policy Framework 2018 apply:

8 – Achieving sustainable development
11 – Presumption in favour of sustainable development
38 – Positive, creative and proactive approach to development proposals
41 – Pre application
47 – Applications to be determined in accordance with the development plan unless material considerations indicate otherwise
109 – Development should only be refused if there would be an unacceptable impact on highway safety
127 – Criteria for assessing good design

9.0 APPRAISAL

Relevant Material Planning Considerations

- 9.1 The relevant issues for consideration with regard to this application are design and layout, impact on street scene and surrounding character, neighbouring amenity and highway safety.

Principle of Development

- 9.2 The site is located in a residential area within the settlement boundary and within the village of Saltwood. Policy H01 of the Local Plan allows for new residential development on existing sites including the residential development of previously developed sites or infill development within existing urban areas, subject to environmental and highway safety considerations. As such, the provision of additional residential units on the site would result in an efficient use of land in a sustainable location with good connectivity to public services. In this context, it is considered that the principle of the development is, by virtue of national planning policy as set out in the NPPF and local planning policy as set out in the saved policies of the Shepway Local Plan Review and Core Strategy, acceptable, subject to detailed consideration of whether any adverse impacts of the development would outweigh the benefits of the application in respect of the provision of housing in a sustainable location.

- 9.3 The existing building is not a listed building or within a conservation area, nor is it considered to be a non-designated heritage asset. Therefore the principle of demolishing the buildings is considered to be acceptable.

Design and Layout

- 9.4 The building would be set slightly further back within the site than the existing dwellings in order to enlarge the existing parking area to the front. This would also result in the proposed building being slightly further set back within the site than the existing and neighbouring dwellings. Although the proposed building would be larger in footprint and taller than the dwellings it would replace, the plot is wider and deeper than other plots within School Road and the surrounding area and the building would be set some distance from neighbouring properties. In addition although some of the trees and vegetation would be required to be cleared to provide the required visibility splays, retaining the in and out entrance with the island in the centre of the front of the site 'breaks-up' the development rather than fully opening the whole frontage to School Road. As such, it is considered that the layout is appropriate and would not impact negatively on the character of the street scene.
- 9.5 In terms of the character of the area, it is very much comprised of family dwellings set within spacious plots; blocks of purpose-built flats are not considered to be characteristic of the area. However, it should be recognised that within School Road there is an existing mix of house types including semi-detached and detached properties which feature a variety of styles and ages. Although the existing properties on the site are used as a pair of semi-detached dwellings, due to their matching design, they read as a single dwellinghouse. The proposed development has been carefully designed to ensure that the scale and forms resembles a single dwelling house that has evolved over time. To achieve this, the form is broken up by incorporating a mixture of single and two storey elements with projecting features and the use of materials to introduce architectural interest and reducing the bulk. The detailing and use of traditional materials together with the considered design would result in a high quality designed building which would integrate well within the street scene and character of the area.
- 9.6 In terms of design and layout and visual impact on the streetscene, the proposal is considered acceptable and in accordance with the NPPF and saved local plan policy BE1 of the SDLPR and HB1 of the PPLP which requires new residential development to deliver high quality development which makes a positive contribution to the location and surroundings. Whilst the building would be larger in terms footprint, bulk and height, it has been carefully designed to ensure it would integrate with the street scene and character of the area.

Amenity

- 9.7 The proposed building has been designed with no side facing windows above ground floor and as such there would be no loss of privacy to

Magnolia Cottage, or the dwellings on Castle Road, which include Kiln cottage, Broadview, Hilltop and Rosemount.

- 9.8 To the west facing elevation, a cat slide roof is proposed which would reduce the bulk of the two-storey building along this side boundary. A separation distance of approximately 4.4m would also exist between the single storey side projection of the application building and the side boundary to Magnolia Cottage. Although the application building would be stepped back within the site, the rear of the application building would face north, to the east of Magnolia Cottage and therefore given the separation distance and that the building would be stepped down to single storey along this side boundary, it is not considered that the proposed building would cause a significant loss of light to this neighbouring dwelling or have an unacceptable overbearing impact.
- 9.9 The east facing elevation of the application building features two central two-storey elements with single storey projections to the front and rear which help to 'break-up' the mass of the building. The neighbouring dwellings to the east of the application site are located perpendicular to the application site as they are located on Castle Road. The application building would be positioned approximately 22m from the rear of Broadview, and approximately 16m from Hilltop with their rear gardens joining with the side boundary of the application site. Due to this separation, the proposed building would not result in detrimental overshadowing or overbearing impacts upon these neighbouring properties.
- 9.10 Whilst the proposal may result in an increase in activity due to a likely increase in occupation and car movements, this would not be significantly detrimental to warrant refusal of the application.
- 9.11 Policy SD1 of the Shepway District Local Plan Review, HB1 of the PPLP and the NPPF (paragraph 17) require that consideration should be given to the residential amenities of both neighbouring properties and future occupiers of a development. The flats at ground floor have been designed to provide private gardens, with all flats having access to the communal garden to the rear of the site. All flats would achieve suitable sized rooms and adequate light and outlook to all habitable rooms.
- 9.12 As such it is considered that the proposal would not result in any significant harm to neighbouring or future occupier's amenity.

Highway Safety

- 9.13 Saved policy TR12 of the Local Plan Review and T2 of the PPLP states that new development, redevelopment or a change of use will only be permitted if it makes provision for off street parking on or near the site in accordance with the current maximum vehicle parking standards. This proposal utilises an existing onsite parking area which is proposed to be slightly enlarged due to the proposed building being set further back from the position of the existing building. The proposal would provide one space per flat and one visitor space for the development, eight spaces in total which is compliant

with the Kent Design Guide Review: Interim Guidance Note 3 (November 2008). Kent Highways did initially request two visitor spaces in their comments dated 23rd April 2018. However following other highway amendments to the scheme, Kent Highways have stated that whilst two visitor spaces would be desirable for a development of this size, they would accept the provision of only one visitor parking space and therefore raise no objection. In addition, a secure cycle parking area is proposed with additional individual cycle parking within the private gardens for each of the ground floor flats.

- 9.14 The existing in and out access to the site would remain in the same layout as currently. However, following comments from Kent Highways and to achieve the required visibility splays, the proposals were amended to impose alligator teeth to the western most access to ensure only the eastern most access is used for exiting from the site. Kent Highways raise no objection to the application following these amendments to achieve acceptable visibility splays within the application site and highway land.

Trees

- 9.15 Some trees to the front boundary are proposed to be removed as part of the application to enable the provision of visibility splays from the exit. The submitted Tree Report states that it will be necessary to remove five trees (T1, T5, T6, T7 and T8). The five trees to be removed are all seeding origin specimens and are considered to possess low public visual amenity value (category C). T1 is a dead tree (category U) that requires removal regardless of the development proposal due to the threat it poses to users of School Road. The Council's Arboricultural Manager has no objection to the loss of these trees or the removal of the other trees identified within the site as these are classified as being of low visual amenity value.
- 9.16 A landscaping condition is recommended to ensure suitable replacement trees and shrubs are planted within the site to secure the planting of appropriate species within the site to ensure the site integrates within the leafy character of the area.

Environmental Impact Assessment

- 9.17 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Other Issues

- 9.18 The building would be connected to mains drainage for both foul and surface water.
- 9.19 Objections from local residents include that a site notice was not posted outside the site. The site is not within a conservation area, neither is the building listed and all properties with an adjoining boundary were sent

neighbour letters in accordance with the Council protocol, as such a site notice was not required to be posted.

Local Finance Considerations

- 9.20 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.
- 9.21 In accordance with policy SS5 of the Shepway Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the application area is charged at £109.40 per square metre for new residential floor space.
- 9.22 The New Homes Bonus Scheme provides for money to be paid to the Council when new homes are built within the district for a four year period. The New Homes Bonus funding regime is currently under review and is anticipated to end. In this case, an estimated value of the New Homes Bonus as a result of the proposed development would be £8,908 for one year and £35,633 for 4 years when calculated on the basis of the notional council tax Band D on which NHB is based. If an authority records an overall increase in new homes in any one year, but this increase is below the 0.4% threshold, the authority will not receive any New Homes Bonus funding relating to that particular year. New Homes Bonus payments are not a material consideration in the determination of this application.

Human Rights

- 9.23 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.
- 9.24 This application is reported to Committee due to the objection by Saltwood Parish Council.

10.0 BACKGROUND DOCUMENTS

10.1 The consultation responses set out at Section 5.0 and any representations at Section 7.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

RECOMMENDATION – That planning permission be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Development Management Manager to agree and finalise the wording of the conditions and add any other conditions that she considers necessary.

1. Standard time condition
2. Approved plan numbers
3. Materials
4. Vehicle and cycle parking
5. Completion and maintenance of the access (including Alligator teeth)
6. Visibility splays
7. Use of a bound surface
8. Provision to prevent discharge of surface water onto the highway
9. Lighting design strategy for biodiversity and ecological enhancements
10. Tree protection measures
11. Landscaping scheme
12. Water efficiency
13. Contamination

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