

Platt **561833 155551** **17 April 2015** **TM/15/01191/FL**
Borough Green And
Long Mill

Proposal: Change of use of the former Chequers Inn to residential including partial demolition and rebuild to create a pair of semi-detached houses, plus the erection of two new detached houses and associated access, garaging and car parking
Location: The Chequers Inn Basted Lane Crouch Sevenoaks Kent TN15 8PZ
Applicant: JAC Planning

1. Description:

- 1.1 The proposed development consists of the change of use of The Chequers Inn Public House site to 4 dwellings; converting the vacant main building to a pair of semi-detached 3-bedroom houses and erecting two additional 4-bedroom detached dwellings. A detached double garage is proposed for each unit.
- 1.2 The single storey elements to the Public House to the rear and west side are to be demolished, along with the eastern chimney stack being replaced with two-storey extensions. The western extension to the main building is also to be demolished and replaced with a smaller single storey extension. The window fenestration within the front elevation is to be altered and two new entrance porches proposed. Rear gardens 6.5-8m deep are provided for the semi-detached dwellings.
- 1.3 The two proposed detached new build 2-storey dwellings are of a gable and hipped gable roof design with front and rear dormers. The dwellings provide an approximate footprint of 14.5m wide x 16m deep, with eaves heights of 4-5.2m and main ridge height of about 7.7m. They propose living spaces at ground floor level (kitchen/family room, living room, dining room and study) and 4-bedrooms, ensuite and bathroom at first floor. A 5.9m separation is provided between the two dwellings. The Plot 1 dwelling is to be set back 15m from the Basted Lane frontage and inset 4.5m from the western boundary. The Plot 4 dwelling is to be set back 16m from the Long Mill Lane frontage and inset 5.5m from the southern boundary. Rear gardens about 14-22m deep are proposed for each dwelling.
- 1.4 External materials for the new build dwellings are to comprise red stock brick and plain clay vertical hanging tiles to walls, plain clay tiles to roof, white painted timber eaves and barge boards, white UPVC window and door casements and black UPVC rainwater goods. The wall cladding for the extensions to the public house building is to comprise painted reclaimed brickwork. The windows to the extension of the public house conversion will be of black UPVC. The replacement windows, porch and bow windows are to be black UPVC using a system that provides a timber appearance.

- 1.5 A double timber garage and two open car parking spaces in front the garages have been proposed for each of the four dwellings. The garage type for Plots 1 and 4 is to measure 6m x 6m, with 2.6m high eaves and 4.25m ridge height. The garage type for Plots 2 and 3 is to measure 5.6m x 5.6m, with 2.75m high eaves and 4.4m ridge height. The external materials are to consist of white painted timber boarding and plain clay tiles.
- 1.6 A Planning Statement, Report on the Viability of the Public House, Tree Survey and a Design and Access Statement have been submitted with the application.
- 1.7 Amended plans revising the design of the detached dwellings and garages and reducing the size of the side extension to the public house building were received on 10 and 14 August 2015.
- 1.8 The site has been the subject of 5 previous planning applications for redevelopment of the site to incorporate residential development over the past 15 years; all of which were refused. The most recent refused applications have included references TM/08/03757/FL, TM/11/01060/FL and TM/11/03550/FL which all involved the erection of 4 new dwellings on the site and conversion of the public house. The application relating to ref.TM/11/01060/FL was also dismissed at Appeal by the Planning Inspectorate in May 2012.

2. Reason for reporting to Committee:

- 2.1 The application has been called in to Committee by Councillor Taylor due to local concern, overdevelopment of the site and impact on the street-scene.

3. The Site:

- 3.1 The application site is situated in the centre of the village of Crouch, on the southwest corner of the junction between Long Mill Lane and Basted Lane. The site is occupied by The Chequers Inn Public House building which fronts Basted Lane close to the edge of the highway and takes up a prominent position within the middle of the frontage. A large car park lies within the eastern part of the site adjacent to Long Mill Lane, with a large garden area to the west and south of the building. There is also a mix of attractive established trees within the garden area. The western and southern boundaries are defined by established trees and shrubs. A ragstone wall aligns the Basted Lane road frontage between the Public House and the dwelling of High Crouch to the south. The land slopes down moderately from east to west.
- 3.2 The Public House has previously been extended, with a large single storey extension to the rear. The original building is two storeys in height and traditional in design with white painted brickwork, clay hanging tiles and clay roof tiles. It has a number of bow windows to the front and side elevations and an informal parking space lies adjacent to the northeast front corner of the main building.

3.3 Crouch is a small rural village which is characterised predominantly by detached dwellings. The pattern of development varies with the residential properties on the northern side of Basted Lane being generally smaller and more mixed, with those on the southern side being larger and more spacious. Three grade II Listed buildings are sited in close proximity to the application site, those being High Crouch immediately to the west, and Nos.1 and 2 Old Forge Cottages directly across Basted Lane to the north. The site is within the settlement confines of Crouch and a Water Catchment Area.

4. Planning History (relevant):

TM/97/00333/OA Refuse 23 March 1998

Outline application for one detached dwelling with garage

TM/03/00857/OA Refuse 19 June 2003

Outline Application for a detached house and garage

TM/08/03757/FL Refuse 24 March 2009

Change of use and redevelopment of the site for 4no. new dwellings with associated parking, comprising conversion and extension of vacant public house and ancillary dwelling and the erection of a new dwelling adjacent

TM/10/00182/FL Refuse 22 December 2010

Change of use from public house and living accommodation to one residential dwelling

TM/11/01060/FL Refuse 1 September 2011
 Appeal Dismissed 21 May 2012

Part demolition and associated alterations to existing public house, erection of 4 new dwellings and associated garaging and car parking

TM/11/03550/FL Refuse 28 March 2012

Part demolition and associated alterations to existing public house, erection of 4 new dwellings and associated garaging and car parking

5. Consultees:

5.1 PC: This site has not been used commercially for the last 7-8 years and despite our previous objections, we can see no alternative but to change it into residential, so we would agree with this scheme in principle. However, we do have some concerns. Whilst reference is made to Beechinwood House and High Crouch, it is our opinion that the heights of the new dwellings are too high. The site look (and feel) relies on the appearance of the existing Chequers Pub and these high additions to the plot will present a different and harmful effect on the street scene.

They will also disturb the outlook from the dwellings opposite. We also have concerns about the building lines. Both new units are too near their adjoining roads. This does not reflect neighboring properties, as they are all set back some distance from a road. Again this will alter the appearance of the street scene. The access and egress to the properties do not seem safe. Plot 1 accesses on to a narrow part of Basted Lane with a bend in one direction and a junction the other. The remaining plots access directly on to the junction, which, with planting as shown, will form a blind spot for traffic coming from Plaxtol and turning into Basted Lane. We would comment here, that as with a previous application for High Crouch, their front wall was Listed. The wall shown as being demolished is part of the same wall. Is this Listed? We would query the means of access for the electrical transformer on the site. This scheme also depends on a number of trees being removed which will result in this unit being exposed. Finally, we would expect that, should this proposal be accepted, Permitted Development Rights be removed, especially on the existing building.

- 5.1.1 The Parish reinforces its concern about the traffic implications and the reference that is made to the low speed at which drivers travel. The number and size of vehicles that travel through Crouch has increased considerably over recent years and this, together with their excessive speed, has made it very unsafe for pedestrians. We are aware of a pedestrian being injured in Crouch in the past 12 months. Our concerns also apply to Basted Lane which is very narrow and in places has no room for a pedestrians and a vehicle.
- 5.1.2 Recently work was undertaken on the transformer which is in the grounds of The Chequers. Concern has been expressed about the maintenance of this equipment if houses are built on this land
- 5.1.3 PC (re-consultation): These revised details do not go far enough to ease our concerns and as such we would expect, as we have now accepted that the change to residential is the logical alternative, that the developer needs to go further. Our original concerns about height and sight lines are still valid, which will be detrimental to the village scene. Layout is still a concern and whilst we accept the need for garages, the cars still need to get in and out of them. We still have concerns as to the transformer area, with the proposed loss of trees and access problems not being addressed.
- 5.2 KCC (Highways): The proposals will make use of one existing access and create a secondary access onto Basted Lane. Sufficient parking and turning space is provided which will ensure vehicles can enter and exit the site in a forward gear. Although Basted Lane has a derestricted speed limit, it is anticipated that vehicles will not be travelling at high speeds due to the proximity of the junction with Long Mill Lane, and the narrow nature of the road. Furthermore, there have been no recorded personal injury crashes along this section of Basted Lane in the latest three year period, and it is not expected that there will be a significant increase in

traffic from the new use. For the reasons outlined above, no objection to this proposal is raised subject to suggested conditions.

5.3 EA: We do not consider this proposal to be high risk. Therefore we will not be providing detailed site-specific comments with regards to land contamination issues for this site. We would appreciate being informed if contamination is subsequently identified that poses a significant risk to controlled waters. The developer should address risks to controlled waters from contamination at the site, following the requirements of the NPPF and the Environment Agency Guiding Principles for Land Contamination.

5.4 Private Reps (19/3S/13R/3X + Site and Press Notices and re-consultation):

- Four dwellings would overdevelop the plot and would be out of keeping with the character of the area, which displays large dwellings on large plots
- The dwellings are large and higher than the public house and surrounding houses
- The size, scale and siting of the Plot 4 house near Long Mill Lane would impact on the street-scene and rural visual amenity of the area
- The designs of the two new dwellings are unsympathetic to surrounding buildings
- The development will cumulatively, with The Paddock, result in more traffic in the area causing safety concerns
- The new access points would be hazardous to highway safety
- Demolition of the ragstone wall will affect the setting of the Listed building of High Crouch and is believed to be Listed
- The height of the Plot 1 dwelling in conjunction with the slope of the land would make this dwelling visually intrusive from High Crouch
- Additional parking in the surround lanes would result
- Loss of a community facility
- The extension to the public house is out of keeping with adjacent properties
- The revised Plot 4 dwelling would overlook properties to the east
- The electricity transformer would become more visible and not accessible for maintenance
- The construction works would cause disruption to residents

6. Determining Issues:

6.1 The planning appeal on the 2011 scheme (TM/11//01060/FL) was dismissed due to a lack of affordable housing provision and the development being harmful to the living conditions of the occupiers of Beechwood House, to the character of the

area, to the setting of the listed buildings and to highway safety in the area by virtue of insufficient on-site parking for the public house use. It is important to note that this previous scheme comprised the retention of the public house and the erection of 4 new dwellings, which is substantially different to the current scheme which proposes only two new dwellings and converts the public house building (with extensions) to 2 dwellings.

- 6.2 The main issues in this current scheme are whether the loss of the public house would be acceptable in policy terms, whether an appropriate element of affordable housing provision has been proposed and whether the development would affect the character and visual amenity of the village, the setting of the nearby listed buildings, neighbouring residential amenity or highway safety.
- 6.3 Paragraph 28 of the NPPF advises that in order to promote a strong rural economy, local plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.
- 6.4 Policy CP26 of the of the TMBCS advises that the Council wishes to protect viable community facilities that play an important role in the social infrastructure of the area and that an assessment of the viability of retaining the existing use in the case of any proposal that might result in its loss would be required. The policy is intended to include public houses, particularly where these might be the only such facilities in a village.
- 6.5 Policy CP26(3) of the TMBCS then states that the loss of a community facility will only be permitted if (a) an alternative facility of equivalent or better quality and scale to meet identified need is either available or (c) the applicant has proved to the satisfaction of the Council that there is likely to be an absence of need or adequate support for the facility for the foreseeable future.
- 6.6 A Report on the Viability of The Chequers Inn by Porters Chartered Surveyors (8 December 2014) has been submitted. The report presents a detailed summary of the letting history of the property from 1998 to January 2008, when the last tenant vacated the premises. The history shows that 11 tenants have taken on the property as a pub over the past 10 years with the longest tenancy being no longer than 2 years. This clearly shows a poor trading history for the premises. The property has been marketed since 2007 for a new leasehold tenant without success, albeit it is not clear as to whether this marketing has been continuous. It is also noted that the property has not been marketed to the owner/occupier market which may have a greater potential for profitability than a leasehold arrangement. The report though highlights the costs of repairs and re-fitting that would be required if an owner/occupier were to take on the premises. Anticipated turnover and profitability have also been predicted. These do not suggest that the resumption of the pub use would be appropriate in viability terms. In addition to this, Crouch is a remote village where there is little in the way of passing trade. It

is a well-established fact that a wet sales only pub is unlikely to be viable unless it has a high turnover and is in a mainstream location. The salvation of many pubs has been the food offer which in this case, given the small size of the property would need substantial investment. I am therefore satisfied that lack of established demand to tenant the premises as a pub, the poor trading history and failed businesses operating from the property over the past 10 years adequately proves that for the foreseeable future there is likely to be an absence of need or adequate support for the facility. Accordingly, policy CP26(3)(a) of the TMBCS has been satisfactorily addressed and the loss of the Public House deemed to be acceptable in this specific case.

- 6.7 The village of Crouch is defined as a rural settlement where new development will be restricted to minor development appropriate to the scale and character of the settlement, as stated in policy CP13 of the TMBCS.
- 6.8 Policies CP24 of the TMBCS and SQ1 of the MDEDPD also require development to be well designed and through its scale, density, layout, siting, character and appearance respect the site and its surroundings. It should also protect, conserve and where possible enhance the character and local distinctiveness of the area, including its setting in relation to the pattern of the settlement, roads and surrounding landscape.
- 6.9 The established pattern of development on the north side of Basted Lane is characterised by consistent linear and generously sized plots. Those on the south side of Basted Lane are sparser, larger and more open. However, The Chequers Inn is at a central point in the village, situated close to the edge of the public highway. The residential properties of Hilltop, Willow Ridge and Dormer, as well as the listed buildings of No.1 and 2 Old Forge Cottages, immediately to the north of the application site, occupy much smaller plots than those surrounding. The listed building of High Crouch, on the other hand, is set within extensive open grounds providing a more unique setting. The proposed development creates two dwellings from the conversion of the public house building, each with small gardens, and two detached dwellings, one facing Basted Lane and the other facing Long Mill Lane, set well back from these road frontages and set within spacious grounds. I consider that the development strikes an appropriate balance in respecting the surrounding pattern and form of development in the immediate area and represents a substantial improvement on the previous scheme dismissed at appeal which proposed much more substantial built form on the site and much less spacious plots and setting.
- 6.10 The main part of the existing public house building is to be retained with the later rear extensions being demolished. The single storey element to the west side is also to be demolished. Two storey extensions are to be added at the rear, displaying a gable and hipped roof form. A single storey extension is to be added to the west side of the building with a half hipped gable end to match the western elevation of the building. I consider these extensions to be of a sympathetic size

and scale, and of a design that would adequately respect the appearance of the public house building. The original submission proposed substantial alterations to the window fenestration within the front elevation. This has been revised to limit changes to this elevation, helping retain the main features and character of the public house. The building is to be converted into two dwellings, each providing living spaces at ground floor and 3 bedrooms at first floor level. Suitable rear garden areas are also proposed. I consider the two new dwellings created from the public house building to be sympathetic in their form, design and layout.

- 6.11 The two detached dwellings (Plots 1 and 4) have been redesigned from those originally submitted with this application. The result is a substantial reduction in overall size and bulk and the provision of a more traditional form and design that would now better complement the public house and other established buildings in the surrounding area. The dwellings are to be 0.5-1m higher than the public house building but are to be well set back in the site which would reduce the potential visual impact of the new dwellings within this setting. The dwellings have been designed to appear well articulated using varied roof forms, provide external wall and roof materials that are traditional to the surrounding rural area and the dwellings are well separated from the extended converted public house building. I consider that the use of white UPVC windows to these new build dwellings to be acceptable in this case given the dwellings are well separated from the nearby listed buildings and the site is not in a Conservation Area. Generous separations are also provided to the west and south boundaries. It is noted that the Plot 4 dwelling will be readily visible from Long Mill Lane, but I am satisfied that the setback from the frontage, the quality of the design and the use of external materials that would complement the dwellings in the local area would not make this dwelling appear intrusive or dominant within the street-scene. The proposed dwellings are considered to represent a significant improvement on the previous scheme dismissed at appeal, which proposed large and unsympathetically designed dwellings that were sited prominently on the site resulting in harm to the street-scene and character of the area.
- 6.12 The proposed garaging is provided in the form of 4 detached 2-bay timber clad garages with plain clay tiled roofs. These structures are of an appropriately domestic size and scale and have been well positioned on the site. The garages to the Plots 1 and 4 are sited between the front of the dwelling and the road frontage. This provides a modest intervening built form that would help further articulate views from the public highway and neighbouring properties. The garages to Plots 2 and 3 (converted public house) are to be set well back behind the associated dwellings, adjacent to their rear gardens. I consider the proposed garages to be appropriate for the development.
- 6.13 The existing ragstone wall extending along the Basted Lane frontage adjacent to the northwest corner of the site is to be partially demolished and re-built at an altered angle to improve visibility for the new access. Several neighbours have queried whether this wall is Listed as it adjoins the wall that relates to High Crouch

which is Grade II Listed. As the site relating to The Chequers Inn was under separate ownership and not within the curtilage of High Crouch at the time that High Crouch was Listed, it is my view that the section of the wall that relates to The Chequers Inn is not Listed. A 17m section of the wall is to be demolished. The wall will be rebuilt, set back 1.5m from the existing alignment at the eastern most point with a loss of a length of 2m at the eastern end. The wall will then taper to meet the existing wall to the west. I consider that some harm to the character of the lane would result, but given the wall is to be rebuilt to match the appearance of the existing wall, the variation to its alignment is not substantial and a 10m length of the wall that adjoins the wall to High Crouch would not be affected, I do not consider this harm to be significant such that refusal of the application is warranted. A condition is suggested to ensure it is rebuilt in an appropriate manner.

- 6.14 The development will affect the setting of the Grade II Listed building of High Crouch, which lies to the west. The proposed Plot 1 dwelling is a two storey building that will be visible above the front ragstone wall (to be rebuilt) that aligns Basted Lane and will be situated between the public house and the dwelling at High Crouch. However, due to the combination of the sympathetic design and appearance of the dwelling, its setback from the highway (15m), its separation from High Crouch (30m) and the screening provided by the established vegetation along the western common boundary which is mostly to be retained, I do not consider that the impact on the setting of this adjacent Listed building would be harmful. In relation to the setting of the Grade II Listed buildings of Nos.1 and 2 Old Forge Cottages, the Plot 4 dwelling is situated on the opposite side of Basted Lane, well behind the public house building and set about 35m away from these Listed buildings with a timber garage intervening. The previous scheme dismissed at appeal, proposed a large dwelling close to the northeast corner of the site, which the Inspector stated would dominate the corner, adversely affecting the Listed buildings across the road. I consider that the current proposal addresses this concern. The extensions to the public house would be contained behind the main building. As a result, I am satisfied that the setting of these two Listed cottages would also not be harmed. The development there accords with paragraphs 129 and 131 of the NPPF.
- 6.15 The western and southern boundaries of the site are heavily landscaped with trees, and some additional mostly young trees and shrubs are situated within the site. There are no tree preservation orders over the site. A tree survey has been submitted, which includes a plan outlining the proposals for tree retention, tree removal and protection during construction. Importantly, the mature established vegetation along the western boundary, which includes Leyland, Golden Leyland and Grey Lawson Cypress and Holly, is to be retained, along with two Birch trees within the site. Areas of vegetation along the western section of the southern boundary and along a section of the Long Mill Lane frontage adjacent to the electricity transformer are also to be retained. These retained areas of vegetation are shown to be protected by tree protection fencing. I consider the removal of the

Cypress trees adjacent to Beechwood House and a number of other trees that are situated within the scope of the development to be acceptable to enable reasonable development of the site. Additional planting has been indicated which would enhance the overall visual appearance of the site. I therefore do not consider that the removal of the trees specified would have a detrimental impact on the visual amenity of area and the retention of the existing landscaping specified and the provision of appropriate new plantings can be secured by the imposition of a suitable condition.

- 6.16 Accordingly, subject to conditions requiring a scheme of soft and hard landscaping, I am satisfied that the proposed development would not harm the character or appearance of the area or the street-scene. The proposal would therefore satisfy policies CP13 and CP24 of the TMBCS and SQ1 of the MDEDPD. I am also satisfied that the development would accord with Part 7 (relating to good design) and paragraphs 129 and 131 of the NPPF.
- 6.17 The development provides a two-bay garage and two open spaces in front of the garage for each of the four dwelling. This provision more than satisfies the Kent Design Guide IGN3 residential parking standards.
- 6.18 The new vehicle access to Plot 1 to be formed immediately to the west of the public house is to Basted Lane, which is not a Classified Road. The existing access close to the junction between Basted Lane and Long Mill Lane is to be enlarged. The highway authority (KCC Highways and Transportation) has reviewed the proposals and has advised that vehicles will not be travelling at high speeds along Basted Lane due to the proximity of the junction with Long Mill Lane and the narrow nature of the road; it is not expected that there will be a significant increase in traffic from the new use and vehicles are able to exit the site in a forward gear. As a result, no objection has been raised on highway grounds. Accordingly, I am satisfied that the development would not result in any significant harm to highway safety and that any residual cumulative impacts on the transport network would not be severe. The proposal therefore accords with policy SQ8 of the MDEDPD and paragraph 32 of the NPPF.
- 6.19 The storage of refuse bins for the dwellings has been indicated on the Site Plan. The bins will be well screened from public view and appropriate access to the public highway can be obtained for collection.
- 6.20 The application site provides a site area of 0.29ha. This is above the 0.16ha trigger for affordable housing under policy CP17 of the TMBCS. This policy requires schemes to provide 40% affordable housing. When the application was submitted, the Government's PPG advised that:

“contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm (gross internal area). In designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less.”

- 6.21 No affordable housing provision was therefore submitted with the application. However, following the High Court judgment in the case of West Berkshire District Council / Reading Borough Council v Department of Communities and Local Government, handed down on 31 July 2015, this PPG provision and others relating to planning obligations have been removed and therefore an affordable housing provision that satisfies policy CP17 of the TMBCS is required once more. The applicant has proposed payment of a commuted sum towards off-side provision. As Crouch is isolated in respect to local services and public transport is limited, I am of the opinion that a commuted sum for affordable housing is acceptable in this case. I am satisfied that this represents exceptional circumstances required by paragraph 4 of policy CP17 of the TMBCS. Any approval granted will be subject to the applicant entering into a Section 106 obligation for the proposed contribution.
- 6.22 In respect to land contamination, old pub sites can have old fuel storage tanks and basement structures. It is therefore appropriate in this case to impose a land contamination condition on any permission granted that will ensure the site is suitable for residential use.
- 6.23 The site is also within a Water Catchment Area. The EA has reviewed the scheme and advised that the proposal is not considered to be high risk and that the developer should address risks to controlled waters from contamination of the site by following the EA Guiding Principles for Land Contamination. It has been advised that only clean uncontaminated roof water should drain directly to soakaways and no soakaways should be sited in or allowed to discharge into land impacted by contamination or land previously identified as being contaminated. Any activities providing potentially polluting run off should also be sited on impermeable hardstanding areas that drain to the foul sewer or sealed container. To ensure that surface water is disposed of without impacting on controlled waters I consider it necessary in this case for a scheme of surface water drainage to be approved by the local planning authority. A condition can be added to this effect. The development would therefore accord with paragraphs 120-121 of the NPPF.
- 6.24 The site adjoins other residential properties with traditional garden curtilages, which is not considered to trigger ecological interest and therefore I do not consider that the development is likely to harm protected species or biodiversity in the area. The proposal would thus conflict with policy NE2 of the MDEDPD.
- 6.25 The new dwellings are situated a generous distance from neighbouring properties and are orientated to the north and east of these properties. The development would therefore not result in any unacceptable loss of daylight or sunlight to neighbouring properties.
- 6.26 The new dwellings are well separated from adjoining properties, providing side flank elevations set back 4-5m from the common boundaries. The Plot 1 dwelling is positioned some 30m from the dwelling at High Crouch and existing mature

landscaping along the western boundary is to be retained. I am mindful that the land slopes gradually down from east to west, however, I consider that a finished floor level that takes account of this slope can be required by condition to ensure the height of this dwelling relates to the slope of the land to minimise visual impact beyond the boundary tree-line. The side flank wall of Plot 4 dwelling is sited adjacent to the side flank elevation of Beechwood House which provides a mutual and traditional setting. Also, new planting has been indicated between this dwelling and the common boundary with Beechwood House. I am therefore satisfied that the development would not harm the visual amenity of neighbouring residents. The 2011 scheme dismissed at appeal proposed a dwelling in the southwest part of the site which resulted in direct overlooking of the garden of Beechwood House. The proposed scheme has removed this element providing a more traditional dwelling relationship.

- 6.27 There are no side-flank first floor windows in the new detached dwellings and therefore the privacy of the occupiers of High Crouch and Beechwood House would not be harmed as a result of the development, in my view.
- 6.28 I am therefore satisfied that the proposed scheme has been designed to ensure that the amenities of the occupiers of neighbouring residential properties would not be demonstrably harmed, satisfying policy CP24 of the TMBCS.
- 6.29 I note the comments made by the Parish Council and local residents. The key issues raised relate to visual impact from the size and scale of the dwellings, overdevelopment of the site, impact of the dwellings on the street-scene and character of the area, and the effect of the development and new access on traffic and highway safety. As mentioned above, I am of the opinion that the layout of the development and the revised size and design of the dwellings are now sufficiently in keeping with the character of the area. The Highway Authority considers the new and extended accesses to be acceptable and that the development would not harm highway safety in the area. Several objectors have mentioned the likely cumulative effect of traffic from this development and the development of 4 dwellings recently granted at appeal at The Paddock, further to the northwest. However, I do not consider the movements from these 8 additional new dwellings would be substantial or be so great as to result in a 'severe' impact on the highway network. It is important to note that the Inspector in the 2011 appeal was of the view that the previous development would harm highway safety, but this previous scheme involved the retention of the public house which would have generated significantly more vehicle movements and parking requirements. The impact of the demolition and rebuild of the ragstone wall on the Listed building of High Crouch has also been mentioned. This has been discussed in some detail in the report above. It is important for Members to note that the most recent applications for redevelopment of the site presented a clear overdevelopment of the site and were therefore refused. In comparison, the current proposal provides a reduction in the number of additional dwellings from 4 to 2, situated on more spacious plots and incorporates a sympathetic conversion of the public house to 2

dwellings. I am satisfied that the proposal would not result in overdevelopment of the site and would indeed represent a substantial improvement on previous schemes and therefore warrants support.

6.30 In light of the above, I consider that the proposed development accords with the relevant provisions of the Development Plan and NPPF and therefore approval is recommended.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Existing Plans and Elevations 6 received 10.08.2015, Proposed Floor Plans 7 A received 10.08.2015, Proposed Floor Plans 8 A received 10.08.2015, Proposed Elevations 9 A received 10.08.2015, Proposed Elevations 10 A received 10.08.2015, Proposed Floor Plans 11 received 17.08.2015, Proposed Elevations 12 A received 10.08.2015, Proposed Elevations 13 A received 10.08.2015, Proposed Floor Plans 14 A received 10.08.2015, Proposed Elevations 15 A received 10.08.2015, Proposed Elevations 16 A received 10.08.2015, Site Plan 4 A received 14.08.2015, Proposed Plans 17 A received 14.08.2015, Proposed Plans and Elevations 18 received 14.08.2015, Proposed Elevations 19 received 14.08.2015, Proposed Elevations 20 received 14.08.2015, Design and Access Statement received 14.08.2015, Transport Statement received 13.04.2015, Viability Assessment PUBLIC HOUSE received 13.04.2015, Email RAGSTONE WALL received 04.06.2015, Other VIABILITY REPORT received 26.10.2015, Street Scenes 5 A received 17.08.2015, Tree Report received 13.04.2015, Location Plan 1 received 13.04.2015, Block Plan 2 received 13.04.2015, Site Survey 3 received 13.04.2015, Planning Statement received 13.04.2015, Materials Schedule received 27.10.2015, Email DETAILS OF MATERIALS received 27.10.2015, subject to:

- The applicant entering into a legal agreement in respect of the provision of affordable housing
- The following conditions:

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 All materials used externally shall accord with the plans and application details hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the site or visual amenity of the locality.

- 3 No development shall take place until details of eaves and any joinery to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the site or visual amenity of the locality.

- 4 No development shall take place until a plan showing the existing levels of the site and adjoining land, and the proposed finished ground floor levels of the detached dwellings and the garages has been submitted to and approved by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area, visual amenity of the locality, setting of nearby listed buildings or neighbouring residential amenities.

- 5 The ragstone wall to be rebuilt shall match the existing ragstone wall in every respect, including mortar, bonding and pointing.

Reason: To ensure that the development does not harm the character and appearance of the area or visual amenity of the locality.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no development shall be carried out within Class A and B of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To ensure that any future enlargement of the dwellings does not have a harmful impact on the character or visual amenity of the area.

- 7 No building shall be occupied until the area shown on the submitted layout as vehicle parking space for the dwellings has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 8 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season

following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 9 The existing trees and shrubs shown on the Tree Survey prepared by Tom La Dell (February 2015), other than any specifically shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed with or without such consent shall be replaced within 12 months with suitable stock, adequately staked and tied and shall thereafter be maintained for a period of 10 years. Tree protection measures shall be provided in accordance with this Tree Survey.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 10 Tree protection measures shall be provided in accordance with the submitted Tree Survey prepared by Tom La Dell (February 2015), unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the existing retained trees on the site and character of the site and locality.

- 11 No development shall take place until a scheme of surface water disposal for the development has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be retained at all times thereafter.

Reasons: To protect groundwater.

- 12 Foul water shall be disposed of directly to the main sewer, unless agreed in writing by the Local Planning Authority for any variation.

Reason: To prevent pollution of groundwater.

- 13 The visibility splays shall be provided as shown on the approved Site Plan and there shall be no obstruction over 0.9 metres above the level of the carriageway within the splays. The visibility splays so created shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 14 Any gates shall open away from the highway and be set back a minimum 5.5 metres from the edge of the carriageway and the hard surfacing for the first 6 metres of the driveways from the highway shall be constructed of a bound material.

Reason: In the interest of highway safety.

- 15 No development, other than demolition of any building, removal of hardstanding, ground investigations or site survey works, shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

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