

**Applications delegated to Director of Planning,
Housing & Environmental Health to determine**

TM/20/00862/FL

Location: 15 Estridge Way Tonbridge Kent TN10 4JS

Proposal: New bungalow to the rear of 15 Estridge Way

Target Date: 19 June 2020

EOT Target Date:

1. Description of Proposal:

- 1.1 Planning permission is sought to erect a single one bedroom dwelling in the rear garden of No 15 and access this from an existing vehicular access sited on Croft Close (positioned on the Northern side of the property).
- 1.2 The total site area currently measures around 594 m². (Approx 0.06 hectares). It is proposed to subdivide this into two plots, 414m² for No 15 Estridge Way with 180m² available for the new dwelling.
- 1.3 The proposal is to construct a single detached bungalow of a similar scale and mass to the existing property No 2a Croft Close opposite. The Gross External Floor Area or footprint proposed for the new dwelling is to be 80.5 m².

2. The Site:

- 2.1 15 Estridge Way is a late 1940's semi-detached 3-bedroom house situated on a corner plot, adjoining Croft Close within the built confines of Tonbridge. The house itself is defined by simple brick façades and sits beneath an interlocking concrete tiled roof. To the north of the dwelling is a single storey attached garage of brick construction which sits beneath a flat bitumen roof. Currently the property provides parking for three vehicles (plus the single garage).
- 2.2 Due to Covid 19 restrictions a site visit has not taken place. However recent photographs have been submitted of the site within the Design and Access Statement and these are reproduced as follows:-





3. Planning History (relevant):

TM/81/10926/FUL grant with conditions 11 November 1981

Single storey extension at side to form garage, utility room and w.c. and new front porch.

4. Consultees:

4.1 EP : No objections

4.2 KCC Heritage: No response

4.3 Neighbours: (expired 27/05) No comments received

5. Relevant Policies & Determining Issues:

Principle

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraph 12 asserts that it *'does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise'*.
- 5.2 The site lies within the Tonbridge urban confines where policy CP11 of the TMBCS will apply. Policy CP11 requires that development will be concentrated within the confines of urban areas. The proposal would therefore comply with the requirement of CP11.
- 5.3 TMBC cannot presently demonstrate a five year supply of housing when measured against its objectively assessed need (OAN). In the absence of a five year supply of housing, it is necessary to apply the presumption in favour of development as set out in paragraph 11 of the NPPF. For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.4 In this case there are no policies within the framework which would protect areas or assets of particular importance (footnote 6) that affect the application site. Paragraph 11(d)ii is therefore engaged and it will need to be considered whether there are any adverse impact of the scheme that would outweigh the benefits.

Design/ street scheme / Layout

- 5.5 Policies CP24 of the TMBCS and SQ1 of the MDE DPD and the most relevant design policies and require development to be well designed and through its scale, density, layout, siting, character and appearance respect the site and its surroundings. Development 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.

- 5.6 Paragraph 127 of the NPPF sets out that planning policies and decisions should ensure that developments:
- a) 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;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) 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); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) 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
 - f) 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 users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 5.7 The proposal seeks to erect a one bedroom detached bungalow in the rear garden of 15 Estridge Way fronting on to Croft Close. The dwelling seeks to replicate the size and form of that of a bungalow that was built opposite the site of the proposed dwelling at 2a Croft Close in 1992 (ref 92/00726/FL) and this proposal also seeks to match its materials. The dwelling is of a simple form, brick built under a tiled pitched roof with a small courtyard area to the rear and a single parking space. I consider the design and appearance of the proposal to be wholly in keeping with the wider area.
- 5.8 With regards to the positioning of the dwelling within the site the dwelling does project beyond the return general building line in Croft Close, yet due to its subservient design it would not appear prominent or out of place, in my view. I therefore consider its positioning to be acceptable.
- 5.9 The proposed design would be appropriate for the character of the area and would not detract from the street scene to accord with Policies CP24, SQ1 and Paragraph 127 of the NPPF.

Residential Amenity

- 5.10 The new dwelling is a single storey bungalow with no rooms proposed in the roof, yet still allows for reasonable spacing to all the boundaries. There are secondary

windows proposed in one of the flank elevations yet the principle windows are to the front and rear of the proposed dwelling. Due to the existing 2m boundary fencing between the existing dwellings that will bound the site (13 and 15 Estridge Way and 1 Croft Close) with the proposed dwelling it will not result in over looking to existing private garden areas.

- 5.11 Based on its proposed position and the current level of privacy I do not consider the proposal would result in a loss of light or impact on privacy to significantly harm the residential amenity of the neighbouring properties.

Highway safety and parking provision

- 5.12 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy SQ8 of the MDE DPD states that development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network.

- 5.13 The adopted parking standards are contained within Kent Design Guides Interim Guidance Note 3 on residential parking (IGN3). These set out that a one bed property within this urban/sub-urban area such as this should have a minimum of 1 parking spaces. The proposal therefore meets these requirements, additionally it utilises an existing access. The development is therefore acceptable in terms of paragraph 109 of the NPPF, accords with the adopted standard set out in IGN3 and policy SQ8 of the MDE DPD.

Conclusion

- 5.14 With the above assessment in mind, I consider that the proposal is acceptable in terms of the requirements of the NPPF and the adopted LDF policies. I do not consider the proposal would result in an adverse impacts that would significantly and demonstrably outweigh the benefits of the provision of the dwelling. The presumption remains to be applied and planning permission should be granted subject to conditions.

6. Recommendation:

- 6.1 **Approved** in accordance with the following submitted details

Block Plan JBA.95 TP 02 received 24.04.2020, Proposed Floor Plans JBA.95 TP 03 received 24.04.2020, Proposed Elevations JBA.95 TP 04 received 24.04.2020, Proposed Elevations JBA.95 TP 05 received 24.04.2020, Proposed Elevations JBA.95 TP 06 received 24.04.2020, Proposed Elevations JBA.95 TP 07 received 24.04.2020, Section JBA.95 TP 08 received 24.04.2020, Street Scenes JBA. 95 TP 09 received 24.04.2020, Artist's Impression JBA.95.TP 10 1

received 24.04.2020, Artist's Impression JBA.95 TP 11 2 received 24.04.2020, Location Plan JAB.95 TP 01 received 24.04.2020, Letter received 24.04.2020, Design and Access Statement received 24.04.2020 /subject to the following:

Conditions/Reasons

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

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

- 2 All materials used externally shall accord with the approved plans.

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

- 3 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 Classes A, B, C and E of Part 1 of Schedule 2 of that Order.

Reason: To prevent an overdevelopment of the site.

- 4 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space 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 or 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 of vehicles is likely to lead to hazardous on-street parking.

Signed.....Rebecca Jarman....(signed electronically).....
Rebecca Jarman

Endorsed By: Robin Gilbert (electronic signature)

Dated 19.06.2020