

REPORT SUMMARY

REFERENCE NO - 15/505131/FULL			
APPLICATION PROPOSAL Erection of 3 detached dwellings			
ADDRESS 16 - 20 The Ridgeway Southborough Tunbridge Wells Kent TN4 0AD			
RECOMMENDATION GRANT subject to conditions (see Section 11 of report for full recommendation)			
SUMMARY OF REASONS FOR RECOMMENDATION			
<ul style="list-style-type: none"> - The site is within the Limits to Built Development (LBD) where there is no objection to the principle of the proposed development. - Any potentially significant impacts on the amenities of nearby dwellings can be satisfactorily mitigated by conditions. - The density and amount of development is considered appropriate given the site context. - The development would respect the context of the site and would not be harmful to the street scene. - The traffic movements generated by the development could be accommodated without detriment to highway safety. 			
REASON FOR REFERRAL TO COMMITTEE			
Called in by Cllr Elliott on the grounds of impact on the street scene and character of the area (potential overdevelopment) and access.			
WARD Southborough North	PARISH/TOWN COUNCIL Southborough Town Council	APPLICANT MMH Property Ltd AGENT Moore Planning	
DECISION DUE DATE 24/08/15	PUBLICITY EXPIRY DATE 11/11/15	OFFICER SITE VISIT DATE Visited on a number of occasions, most recently 20/10/15.	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
16 The Ridgeway			
14/501815/OUT	Outline (All matters reserved) - 1 No. detached dwelling	Withdrawn	17/12/14
11/01758/HOUSE	Part retrospective - First floor side and rear extension, and new pitched roof slope to existing flat roof to rear	Permitted	12/08/11
11/00381/HOUSE	First floor side and rear extension, and new pitched roof slope to existing flat roof to rear	Permitted	13/04/11
18 The Ridgeway			
14/501811/OUT	Outline - (All matters reserved) - One dwelling - Withdrawn	Withdrawn	17/12/14

20 The Ridgeway			
14/501813/OUT	Outline (All matters reserved) - One dwelling	Withdrawn	17/12/14
05/03225/FUL	Front and side two storey extension, sun room to rear and internal alterations	Permitted	17/01/06
05/02500/FUL	Two storey extension to front and side elevation, sunroom to rear elevation and internal alterations	Refused	22/11/05
Reason (summary): <i>The proposed roof terrace and decking, by virtue of their location, potential use and proximity to other residential uses will have an undue impact upon the residential amenities of occupiers of 22 The Ridgeway by reason of overlooking and loss of privacy,</i>			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 Numbers 16, 18 and 20 The Ridgeway are two storey detached dwellings located a short distance from Southborough town centre. They are typical of those around, in that they are sited close to the southern edge of the front of their plots with long rear gardens extending to the east. The pattern of development comprises detached and semi-detached frontage dwellings with backland development in some places.
- 1.2 The application site is located in the rear portion of the back gardens of the three properties and a strip of land connecting them to the Ridgeway between Nos. 16 and 18.
- 1.3 The Ridgeway itself is a long, narrow private cul-de-sac that also carries a public footpath. The eastern side is mainly residential dwellings whereas the western side is open land comprising allotments and a football pitch.
- 1.4 The land levels slope from west to east. The gardens are enclosed by a mix of boundary treatments, with fencing, planting and open boundaries.
- 1.5 The rear boundaries form the extent of the Limits to Built Development and are marked by tree planting which forms a buffer with the AONB, Green Belt and Ancient Woodland beyond (Brokes Wood).
- 1.6 In recent decades several new dwellings have been built in the rear gardens of dwellings along The Ridgeway, towards the northern end of the private road.

2.0 PROPOSAL

- 2.1 The proposal is to erect 3 no. detached 1.5 storey dwellings within the rear gardens of nos. 16-20 The Ridgeway. Each dwelling would have three bedrooms and two parking spaces to the front.
- 2.2 A new access would be created from The Ridgeway which would run between nos. 16 and 18 and would be enclosed by close boarded fence on each side. The access would be 3.75m in width and would be 46m in length from The Ridgeway to the point it would turn to serve the new dwellings.

- 2.3 Due to the existing change in levels, the proposed access drive would drop by approximately 4 metres from The Ridgeway to the front of the proposed dwellings, creating a gradient of approximately 1:10. To the rear of the proposed dwellings a terrace is proposed, as a result of the change in levels.
- 2.4 This application differs from the three previous applications submitted for separate dwellings on this site. In particular, the scale of the houses has been reduced and the garages have been removed.
- 2.5 Since the application was originally submitted it has been subject to various amendments. In particular, garages have been removed from the proposal and the scale of the dwellings has been reduced from two storey to 1.5 storeys. The application is accompanied by a reptile survey, an ecological survey, an arboricultural survey and a planning, design and access statement, and drainage information. The layout has also been amended to include an area for refuse storage at the junction with The Ridgeway.
- 2.6 A planted strip approximately 2 metres wide is proposed to form the rear boundary of the site, as an alternative to a closeboard fence.

3.0 SUMMARY INFORMATION

	Existing	Originally proposed scheme	Amended (Proposed) Scheme	Change (+/-) (Original compared to amended)
Site Area	0.20ha (including access)	0.20ha (including access)	0.20ha (including access)	No change
Land use	3 Residential gardens	3 Separate residential plots	3 Separate residential plots	3 New plots
Car parking spaces	N/A	2 parking spaces/dwelling and garages	2 parking spaces	2 spaces per dwelling (garages removed)
No. of storeys	N/A	2 - 3 storeys	1.5 - 2 storeys	+ 0.5 - 1 storeys
Max height	N/A	Plot 1: 10m (rear), 8.8m to front. Plot 2: 10.1m to rear, 8.8m to front Plot 3: 10m to rear, 8.8m to front	Plot 1: 7.7m (rear), 7m to front. Plot 2: 7.7m to rear, 7m to front Plot 3: 7.7m to rear, 7m to front	Plot 1: 1.8 - 2.3m Plot 2: 1.8 - 2.4m Plot 3: 1.8 - 2.3m
Max eaves height	N/A	Plot 1: 4.9m to front, 6m to rear Plot 2: 6.2m to rear, 4.9m to front Plot 3: 4.9m to	Plot 1: 2.3m to front, 3.2m to rear Plot 2: 2.3m to rear, 3.2m to	Plot 1: 2.6 - 2.8m Plot 2: 1.7 - 3.9m Plot 3: 2.6 - 2.8m

		front, 6m to rear	front Plot 3: 2.3m to front, 3.2m to rear	
Max width	N/A	Plot 1: 10.5m Plot 2: 13.6m Plot 3: 10.5m	Plot 1: 10.5m Plot 2: 10.5m Plot 3: 10.5m	Plot 1 : No change Plot 2: -3.1m Plot 3: No change
Max depth	N/A	Plot 1: 11.2m (including rear balcony) Plot 2: 11.2m (including rear balcony) Plot 3: 11.2m (including rear balcony)	Plot 1: 10.3m (including rear balcony) Plot 2: 10.3m (including rear balcony) Plot 3: 10.3m (including rear balcony)	-0.9m
No. of residential units	N/A	3	3	+3
No. of bed spaces	N/A	4/dwelling. Total = 12	4/dwelling. Total = 12	No change (noted that each dwelling would contain a ground floor study)

4.0 PLANNING CONSTRAINTS

- Inside limits to built development (LBD) – The site itself is within the LBD but the boundary lies to the rear of the site.
- Adjacent to Metropolitan Greenbelt (MGB) – The boundary lies to the rear of the application site.
- Area of Outstanding Natural Beauty (AONB) (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*) – The boundary lies to the rear of the application site.
- Ancient Woodland – The boundary lies to the rear of the application site.
- Local Wildlife Sites – The boundary lies to the rear of the application site.
- Public Right of Way – Lies to the rear of the site.

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan:

Tunbridge Wells Borough Core Strategy 2010

- Core Policy 1: Delivery of Development
- Core Policy 3: Transport Infrastructure
- Core Policy 4: Environment
- Core Policy 5: Sustainable Design and Construction
- Core Policy 6: Housing Provision
- Core Policy 10: Development in Southborough

Tunbridge Wells Borough Local Plan 2006

- EN1 – Development Control criteria
- EN13 – Tree and Woodland Protection
- H5 – Residential development within the Limits to Built Development.
- TP4 – Access to the road network.
- TP5 – Vehicle Parking Standards.

Supplementary Planning Documents (SPDs)

- KCC Interim Guidance Note 3 – Parking

6.0 LOCAL REPRESENTATIONS

6.01 The application was advertised by means of neighbour notification letters and a site notice posted on 07/07/15. Re-consultation has also taken place following amendments to the scheme.

6.02 Five letters of representation objecting to the proposal were received following the original consultation, these outlined the following concerns:

- Poor reptile survey and habitat survey is inconsistent and inaccurate in terms of number and timing of reptile survey visits required, location of nearby ponds (containing newts) A more geographically extensive habitat survey is required. Impact on adjacent Ancient Woodland needs to be properly considered.
- Traffic implications and poor access – inadequate for refuse vehicles and access may not be available through a private road owned by others.
- Safety of road users (vehicular and pedestrians) along The Ridgeway.
- Increased usage of junction of unmade part of The Ridgeway with the KCC maintained part which has substandard visibility.
- Harmful impact during construction which includes removal of substantial amount of soil.
- Overdevelopment and inappropriate density.
- Greenfield site/garden grabbing.

- Impact on character of the area through the introduction of two storey houses on backland area, where generally only bungalows have been permitted.
- Impact on neighbouring amenity, including overlooking and overshadowing.
- Erosion and run off.
- Inconsistencies in respect of the number of bedrooms specified in the application.
- Development is likely to generate the need for developer contributions towards infrastructure, services and facilities.
- Conflict with the proposals for the hub and cycleways.

6.03 Two letters of representation objecting to the proposal were received following the re-consultation, these re-iterated the issues outlined above.

7.0 CONSULTATIONS

Southborough Town Council

7.01 (21/07/15 and 10/11/5): Permission should be refused due to overdevelopment of the site, loss of privacy for neighbours, lack of amenities and lack of infrastructure. Road unsuitable.

Southern Gas Networks

7.02 (03/11/15) There are low/medium/intermediate pressure gas mains to the front of the site (along The Ridgeway) (as indicated on plan supplied). No mechanical excavations should take place above or within 0.5m of a low/medium pressure system and within 3.0m of an intermediate pressure system.

UK Power Networks

7.03 (21/10/15) - No objections.

Southern Water

7.04 (23/07/15) - Plan supplied identifying approximate site of foul sewer, the exact location should be determined on site by the applicant before the layout of the proposed development is finalised. No development or tree planting should take place within 3m either side of the sewer, no new soakaways should be located within 5m of the public sewer and existing infrastructure should be protected during construction.

7.05 Request condition relating to means of foul and surface water sewerage disposal. Formal application would need to be made to connect to public sewerage system. Initial investigations indicate that there are no public surface water sewers in the immediate vicinity, removal should not be into the public foul sewer.

Area Public Rights of Way Officer

7.06 (28/07/15) - Public footpath through Brokes Wood is at a lower level and care should be taken to ensure any drainage or run off during and after construction is not directed across the public footpath.

7.07 The public rights of way should remain open and available at all times and no materials or waste arising from the development should be stored on the rights of way.

KCC Highways

- 7.08 (22/09/15): Size of development is below the threshold on which KCC Highways formally comments.

Kent Wildlife Trust

- 7.09 (31/07/15) - Raise objections to the proposed scheme due to lack of reports and assessment of impact on protected species, buffer with the Ancient Woodland would not be provided and illumination from the new dwellings would be harmful.
- 7.10 (4/11/15) – Maintains objection. The reptile survey and the proposed buffer do not overcome objections.

Upper Medway Internal Drainage Board

- 7.11 (24/07/15) - Proposal is unlikely to affect IDB interests

TWBC Client Services

- 7.12 (28/07/15) - No objection. Each property would be required to present the relevant bins/boxes at the end of the shared access with the main lane of the The Ridgeway. A position therefore needs to be sufficient on collection day for the three brown garden/food bins and at least 6 recycling boxes to stand.

TWBC Tree Officer

- 7.13 (10/11/15) – No objection from an arboricultural perspective, although raise concerns to the proposal because of the potential impact on the Ancient Semi Natural Woodland (ASNW), but have suggested ways that this might be overcome: remove proposed close boarded fence to the rear boundary, inclusion of planting along the rear buffer strip for biodiversity and security.

TWBC Landscape and Biodiversity Officer

- 7.14 (01/09/15) - The report has been prepared by suitable professionals to a recognised methodology. The recommendation that a reptile survey is carried out across the site and tree T4 is subject to a bat survey is noted and should be carried out prior to determination.

A condition would also be required to control lighting to avoid unnecessary adverse ecological and landscape effects.

Not entirely in agreement with the likely impact on the ancient woodland and further consideration should be given in this respect. The applicant should re-evaluate the likely impact on the ancient woodland in the light of these comments and acknowledge that the 15m buffer is for guidance only. The recommendations as supported above could help towards protection and enhancement of the woodland edge through the planting of a small buffer strip, say 2m wide, of mixed native plants protected by a post and rail fence.

If the necessary surveys and any subsequent mitigation are provided together with a general satisfactory scheme of enhancement then would have no further objection on these matters.

(17/11/15) - Reviewed the additional information and reptile survey. The provision of the 2m buffer is acceptable. No further reports or studies required. Potential harm could be overcome by conditions.

8.0 APPLICANT'S SUPPORTING COMMENTS

- The principle of development in this location and more specifically the proposed intensification of the established residential use is acceptable in principle.
- The proposed scheme would be successfully accommodated in the site without having a detrimental impact on with the character of the area or neighbouring amenities.
- The siting and layout of the proposed dwelling houses would ensure that future occupiers would be provided with appropriate levels of both internal and external private amenity.
- Due to the separation distance that will be retained between the proposed dwelling houses and the site's rear boundary, there will be no consequent adverse impact on nearby tree cover.
- It is considered that provided an appropriate scheme of mitigation is implemented protected species could be adequately safeguarded.
- The proposed shared access drive, turning head, visibility splays and off-street car parking are considered to meet with the required highway standards.

9.0 BACKGROUND PAPERS AND PLANS

Application form
Planning, Design and Access Statement
Invicta Arboriculture Pre-development Tree Survey and Report dated 8/5/15
Greenspace Ecological Solutions Extended Phase 1 Habitat Survey
Corylus Ecology Reptile Report dated August 2015
Section 24 Drainage Limited report dated 26/05/15
Drawing PL.01 Rev A (Location Plan)
Drawing PL.02 Rev B (Proposed Site Plan)
Drawing PL.03 Rev A (Plot 1 Floor and Roof Plans)
Drawing PL.04 Rev A (Plot 1 Elevations)
Drawing PL.05 Rev A (Plot 2 Floor and Roof Plans)
Drawing PL.06 Rev A (Plot 2 Elevations)
Drawing PL.07 Rev A (Plot 3 Floor and Roof Plans)
Drawing PL.08 Rev A (Plot 3 Elevations)
Drawing PL.10 Rev A (Site Sections)
Drawing PL.11 Rev A (Proposed Street Scene)

10.0 APPRAISAL

10.01 The key issues are considered to be the principle of the development, the impact on character and appearance of the site and surrounding area, the impact on residential amenity, highways and parking issues, the impact on trees, and protected species.

Principle of Development

10.02 Paragraph 48 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The site is

located within the Limits to Built Development (LBD) of Tunbridge Wells, where development within the curtilage of an existing site can be acceptable by reason of Policy H5 of the Local Plan. The Core Strategy states that dwellings will be delivered on sites to be allocated and released in accordance with Core Policy 1, which in turn states priority will be given to the release of previously developed land (PDL) and selected greenfield sites within the LBD.

- 10.03 The application site does not constitute previously developed land as the NPPF at Annex 2 makes it clear that PDL excludes land in built-up areas such as private residential gardens. This does not preclude the land from development, but requires consideration of the suitability of the site for infill residential development which would need to be satisfactory in all other respects (discussed in the appraisal below). The development is therefore considered to be acceptable in principle.

Impact on the character and appearance of the site and surrounding area

- 10.04 The appearance of this part of The Ridgeway is generally long open rear gardens. It has not been subject to the type of ad hoc infill and backland development which can be seen further to the north. However, there is no objection in principle to backland development, provided it is not unduly harmful to the character and appearance of the area. There is one instance of backland development nearby, to the rear of No. 30, where two dwellings have been built some time ago. Generally, where backland and infill development has been permitted at the northern end of The Ridgeway, this has been with low profile dwellings (generally bungalows or chalet bungalows), which are generally well screened from their access drives and are set back in their plots, with boundary planting playing an important role. It is important that the character of the area is not eroded through inappropriate additional development.
- 10.05 In the case of this proposal, the location of the proposed dwellings would not directly front a highway; instead they would have a new shared access onto The Ridgeway. Due to the slope of the land, it is clear that the proposed dwellings would require some levelling of the site and retaining structures, however due to this level change and the siting of the three units, the dwellings would not be overly visible from the street scene. The upper part and roof of the middle dwelling would be glimpsed but the impact of this is not considered to be harmful. Screening to the rear, land level changes and the proposed design would mean that the dwellings would not be overly visible from the Public Footpath and would maintain the buffer between the LBD, AONB and GB countryside to the east of the site.
- 10.06 While the dwellings would have a different appearance to the existing established dwellings on The Ridgeway, due to their scale and height they would not appear out of character and as noted above would have little visual impact on the street scene when viewed from The Ridgeway. The most noticeable element would be the new access between Nos. 16 and 18. Due to the relatively limited space available there is little opportunity for any landscape planting to soften its appearance at the entrance or along its length. However, the height of the proposed close boarded fences bordering the drive is proposed to be 1.5 metres which would help to reduce its impact on the street scene.
- 10.07 The spacing around the dwellings reflects the spacing between the existing dwellings fronting The Ridgeway, and is considered to respect the site context. Notwithstanding this, the proximity to the open countryside and designated wildlife site to the east means that control over any future extensions and outbuildings should be imposed. Hence it is recommended that Class A (extensions) and E (outbuildings) permitted development rights are removed.

- 10.08 The cross sections through the proposed development indicate that changes to the levels are proposed. This would be most noticeable in the vicinity of Plot 3, where the parking level would be approximately 1 metre below existing ground levels and the dwelling itself would be approximately 1.6 metres below the existing ground level. However, this could only be resisted if it was considered to have a harmful impact. As the levels changes would not have an impact beyond the site boundaries, and the resulting appearance within the development is considered to be generally acceptable, no objection is raised.
- 10.09 It is noted that the parking area to Plot 2 is restricted in size and leaves little open space to the front of the building. However, overall the proposal appears relatively spacious and would not appear out of keeping with the context of the site.
- 10.10 The revised plans indicate adequate space for bin storage on collection days at the junction with The Ridgeway to avoid conflicting with vehicular access. There is adequate space within each plot for bin storage on other days.
- 10.11 Therefore for the reasons set out above, it is considered the site is suitable and acceptable for the development and that it would sit well within and not appear out of character with the locality. The proposal is considered consistent with the NPPF and Policy EN1 of the Local Plan.

Residential Amenity

- 10.12 The proposed development would be in the rear gardens of 16-20 The Ridgeway. The development has the potential to affect the existing host properties 16, 18 and 20 The Ridgeway and those properties immediately to the north and south (numbers 14 and 22). Other neighbouring properties along The Ridgeway are considered to be a significant distance from the application site such that the residential amenity of the occupiers is unlikely to be directly affected.
- 10.13 The properties along The Ridgeway benefit from long rear gardens, thus enabling such infill development to be possible. The length of the gardens would allow for an acceptable level of separation between the existing dwellings and those proposed. The existing dwellings are located at a higher level and the proposed dwellings would be cut into the slope of the land to create level building platforms. The relationship between the proposed and existing dwellings would be acceptable, allowing both to benefit from an acceptable level of residential amenity.
- 10.14 No. 14 The Ridgeway is located to the south of the application site and No. 22 to the north. Both boundaries are currently enclosed by mature hedge and planting. The flank wall of the nearest proposed dwelling would be approximately 2m from the gardens of these properties (not taking into account chimneys). It is proposed that the boundaries of the new dwellings would be marked by 1.8 metre high close boarded fences. It is likely that there would be some views over the gardens and towards the rear elevations of Nos. 14 and 22 from the proposed new dwellings. However, due to the distances involved (in excess of 30 metres) and the change in levels, it is not considered that the relationship would involve an unacceptable loss of privacy for those neighbouring properties. Furthermore, due to the distance and the levels, the new dwellings would not appear unduly overbearing.
- 10.15 Overall, while the new dwellings would be apparent to neighbouring properties, it is not considered that any impact on their residential amenity would be so harmful as to warrant refusal.

Highways and parking

- 10.16 The Ridgeway is a private road, generally single width, with no segregated footway and some limited passing places. The impact on the safety of those using it is a material planning consideration although KCC Highways has no statutory duty with regards to its safety by users; as a private road it is not within their control. The safety of road users and pedestrians is a material planning consideration and the proposed development would generate additional traffic. It is noted that a large number of dwellings already use The Ridgeway for access, and the additional traffic generated by this proposal would not be significant in relative terms. It is not therefore considered that an objection on the grounds of the substandard nature of The Ridgeway and additional traffic generation could be sustained on highway safety grounds.
- 10.17 Access to the site would be via a new private drive that would be sited between Numbers 16 and 18 The Ridgeway. The proposed access would fall with the slope of the land (west to east), with an approximate gradient slope of approximately 1:10. This would be in accordance with the recommended maximum gradient of private access drives. The access would be 3.75m in width and would be laid to tarmac. Adequate turning within the site is included. However, it is noted that there is no passing place along the length of the drive, and therefore if two vehicles meet, one would have to reverse either back into the site or onto The Ridgeway. This is not ideal, as a vehicle reversing onto The Ridgeway may have restricted visibility and it would be better if a passing place were to be incorporated into the drive. However, as the drive would serve only three dwellings, it is unlikely that the meeting of two vehicles would be a regular occurrence. On balance, it is not considered that an objection can be raised on this issue.
- 10.18 With regards to parking, KCC standards for 'edge of centre' locations (which this is considered to be given the proximity to Southborough town centre) is 1 space per unit. Two spaces are shown to serve each dwelling and it is considered that this over-provision would be acceptable due to the size of the proposed dwellings (3 bedrooms), the limited parking along The Ridgeway itself and the space available on site.

Impact on Trees and Ancient Woodland

- 10.19 Paragraph 118 of the NPPF states in summary:

'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following:

Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.'

- 10.20 Policy EN13 of the Local plan states that:

'Development will not be permitted if it would damage or destroy one or more trees protected by a Tree Preservation Order, or identified as Ancient Woodland, unless :

- 1. The removal of one or more trees would be in the interests of good arboricultural practice; or*

2. *The desirability of the proposed development outweighs the amenity value of the protected tree.*

- 10.21 The application site itself does not fall within the Ancient Woodland area of Brokes Wood, with the boundary lying approximately 10m east of the rear boundary of the site. This part of the woodland is at a lower level than the application site, with land sloping away from the rear boundary down to the existing Public Footpath to the east of the site.
- 10.22 Brokes Wood is also covered by a woodland Tree Preservation Order (TPO). The trees to the immediate rear boundary of the application site are however excluded from this designation with TPO trees approximately 5m from the rear boundary at their closest point. The trees immediately to the east of the site were specifically excluded from the TPO when it was served as very few were in good condition and there is a history of failure of trees along this woodland edge.
- 10.23 The application is accompanied by a tree report which picks up on the condition of the trees and makes various pruning recommendations which are considered to be reasonable and would reduce future demands for pruning. The impact on adjacent trees is considered to be acceptable and the proposal is unlikely to result in undue additional pressure on the boundary trees during the development or after occupation.
- 10.24 As the NPPF outlines, proposals that would result in the deterioration of the Ancient Woodland should be refused. Natural England's Standing Advice on development and Ancient Woodland is that a 15m buffer should be provided between new development and ancient woodland edges. The Landscape Officer has highlighted that the 15m is only a guide, but that the proposed development should take account of the following:
- The increased density of the development on site and a likely increased intensity of use of the area close to the woodland
 - The change in relationship between built development and woodland with the proposal bringing built development far closer which is likely to increase disturbance from noise, activity and lighting.
 - The increased pressure on woodland trees off site (health and safety concerns or shading) in the ancient woodland.
- 10.25 The site is currently private garden land associated with the three host properties and on completion of development the land closest to the woodland would remain as such, albeit for the new properties. The built development would be in closer proximity to the woodland (but still some 15 metres away) and the extent of garden area reduced. However it is not considered that substituting an alternative set of back gardens, even where the properties would be closer to the wood's edge, would be likely to generate pressures beyond those already experienced. This view was the approach taken in the Inspectors decision for a similar scheme on the edge of Brokes Wood at Nos. 3, 5 and 7 Brian Crescent (Application reference 09/01107 and Appeal Reference APP/M2270/A/09/2114088).
- 10.26 Concern has been raised by the Tree Officer regarding the use of close boarded fencing along the rear (eastern boundary). Currently the rear boundary is relatively open which works with the 'spirit' of the recommended buffer strip between the site and the Ancient Woodland. A close boarded fence would reduce this openness. The inclusion of planting within the buffer strip to the rear of the garden would improve the composition of the woodland edge. Details of boundary treatment and a

landscaping scheme could be conditioned to overcome this objection. It is noted that planting is likely to consist of appropriate shrubs rather than trees in view of Southern Water's requirements in relation to the drain.

- 10.27 Overall, and subject to conditions, the impact on boundary trees, the Woodland TPO designation and the Ancient Woodland is considered acceptable.

Protected Species

- 10.28 The application site borders the Ancient Woodland, an area protected by a Woodland TPO and a Local Wildlife Site. The wood is also acknowledged as a habitat of ecological value.

- 10.29 The NPPF states in summary at Paragraph 109:

'The planning system should contribute to and enhance the natural and local environment by:

minimising impacts on biodiversity and providing net gains in biodiversity where possible.'

- 10.30 Paragraphs 113, 114, 117, 118 and 119 of the NPPF all seek to re-enforce the importance of conserving and enhancing biodiversity.

- 10.31 Core Policy 4 of the Core Strategy states at point 3:

'A hierarchical approach to nature conservation and the protection of biodiversity....will be applied across the sites and habitats of national, regional and local importance within the Borough. The objective will be to avoid net loss of biodiversity...across the Borough as a whole.'

- 10.32 The application is accompanied by an Extended Phase 1 Habitat Survey and a Reptile Report. Both reports have been prepared by suitable professionals and the findings of both are broadly accepted. Recommendations for ecological enhancements are considered acceptable and could be dealt with by conditions. A scheme of landscaping and control of lighting could also be subject to conditions to avoid any unnecessary adverse ecological effects.

- 10.33 It is noted that the findings of the Habitat Survey suggest a bat survey is carried out in relation to one of the adjacent trees. The comments from Kent Wildlife Trust also requests a breeding bird study be carried out. The need for both surveys has been rebutted in the Applicant's additional supporting statement. In this respect Officer's consider that a condition requiring a scheme for the enhancement of biodiversity for the site that takes account of bird breeding is appropriate..

- 10.34 Overall it is considered that subject to conditions the biodiversity of the site could be preserved and even enhanced by the proposed scheme.

CONCLUSION

- 10.35 The proposal is considered to be acceptable in principle, due to its location within the LBD. The impact on the character and appearance of the area, as well as residential amenity, is considered to be acceptable. Subject to appropriate conditions, the impacts on trees, ecology and highway safety are considered to be acceptable, and the proposal includes adequate parking provision.

11.0 RECOMMENDATION – GRANT Subject to the following conditions :

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (insert plan numbers)

Application form

Planning, Design and Access Statement

Invicta Arboriculture Pre-development Tree Survey and Report dated 8/5/15

Greenspace Ecological Solutions Extended Phase 1 Habitat Survey

Corylus Ecology Reptile Report dated August 2015

Section 24 Drainage Limited report dated 26/05/15

Drawing PL.01 Rev A (Location Plan)

Drawing PL.02 Rev B (Proposed Site Plan)

Drawing PL.03 Rev A (Plot 1 Floor and Roof Plans)

Drawing PL.04 Rev A (Plot 1 Elevations)

Drawing PL.05 Rev A (Plot 2 Floor and Roof Plans)

Drawing PL.06 Rev A (Plot 2 Elevations)

Drawing PL.07 Rev A (Plot 3 Floor and Roof Plans)

Drawing PL.08 Rev A (Plot 3 Elevations)

Drawing PL.10 Rev A (Site Sections)

Drawing PL.11 Rev A (Proposed Street Scene)

Reason: To clarify which plans have been approved.

3. Written details including source/ manufacturer, of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity. Such details are fundamental to the application and are therefore required prior to its commencement.

4. No external lighting shown on the submitted plans shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or the Town and Country (General Permitted Development) (Amendment) (No 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A to E of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order).

Reason: In the interests of protecting the character and amenities.

6. No development shall take place until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall detail measures for protection of species to be retained and include a planting specification, a programme of implementation and a 5 year management plan.

Reason: No such details have been submitted and to ensure a satisfactory setting and external appearance to the development. Such details are fundamental to the application and are therefore required prior to its commencement.

7. Before any building is occupied, details for the storage and screening of refuse shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To facilitate the collection of refuse, preserve visual amenity and to reduce the occurrence of pests.

8. The area shown on drawing PL.02 Rev B (Proposed Site Plan) as vehicle parking space, garages and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 or the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking and re-enacting that Order), shall be carried out on that area of 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 parking inconvenient to other road users.

9. Prior to the commencement of development, details of all boundary treatments and retaining structures (walls, banking, fencing etc.) shall be submitted to and approved in writing by the Local Planning Authority. The details shall not comprise any boundary treatments to the rear eastern boundary of the site which shall remain open to the woodland and maintained as such thereafter.

Reason: To enable the Local Planning Authority to protect the visual amenities of the locality. Such details are fundamental to the application and are therefore required prior to its commencement.

10. Prior to the commencement of development, details of surface water drainage designed in accordance with the principles of sustainable urban drainage, shall be

submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid additional water off site and to avoid pollution of the surrounding area. Such details are fundamental to the application and are therefore required prior to its commencement.

11. Prior to development commencing, a scheme for the enhancement of biodiversity which comprises the details stated within the Biodiversity Report dated June 2015 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity.

Reason: To protect and enhance existing species and habitat on the site in the future. Such details are fundamental to the application and are therefore required prior to its commencement.

12. The development shall be constructed strictly in accordance with the levels shown on Drawing PL.10 Rev A (Site Sections) and maintained as such to the satisfaction of the Local Planning Authority.

Reason: To ensure suitable land levels are achieved relative to the locality.

13. Prior to the commencement of development, details of the amount of material to be excavated from the site and provisions for its disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure suitable excavated level and acceptable methods for disposal. Such details are fundamental to the application and are therefore required prior to its commencement.

INFORMATIVES

1. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Rel: 03303030119 or www.southernwater.co.uk).

Case Officer: Rachael Elliott

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.