

DEVELOPMENT CONTROL COMMITTEE

05 April 2011

APPLICATION NUMBER : CA//10/01022/FUL

PROPOSAL : Erection of 14 dwellings with associated garaging, parking, new access road and realignment of Grove Road.

LOCATION OF SITE : Land at Pear Orchard, Grove Road, Wickhambreaux, CT3 1SJ

APPLICATION TYPE : FULL APPLICATION

DATE REGISTERED : 01 July 2010

GOVERNMENT PERFORMANCE TARGET DATE : 30 September 2010

CONTACT OFFICER : Katie Miller

CONSERVATION AREA : ICKHAM , WICKHAMBREAUX & SEATON

LISTED BUILDING : NOT LISTED

WARD : LITTLE STOUR

APPLICANT : Mr Paul Kelsey

AGENT : Adam Architecture

SUMMARY:

Planning permission is sought for a residential development comprising fourteen units, five of which would be affordable, on an open site of approximately one hectare in size, which lies centrally within Wickhambreaux and is surrounded on all sides by residential development. The main issues are whether or not the proposals constitute minor development, as required by Local Plan policy for residential development in villages or whether there is some overriding justification for the development, the impact of the development on the character and appearance of the locality and the conservation area, possible impact on residential amenities and highway matters including the proposed realignment of Grove Road.

RECOMMENDATION:

To receive the report of the Development Control Sub-Committee, namely:

RECOMMENDED -

That planning permission be **refused** for the development described in the above application on the following grounds:

1. The proposal, by virtue of the number of units proposed, would represent a development that would be in excess of minor development in the village, contrary to

Policies H9 of the Canterbury District Local Plan and SP3 of the South East Plan.

2. The proposal would represent an unsustainable form of development by virtue of the lack of facilities within the village of Wickhambreaux and poor public transport links and subsequent reliance on journeys by private vehicles. The proposal is therefore contrary to Policies BE1 and C1 of the Canterbury District Local Plan and SP3 of the South East Plan.
3. The application does not adequately demonstrate how surface water from the proposal would be dealt with and that the development would not result in localised flooding and/or pollution to the local water environment, contrary to Policies C31 of the Canterbury District Local Plan and NRM2 of the South East Plan.

(Voting figures: for 3; against 2)

SITE DESCRIPTION

The site lies within the centre of the village of Wickhambreaux and comprises an unused field of approximately one hectare in size. The field is bounded by the gardens of existing properties on all sides, with dwellings to the north-west in Grove Road and to the north-east in The List; to the south-west and south-east are the more extensive gardens of properties off Wickham Road including The Old Rectory and Creekers Barn which lays centrally within the area bounded by the above roads.

The site, a former pear orchard, is now devoid of any tree planting and is relatively flat, however the boundaries of the site are formed by mature trees and hedges. Vehicular access into the site is provided from a shared access with Closes House on Grove Road and from a narrow entrance adjacent to Hawthorn Bungalow on The List. There is no public right of way onto or across the land.

In addition to the site of the proposed new dwellings, the application site also comprises a strip of land on the north-west side of Grove Road, approximately 175 metres in length. For the majority of its length, this land currently forms part of a field on the western side of Grove Road and has a mature hedge along its boundary with the adjacent highway. At its southern end it also encompasses land that comprises part of the front gardens of Nos. 7 and 8 Grove Road but is in the ownership of Kent County Council. It is required in connection with a proposed realignment of Grove Road proposed in conjunction with this development and the provision of a new footpath.

PROPOSED DEVELOPMENT

The application proposes a residential development comprising fourteen dwellings, five of which would be affordable units. Vehicular access into the site would be from Grove Road and would involve the demolition of Altona, a 1960's bungalow fronting Grove Road. The existing vehicular access onto The List between Netherby and Hawthorn Bungalow would be retained as a pedestrian path.

The development has been designed to give the appearance of a 'traditional farmstead', comprising a substantial 'manor house', a small terrace of 'farm workers' houses and a group of 'converted farm buildings' arranged around an internal access driveway. A further dwelling fronting Grove Road adjacent to the access into the site is proposed to replace the bungalow Altona.

The 'manor house' is proposed towards the south-east end of the site and would sit in a substantial garden area and would be the most architecturally detailed building, taking inspiration from The Old Rectory. A detached one and a half storey three bay garage is

proposed to serve this six-bedroomed dwelling, sited to the rear of the existing Glebe Bungalows on The List and about 5m from the common boundary and 25m from the bungalows. Adjacent to the 'manor house' on the south-western side of the driveway is proposed a detached, five-bedroomed house, which would be of a simpler brick and tiled design. Closer to Grove Road on the same side of the driveway would be a terrace of three, four-bedroomed houses, designed to have the appearance of farm workers 'cottages'. These would have a brick ground floor with tile hanging at first-floor level, as would the proposed new two-storey house fronting Grove Road and replacing Altona. At their closest the terraced houses are shown to be about 14m from the property Closes House adjoining the site and about 24m from that dwelling itself.

The remaining eight units are proposed on the north-east side of the access driveway. These have been designed to have the appearance of 'converted farm buildings' and are arranged in an enclosed courtyard form. The two south-easternmost units are designed to have the appearance of a large weather-boarded barn complete with mid-strey details. These would each be two-storey with four bedrooms, with the principal elevation being windowed looking south-eastwards towards the 'manor house' garden.

At right angles to these a two-storey brick and weather-boarded building range is proposed which would comprise two two-bedroomed flats and one four-bedroomed house, these would be at the rear of Wickhambreaux Lodge and Hawthorne Bungalow in The List. This range is shown to be about 10m from the site boundary and more than 20m from the properties in The List. Turning the corner again to complete the third side of the courtyard is proposed a building with a single-storey eaves height but with accommodation proposed in the roof space; designed in the form of a converted dairy building this would contain one three-bedroomed house and two flats, one with one bedroom and one with two bedrooms; this range would be at the rear of Crabapples and Morville in Grove Road. This single-storey range is shown to be about 9m from the north-western site boundary and more than 25m from the nearest Grove Road properties.

A total of 32 car parking spaces are proposed to serve the development. These are proposed to be provided adjacent to the buildings, within the courtyard formed by the "converted" farm buildings and within two purpose built 'cart sheds'.

In addition to the proposed residential development in Pear Orchard itself, it is also proposed to realign a section of Grove Road in order to achieve the necessary access and visibility splays; this would involve the road being moved between 1 and 3 metres to the west for a length of approximately 130 metres. This will require the removal of an existing hedge along the west side of the road, which it is proposed would be replaced. A new footpath is also proposed on the west side of Grove Road, opposite the vehicular entrance into the site and joining to an existing footpath in front of Nos. 7 and 8 Grove Road.

PLANNING HISTORY

There have been no previous relevant planning applications on this site.

THE APPLICANT'S CASE

The scheme has been developed in close collaboration with the City Council and the scheme has been developed to meet the requirements of a housing needs survey. Initial issues raised by the City Council reflected concerns to avoid the development appearing suburban in nature. Further design development has resulted in a layout that alleviated these concerns and reflects a converted farmstead. The application is an unselfconscious continuation of the character of style that is reflected in the regional architecture.

The proposed scheme will not harm the character of the conservation area and the sense of open space in views into the site will be preserved. The existing trees and hedges on the site

will be preserved and enhanced. The proposed heights will respect those of adjoining buildings. The proposed bulk and massing will be informal to avoid dominating the adjoining buildings and to reflect the character of the village setting and the proposed building materials will complement and be reflective of local architecture found elsewhere in the village.

The applicant's agent has made an assessment of the density of the proposal; he indicates that the proposal is at the low density of 14 dwellings per ha. He also details the ridge heights of dwellings around the site and the proposed dwellings to demonstrate that the proposals are within the middle of the range of ridge heights in the area.

PLANNING POLICIES

The site lies within the Ickham, Wickhambreaux and Seaton Conservation Area.

Relevant Policies from the South East Plan:

- CC6: Strategic Policy: development & promotion of sustainable & distinctive communities;** respect and enhance distinctiveness & the character of the built and natural environment. Use high quality design etc to create a sense of place.
- H2: Managing delivery of housing,** including opportunity sites, residential intensification and quantity/mix of housing especially affordable housing in rural areas.
- H3: Affordable housing provision** through targets & small-scale affordable schemes in rural areas.
- H5: Housing design and density;** measures to raise quality of development and reduce environmental impact; higher density development and sustainable construction guidelines.
- T4: Parking:** LDD and local transport plans to adopt restraint based approach.
- NRM2: Water Quality:** prevention of groundwater pollution, sustainable drainage systems.
- BE1: Urban renaissance:** strategy to enhance quality of life, including infrastructure planning.
Promote design solutions relevant to specific context; build on local character/distinctiveness.
Use of design led SPDs etc.
- BE5: Village management:** LDD to plan to meet defined needs. All new development to meet rigorous design/sustainability criteria; distinctive character must not be damaged.
- BE6: Management of the historic environment:** protect/conservate/enhance heritage assets and their contribution to local/regional distinctiveness; appropriate regeneration of redundant or under used buildings to be encouraged.

Relevant Policies from the Canterbury District Local Plan:

- H1** - Residential development on allocated & non-allocated sites.
- H4** - Provision of affordable housing and mixed housing types and sizes on development sites.
- H9** - Residential development, in excess of minor development, on previously developed sites within villages; see para 2.56 for villages limited to minor development.
- BE1** - High quality designs, sustainable developments and specific design, amenity and landscape criteria to which the Council will have regard: cross-refers to SPGs.
- BE3** - Design statements/development briefs to be submitted with applications.
- BE5** - Preservation of listed & locally listed buildings and their settings.
- BE7** - Conservation Areas and their settings to be preserved or enhanced: specific criteria for consideration.
- BE8** - Demolition of buildings in Conservation Areas.
- BE15** - Archaeological evaluation of sites of archaeological interest.
- BE16** - Appropriate archaeological recording works.
- NE1** - Site surveys where protected species known or suspected.

NE2 - Replacement natural habitat when existing habitat lost.

NE5 - Retention of trees, hedgerows and woodland or other landscape features.

C1 - 2004 Canterbury District Transport Action Plan principles to be considered.

C9 - KCC Vehicle & Cycle Parking Standards with local variations.

IMP2 - Section 106 Agreements; contributions to be sought from developers for social, recreational or community facilities.

In addition to the above the following Supplementary Planning Documents and Guidance (SPDs/SPGs) are relevant:

Residential Intensification Design Guidance.

Heritage, Archaeology and Conservation SPD.

The Ickham, Wickhambreaux and Seaton Conservation Area Appraisal.

Development Contributions SPD.

Sustainable Construction SPD.

WRITTEN REPRESENTATIONS

Forty-six letters of objection have been received in respect of the originally submitted application, primarily from residents of Wickhambreaux, Ickham and local environs. These raise the following issues:-

- Road safety - although a narrow rural road, Grove Road is heavily trafficked and has no speed restriction. Additional traffic would add to existing problems and the proposed road realignment would not help. The realigned road would remain relatively narrow and will not allow an HGV and car to pass safely. Straightening the road may result in increased speeds and could cause a bottleneck between the planned access and cottages opposite. A speed limit should be introduced as a minimum. A Transport Impact Assessment should be carried out as part of the application.
- The proposed footpath would be of limited value as it does not continue to the main village facilities.
- The proposed location of the development, with limited public transport and lack of facilities (no shop or doctor's surgery) in the village is unsustainable. The nearest shop is in Littlebourne which is an hour's round trip on foot on a narrow road with no footway. It expanded recently and does not require increased trade to remain open.
- Existing drainage problems in the locality may be exacerbated, the water table under the site is very high and the main sewage pumping station in Seaton Road has previously overflowed. The site is on a flood plain. There may be pollution of ground water. Alleged discrepancies in the submitted drainage documents are raised.
- The design, size and density of the properties are out of keeping with the locality and lack individual character. The buildings would be much taller than those surrounding the site. The proposed manor house would be fake. The form of the development is contrary to the mainly linear development characteristic of Wickhambreaux. The development would not therefore preserve the conservation area.
- The size of the large house and its garden should be reduced to allow the other houses to be moved further away from existing properties.
- The proposal would result in overlooking of existing surrounding properties as well as increased noise, traffic, light pollution, loss of light and loss of outlook.
- The development would be dominated by parking areas and there should be more garaging provided.

- Vehicular access to The List should not be permitted and concerns are raised about allowing greater pedestrian numbers to exit onto The List due to safety concerns. The City Council has previously refused permission for one additional dwelling on The List due to the unsuitability of the lane for pedestrians. Concerns are also raised that the pedestrian link would introduce noise, disturbance, vandalism, security and privacy issues to adjacent houses.
- Loss of ecology.
- No capacity at Wickhambreaux School and no space for this to be extended. Development contributions towards education provision should be sought.
- No need for the development.
- Any development should achieve level 4 of the Code for Sustainable Homes.
- The Council should be satisfied that there is sufficient electricity, water, gas and telephone capacity locally. There is very poor broadband connectivity in the village.
- The proposal would not be 'minor' and would represent a 10 per cent increase in the number of homes in the village.
- The proposal should include affordable housing provision.
- Affordable housing is unwelcome in the development because of the crime associated with such housing.
- If permitted, a landscaping condition should be attached.
- The proposal exceeds the maximum number of car parking spaces as set out in the Kent Vehicle Parking Standards document (a maximum of 34) and no cycle parking spaces have been shown.
- The development would be contrary to the draft Conservation Appraisal for Ickham, Wickhambreaux and Seaton as well as Local Plan policies.
- The proposed removal of the hedgerow contravenes the 1997 Hedgerows Regulations.
- Existing parking problems will be exacerbated.

The Ickham, Littlebourne and Wickhambreaux Conservation Society considers the density to be too high, the proposed dwellings to have too many bedrooms, the proposed manor house should be deleted from the scheme, the design of the houses could be improved, raises concerns regarding the realignment of Grove Road and considers that garages should be incorporated into the scheme. The affordable housing should be reserved exclusively for local residents and the development should be called The Pear Orchard.

Littlebourne Parish Council has objected to the realignment of Grove Road and considers that the provision of additional housing will exacerbate existing traffic problems especially in Jubilee Road and Nargate Street.

Wickhambreaux Parish Council has advised that whilst the site is considered suitable for a small development, it objects to the application, considering the scale of the development to be in excess of the minor development that the Local Plan requires, with the proposal representing an increase in 10 per cent of the number of houses in the village. The village is stated to be viable and thriving and the development is not required in order to sustain the village, furthermore the development would not be sustainable with residents reliant on

private car trips. Concern is raised in connection with design, with the proposed manor house considered too big, units 7 to 12 too close to the site boundaries, the site dominated by car parking and the development as a whole too dense. The proposed affordable housing is considered to be in excess of local need. Concerns about drainage are raised and it is considered that the development should incorporate environmentally friendly features. If permitted, the development should be called Pear Orchard.

In response to amended plans an additional sixty-five letters have been received, including ones from the Parish Council and the Ickham, Littlebourne and Wickhambreaux Conservation Society and the Campaign to Protect Rural England (Protect Kent). These maintain the previous objections summarised above and raise the following additional concerns:-

- Object to an increase in unit numbers from 12 to 14 which would exacerbate previous objections raised and result in an expansion of the village by 13 per cent.
- Do not agree with the reduction in parking.
- Pear Orchard should not be regarded as an exception site for affordable housing and should not be a means for the developer to get his permission.
- In the current economic conditions and with the closure of Pfizer, many of the properties may remain unsold.
- The development would be contrary to the Ickham, Wickhambreaux and Seaton Conservation Area Appraisal which has now been adopted, other conservation policies and English Heritage advice.
- The development has been classified as a 'major' development by the Council in line with Government classification and cannot therefore be construed to be minor development.
- The proposed footpath on the opposite side of Grove Road is not a safe solution and would be inappropriate visually.
- The application does not satisfy the current Government's emphasis upon localism.
- The development represents a major future threat of flooding.
- There are insufficient two and three-bedroomed affordable houses that are within the price range of local people.
- Littlebourne is deemed to be able to sustain 20 new dwellings (the S.E. Development Plan) so by comparison Wickhambreaux can only sustain 5.
- Drainage is still a major problem and the contents of the proposed surface water proposals are queried. Furthermore foul water drainage was considered to have just sufficient capacity when 12 houses were proposed (0.6 l/s capacity and 0.56 l/s needed). Now there are 14 properties arithmetic suggests a capacity of 0.653 l/s is required which cannot be accommodated.
- If approved, a precedent could be set for further additional development in other rural conservation areas or on greenfield/agricultural land.

TECHNICAL CONSULTATIONS

Crime Prevention Design Advisor -

All doors and windows should be to a recommended level and any bushes kept to below a metre in height with no tree canopy below two metres. All front doors should have lighting and there should be low level wattage lighting in the car park.

Mouchel Parkman on behalf of KCC -

Currently no requirement for primary or secondary education provision. Contributions towards libraries, youth and community and adult social services are requested.

CCC:- Archaeological Officer -

The site is located to the north-east of the focus of the early medieval hamlet of Wickhambreaux, which was probably originally sited adjacent to the alignment of a major Roman road. Features, deposits and finds worthy of record may be revealed during this development and should the application be granted, an appropriately worded condition should be imposed to ensure that the applicant makes arrangements for the carrying out of archeological work.

CCC:- Strategic Conservation -

The principle of housing development on the site is recognised however it is considered that the proposal is not entirely in keeping with the character of the conservation area and village as a whole. The quantity and scale of the development is out of proportion when compared to the context and the density is high when compared to the rest of the village.

The backland nature of the site makes layout and design more difficult and the provision of large parking courtyards and the large plot associated with Unit 6 makes the layout rather awkward. A slight increase in the road width to provide informal parking and a reduction in formal parking courtyards would improve the layout and design and provide more land for private gardens. The lack of garden space for four-bedroomed family homes and the proximity of units 8 to 12 to the neighbouring properties is also of concern as this is not in keeping with the grain and character of the conservation area which generally has a finer grain of built development fronting the road with large back gardens.

Kent Highway Services -

No objection, subject to the inclusion of specified conditions. The site is far from sustainable with limited local amenities and public transport serving Wickhambreaux, contrary to Policy C1 of the Local Plan, however it is acknowledged that there are overriding policies that support development in rural communities and as such on balance the principle of the development may be acceptable.

The contents of a Transport Statement supporting the application are accepted and the traffic generated by the proposal could be comfortably accommodated by the local highway network. The village centre suffers from traffic congestion during school drop off/pick up times, mainly resulting from inappropriate parking. In view of the measures proposed by the applicant, the development is not expected to exacerbate this. A speed survey has demonstrated that the majority of traffic movements are at speeds significantly below the national speed limit.

Considerable concern from local residents is raised regarding the suitability of The List to serve as a pedestrian route for the development. Regular use of The List by residents of the development is not anticipated as this represents the least convenient of the two potential pedestrian routes into the village centre. The provision of this link would improve pedestrian permeability within the village as a whole. It is accepted that the junction of Grove Road and The List is particularly difficult to negotiate and that local residents will probably avoid vehicular access to Grove Road via this junction wherever possible. With the appropriate pedestrian links in place the development would be unlikely to increase the use of this junction as it will be far more convenient to walk to any destination within the village.

Reference is made in the representations to a previous appeal in 1989 where development was refused in The List due to inadequate pedestrian facilities. The List is designated as a Byway open to all traffic; therefore the route is expected to carry pedestrian traffic. There are no known historic crash problems on this section of highway and the road will be predominantly used by local traffic that is aware of potential pedestrian activity. It is considered that the provision of a direct pedestrian link into the development site from The List represents a highway improvement to those living on The List.

The proposed realignment of Grove Road is required to facilitate the required visibility sight lines, this together with the provision of a grassed verge to the east side of the road will cause a level of disruption for local residents during construction however the final layout will significantly improve visibility at existing access points onto Grove Road. The verge will also provide a level of pedestrian refuge. The realignment should also improve forward visibility for vehicles travelling north bound near Grove Road Cottages.

The proposed new section of footway on the western side of Grove Road is at KCC's request. This link is essential as it will safeguard pedestrians, alert approaching traffic to pedestrians and will act as an additional traffic calming measure. It is recognised that the existing footway terminates at Wickham Court Lane, however the carriageway is wider at this point so pedestrian and vehicular conflict is greatly reduced.

The applicant has agreed to provide a village gate treatment to the northern extent of Grove Road, which can be dealt with by condition. This will support the provision of a new footway and improve awareness of residential activity.

CCC:- Housing Strategy -

A housing needs survey was carried out in Wickhambreaux to establish if there was a need in order to support the scheme. There are currently eight affordable homes in the Parish and it is still fairly sustainable, having a well used village school. However in a small parish (200 dwellings), 72 per cent of which are in the Council bands D - H, there is still a need for affordable dwellings. Although this is not an exception site, the Council's intention is to treat it as such for allocation purposes.

CCC:- Countryside Officer -

Bats - no suitable roosting habitats were found. The boundaries of the site should remain unchanged, as proposed, but risk from lighting needs to be taken into consideration.

Birds - hedgerows, trees and scrub within the site all provide suitable habitat for breeding birds. Works should take place outside of bird breeding season. If this is not possible, a nesting bird survey of the site must take place immediately prior to works commencing and if active nests are discovered then no work that would disturb them can commence until the young have fledged.

Reptiles - hedgerows around the site have been assessed as having moderate potential for reptiles. The semi-improved grassland that comprises the majority of the site was too short to provide a viable reptile habitat. It should be kept short up until development commences to prevent any reptiles being injured and killed and reptile fencing erected around the boundary of the site to prevent migration into the area of construction.

The majority of the site comprises species poor neutral grassland with a low ecological value. The large gardens planned have the potential to significantly enhance this area - enhancement measures should be incorporated, such as hedgehog houses, hibernacula, ponds and indigenous tree planting.

Removal of the hedgerow adjacent to Grove Road, unless authorised as part of the implementation of a full planning permission, would normally require submission of a notice under the Hedgerow Regulations. A full assessment is therefore required of the hedgerow in order to fully assess the implications of its loss. In response to the assessment that was subsequently submitted, it is advised that the hedge does not provide habitat for any protected species other than nesting birds and that it cannot be defined as an 'important hedgerow' as it fails to meet the majority of the necessary criteria. The primary value of the hedgerow is therefore as a landscape feature.

Whilst it is acknowledged that it will take time for a new hedge to become an established landscape feature, the removal and replacement of the hedgerow is recommended in this instance due to the fact that replacement of the hedgerow with young specimens is much more likely to guarantee successful establishment than translocation of an existing hedgerow/planting of mature specimens. Translocation also requires the coppicing of the hedgerow before removal in order to help it re-establish. As this would result in its landscape value being significantly reduced, it seems prudent to use this as an opportunity to plant a new hedgerow comprising a greater diversity of species to enhance its ecological value. The landscape presence of the new hedge should be strengthened by the use of shelter fencing during its establishment phase. These matters should be secured by condition.

English Heritage -

Does not wish to offer any comments on the application which should be determined in accordance with national and local policy guidance and on the basis of CCC specialist conservation advice.

Further informal advice has subsequently been given by English Heritage (EH), following the questioning of the above response by a local resident. Clarification as to the reason for the non intervention is provided, in that the extent to which 20th century ribbon development has taken place on The List and Grove Road leaving the application site as an island of undeveloped land within the present boundaries of the built up area of the village, but outside the extent of its historic core and the consideration of such an infill proposal, was considered to be within the competency of the Council to determine. Since then, EH has become aware of the conservation area appraisal which is considered a good piece of work and the advice that there is no real potential for large scale development within the villages of Wickhambreaux, Ickham and Seaton is agreed with and perhaps the Council considers this proposal as falling into that category.

The harm or otherwise to the conservation area is regarded as the central historic environment issue raised by the proposal. Regard should be had to Planning Policy Statement (PPS) 5 and in particular para 9.5 with regard to understanding what contribution to the significance of the designated heritage assets the different components of the conservation areas might make. The Council should consider whether the openness of the site makes a positive contribution to the conservation area; if so and if this also enables the significance of the historic core of the village to be understood by creating a separation between it and areas of later ribbon development then there would be an argument for the site not to be developed. If the principle is judged acceptable then PPS5 advises that as part of place shaping new development should enhance or better reveal the significance of the conservation area. The design approach adopted of attempting to reflect a manorial farm complex could detract or confuse the significance of the existing historic buildings and an understanding of the historic development of the village.

Environment Agency -

Originally objected to the application as no Flood Risk Assessment had been submitted and the scale of the development is such that it may present risks of flooding on site and/or off site if surface water run-off is not managed. The proposal was also considered to pose an unacceptable risk of pollution to ground water. A subsequent response from the Environment Agency removed the objection, subject to conditions requiring a detailed surface water drainage scheme, based on sustainable drainage principles to be submitted and approved and no infiltration of surface water into the ground except with the express consent of the local planning authority being allowed.

The Environment Agency (EA) remains opposed to the construction of any conventional soakaways as hydrogeological records show ground water levels to be in the region of 0.4

metre below ground level and a sufficient unsaturated zone between the invert level of the soakaway and the ground water table would not be achievable. A sufficient unsaturated zone between the base of the soakaway and the ground water table is required to enable attenuation of any contaminants which may be present in the run off.

In response to the Surface Water Drainage Strategy, the EA advises that it is unable to provide any detailed comment on its content as the conclusions within it are largely speculative and based upon assumed conditions. Any surface water management scheme needs to be based on a detailed geotechnical investigation of the actual site with the infiltration rate determined from the results of soakage tests undertaken at numerous locations throughout the development site and in the light of the hydrological conditions likely to be experienced in the area, it is important that the surface water management scheme is considered from the outset and is designed to be an integral part of the development.

CCC:- Sea Defence Section -

As the site lies in Zone 1, which is the zone at least risk of flooding, no objection to houses being built in this location. Details of the proposed soakaway design needs to be conditioned and the proposed permeable material for driveways and forecourts submitted for approval. There would appear to be sufficient capacity for the local foul network to accept the additional foul flows, however this should be confirmed in writing by Southern Water.

In response to the Surface Water Drainage Strategy, it is advised that whilst the proposed use of SUDS is welcomed and accepted in principle, a proper design based on actual infiltration rates will be required. Such systems often have a significant land take and details of how these will be accommodated in the proposed layout will also be required. Arrangements for the long-term maintenance of the SUDS facilities will be required along with details of how all future owners will be made aware of the importance of maintaining the permeable paving and retention of swales as it is critical that the effectiveness of these systems is maintained in perpetuity so as to avoid flooding which could result in inundation of the foul sewerage system.

Southern Water -

Initial investigations show that Southern Water can provide foul sewage disposal to service the proposed development. The Council's own technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water. Plot 1 is within 3 metres of a foul water rising main which is not acceptable. It may be possible to divert the sewer.

In response to amended plans and additional drainage information submitted by the applicant, Southern Water advises that it has no objection to the proposal and the proposed surface water details are considered acceptable.

DRAINAGE CONSIDERATIONS

The site lies within an Aquifer Protection Zone but is not within an area that is at risk of flooding, being within Flood Zone 1 with a less than 1:1000 chance of flooding.

It is proposed to dispose of foul sewage to the public foul sewer. Southern Water has confirmed that there is sufficient capacity in the local network to accommodate the additional flows that the development would generate. The layout has been amended to move Plot 1 an acceptable distance from the foul water rising main to satisfy Southern Water's concerns.

It was originally proposed that surface water would be disposed of via soakaways. This approach was acceptable in principle to the Council's Drainage Engineers. The Environment Agency has advised however that it is opposed to the use of conventional soakaways as records show that ground water levels are only in the region of 0.4 metre below ground level and a sufficient unsaturated zone between the invert level of the soakaway and the ground

water table would not be achievable and could pose an unacceptable risk to ground water quality beneath the site and could create or exacerbate localised flooding.

A Surface Water Drainage Strategy has subsequently been prepared for the site which proposes the use of permeable paving and one or more retention swales for the disposal of surface water. These techniques are designed to return the surface water runoff to the ground by infiltration. The principles of the proposed SUDS techniques are welcomed and accepted by the City Council's Engineers however as the report is based on assumed infiltration rates further advice on the acceptability cannot be provided until a proper design based on actual infiltration rates has been submitted. The EA has also advised that no detailed comment can be provided in response to the Drainage Strategy for the same reasons and re-iterates that a discharge to ground of surface water drainage will not be acceptable if the ground water level is similar to a nearby borehole at 0.4 metre below ground level but if tests show that ground water levels are significantly deeper then this position will be reviewed.

Should Members be minded to grant planning permission for the proposal, I would recommend that planning permission not be issued until the further investigations required in order to inform the surface water drainage system for the scheme have been carried out and a scheme that satisfies the EA and the Council's drainage engineers has been submitted. If planning permission is forthcoming for the scheme then full details of the surface water disposal would be made a condition of the planning permission along with conditions requiring the long-term maintenance of it.

DISCUSSION

The site lies centrally within and surrounded by the built development of the village. As such the principle of residential development on the site is considered acceptable. Much of the objection to the application is in respect of the amount of development that is proposed, in terms of the number of units (fourteen). The adopted Local Plan advises that "some villages may have the potential for some limited minor housing development, consistent with the scale of the village". Wickhambreaux is quoted in the Local Plan as being a village where residential development should be limited to minor development only. The Local Plan advises that minor development needs to be considered in context with the size and character of the village and an example is given that a development of five to ten homes on a vacant site within a larger village might be acceptable.

No further advice is given within the Local Plan as to what constitutes 'minor' development however much of the resident local population as well as the Parish Council consider the proposal for fourteen dwellings to be in excess of minor development. The Parish of Wickhambreaux contains approximately 600 dwellings, with 120 of these being located with the village itself. The proposed 14 units would equate to an increase of dwellings in the village confines of 11.66%. Without more specific advice in the Local Plan, whether or not the proposal represents a minor increase in the size of the village is a subjective assessment. Originally submitted, the proposal was for 12 dwellings. In order to meet the mix of housing types identified by the housing needs survey and the number of units required under Local Plan policy, two of the proposed houses were sub-divided to form smaller flats so the total number of units went up to 14 without increasing either the footprint or mass of the buildings or the total number of bedrooms.

Some of the objectors consider the classification of the application as a 'major' development under the Government's Development Control Statistics categorisation as meaning that this proposal cannot logically be considered to be minor. The classification is however for statistical purposes only by the Communities and Local Government and does not relate to Local Plan policy.

Given:

(i) the containment of the site, surrounded on all sides by built development and consequently resulting in minimal visual impact outside the site and neighbouring properties,

(ii) the proposal resulting in a net increase of less than 12 percent of properties in the village, and

(iii) the inclusion of five affordable units within the scheme that would meet an identified local need,

the principle of the development of this particular site with 14 dwellings is regarded as acceptable. The density of the scheme is low and not inconsistent with the village generally, much of the original village housing having smaller plots.

The issue of sustainability also needs to be considered. Wickhambreaux is not well served by public transport, with only a very limited bus service provided. The facilities within the village are also limited, comprising a public house, church and primary school. As such residents of the village are likely to be dependent on travel by private car and the site cannot therefore be construed to be very sustainable, particularly as it is classified as 'greenfield', being previously undeveloped. However, balanced against this it is also important to ensure that rural communities thrive and the proposed new development would contribute to maintaining the vitality and viability of the village. It should be noted however that the Parish Council considers the village to be viable in its current form.

The Ickham, Wickhambreaux and Seaton Conservation Area Appraisal was adopted by the City Council in January 2011. The principal purpose of this document is defined as being to provide a firm basis upon which proposals for development within the three named settlements can be assessed and it supplements and provides clarity to policies in the Local Plan and Local Development Framework. Within this document the application site is not identified as being within one of five specific character areas however the Appraisal does depict the site of the proposed dwellings as a 'water meadow or paddock' and as an area that is usually tranquil or quiet.

Specific recommendations for the management and improvement of the conservation area are given. Of particular relevance to this application are the following points:

- Any future layouts, buildings and extensions should follow local building styles and forms and use local materials and techniques characteristic of the area, including the low intensity of development.
- The scope for new buildings or large scale extensions is limited. While there is some potential for new buildings that comply with Local Plan policies it will be critical to ensure that the character of the area is preserved. Large-scale or intensive development in the conservation area would compromise that character and appearance of this area.
- Gardens around larger residences and the adjacent fields and paddocks are of considerable significance, most containing important trees and views. Even if there are instances where the effect of a single development might be held to be minimal the cumulative effect would be much greater.
- Any new development should have a visual understanding of the history of the conservation area.
- Pressure to overdevelop the villages should be resisted particularly in Wickhambreaux and Ickham as there is limited scope for additional housing development.
- Hedgerows, trees and woodland should be retained and protected.
- When considering new development this need not mean the exact copying of earlier styles, though on occasion this may be the only way. Developers should have an

understanding and respect for the character of an area when drawing up proposals, with proposals backed up by an analysis of the site and its historic context which should inform the design process.

A detailed analysis of the Wickhambreaux Conservation Area was carried out by the applicant and is contained within the Design and Access Statement. A fundamental issue is the scale of the development with the Conservation Appraisal identifying only 'limited scope for additional housing development' and advising that large-scale or intensive development would compromise the character and appearance of the area. This is an issue also raised by English Heritage. One point that does need to be emphasised is the unique character of the site, being contained on all sides by existing residential development. As there is currently no public access into the site and views of it from surrounding dwellings are largely shielded by mature hedging around the site boundaries the contribution the site makes to the conservation area is somewhat limited. It should also be noted, as recognised by English Heritage, that the site lies outside of the historic core of the village. With regards to whether the openness of the site enables the historic core of the village to be understood by creating separation between it and the areas of later ribbon development I would suggest that the large gardens associated with Closes House and Creekers Barn and to the rear of The Old Rectory adequately provide such separation.

In terms of the layout and design of the new development, this has evolved following discussion with Officers and takes the form of a large 'manor house' with associated workers' dwellings and converted agricultural buildings. In view of the nature of the site with only one vehicular access into it, a more linear form of development is not possible and the form of development as proposed is considered to be appropriate for the site. There are other examples of developments in the village which are accessed from a single entrance; Mill Close, the Mill Yard and the seven dwellings including and adjacent to Seaton Road Cottages so in this respect the layout does follow local building patterns.

The development has been designed to have the form of a manorial farm complex with a substantial and highly detailed 'manor house' of Georgian design with the remainder of the buildings comprising more simple cottages and 'converted' farm buildings. Concern has been raised by some local residents about this design approach and English Heritage has suggested that it might detract or at least confuse the significance of the existing historic buildings and an understanding of the historic development of the village. Whilst it is accepted that this may be case, given the containment of the the site by existing buildings and that the development will not be seen within the context of the historic core of the village, it is not considered that this would be so detrimental to the historic significance of the conservation area as to render the design approach unacceptable. A proposal for a development of a high quality more modern design could also have been supported by Officers but it is felt that the design approach that has been put forward will fit comfortably within the village location and meet the requirements of the Conservation Area Appraisal in terms of following local building styles, forms and techniques which may have been more difficult to achieve with a more contemporary design approach.

The density of the development is particularly low, thus complying with the Conservation Area Appraisal. The design of all of the dwellings is considered to be of a very high quality and to use appropriate vernacular architecture as well as quality traditional materials including red facing brick work, weather-boarding and plain clay tile roofs. Care would be taken to ensure that boundary treatments and hard surfacing would be appropriate for the sensitive setting.

The Wickhambreaux Conservation Area contains a substantial number of listed buildings, primarily located on The Green and The Street, some of which are Grade II* listed. The application site is separated from the listed buildings to the south and south-east on The

Street by the substantial width of garden belonging to Creekers Barn, a non listed property. Along the south-western boundary, the site appears to back onto the rear gardens of Closes House and The Old Rectory and its former stables only. The Old Rectory is a Grade II* building and the adjacent stables Grade II listed. However in view of the very substantial hedge along the shared boundary between this property and the application site, which is proposed to be retained and the distance between the listed buildings and the boundary of the application site, some 60 metres, I am satisfied that the proposal would not impact on the setting of these, or any other listing building.

Taking the above factors into account I am satisfied that the proposed development would be an appropriate addition to the village and would preserve the character of the conservation area in which it would be situated in accordance with both development plan policies and advice contained in PPS5: Planning for the Historic Environment. I am also satisfied that in the main the proposals would comply with the Ickham, Wickhambreaux and Seaton Conservation Area Appraisal which recognises that there is some potential for new buildings that comply with Local Plan policies in Wickhambreaux.

In terms of impact on neighbouring properties, the site of the proposed houses is bounded on all sides by mature hedges which are of some considerable height. It is intended to retain these hedges and as such any loss of residential amenity to the occupiers of the surrounding dwellings would be minimised. Concern was initially raised regarding the proximity of two of the units to the rear of properties fronting Grove Road and as a result the units have been moved 2 metres from the common boundary and are now sited 9 metres from it and a minimum of 24 metres from the back of the nearest house on Grove Road. Given that these units have an eaves height of no more than 3.3 metres and a ridge height of just 6.5 metres and in view of the tall intervening hedge the separation is considered satisfactory. A three bay one and a half storey high garage block to serve the large manor house is proposed close to the rear boundary with Glebe Bungalows fronting The List. Windows at first-floor level in the rear elevation of the garage are now proposed to be obscure glazed in response to concerns over loss of privacy to the occupiers of the bungalows.

The proposal includes the provision of five "affordable" housing units, which equates to 35.7 per cent and therefore complies with the Council's requirement for 35 per cent affordable housing on sites over 5 units in rural areas. A local needs survey was carried out in Wickhambreaux prior to the submission of the application and from this a need for 6 units was identified within the village. The survey identified a need for smaller units and the affordable units have been designed to meet the specific need identified in the survey. These now comprise three two-bedroomed flats, one one-bedroomed flat and one three-bedroomed house. The affordable housing provision would be secured through a Section 106 legal agreement and would be controlled so as to prevent any of the units being bought outright by tenants in the future. The provision of the affordable housing in this village would meet the objective of the City Council to support a living and working countryside with inclusive rural communities as well as the City Council's Corporate Housing Strategy for rural housing, which seeks to promote increased housing choices particularly for those on low incomes.

One of the other main concerns of local residents is in respect of highway safety and in particular the inadequacy of local roads to accommodate any additional traffic. However Kent Highways do not raise any objection to the proposal in this respect and consider that the additional traffic generated by the proposal can be comfortably accommodated by the local highway network. In order to comply with highways requirements it is proposed to realign a 130 metre stretch of Grove Road to facilitate the necessary visibility sight lines. This would involve moving the highway up to 3 metres west from its current position. As well as achieving the necessary sight lines required, the re-alignment would also improve visibility to existing driveways on Grove Road as well as forward visibility for vehicles

travelling north bound near Grove Road Cottages. A further benefit would be the improved relationship of the road with the existing houses on Grove Road, taking the road further away from them and replacing this with a grass verge which would also provide a level of pedestrian refuge.

The realignment would however involve the loss of an existing mature hedge on the north-west side of Grove Road. It is however proposed to replace the hedge and to carry out the replanting ahead of the highway works, nevertheless it would take some years for the replacement to reach maturity and there would therefore be short-term visual loss. Whilst the removal of this hedge would be contrary to Local Plan policy and the Conservation Area Appraisal, I am satisfied that the loss would be mitigated, albeit in time, with the proposed replacement. An ecological assessment of the hedge has been carried out as requested by the Countryside Officer. This concludes that the hedge does not provide habitat for any protected species other than nesting birds and that it cannot be defined as an 'important hedgerow' as it fails to meet the majority of the necessary criteria.

Another highways requirement is the provision of a new footpath both at the entrance into the site, adjacent to the boundary with Morville, and on the opposite side of Grove Road to join up with an existing footpath in front of Grove Cottages. This would involve encroachment into land to the front of Nos. 7 and 8 Grove Road Cottages which has been incorporated into the front gardens of these two houses but nevertheless remains within the ownership of KCC Highways. Discussions between KCC as owner of this land and the applicant are on-going in respect of this but are anticipated to be completed shortly. In visual terms it is considered that the new footpath is a rather suburban feature in a village which is mainly devoid of any footway. Such a feature could be considered to be contrary to the Conservation Appraisal that states access ways should not be overly engineered. Concern has been raised by some residents that such a proposal would not be safe as it would involve crossing Grove Road twice, once opposite the entrance into the site and then closer to the village centre when the existing footpath ends at Wickham Court Lane. However, the provision of the footpath is considered essential to Kent Highways in view of the pedestrian safety benefits associated with it and to existing residents as well as future occupiers of The Pear Orchard scheme. The visual impact of the proposed footpath would be minimised by keeping the width of this to a minimum (1.5 metres) and the separation of this from the adjacent road with a grass verge.

The proposed amount and siting of parking has been amended from that originally submitted to respond to concerns regarding the visual impact of this within the site. The number of parking spaces has been reduced to 32 which is consistent with current highway requirements. The reduction in number allows for a better layout as well as the removal of a previously proposed parking courtyard and its replacement with a traditionally designed car port in the form of a converted cart shed which complements the 'farmyard' concept.

Whilst only one vehicular entrance to the site is proposed, an existing entrance to the site from The List would be retained as a pedestrian path. This is considered beneficial as it would increase the permeability of the site and would provide an access through the site to non-residents. Concern is raised from local residents that both increased pedestrian and vehicular activity along The List would constitute a highways danger due to the narrow width of this together with the lack of any passing places and a substandard junction with Grove Road. Objections refer to an appeal from 1989 relating to a proposed new dwelling on The List which was dismissed on the grounds of the inadequacy of The List to accommodate any additional vehicular traffic. Subsequent advice in 1998 from the City Council in response to prospective residential development on The List was that the appeal decision created a strong presumption against any additional development along The List on highway grounds. Given the proposed pedestrian link the development would be unlikely to increase vehicular traffic on The List and as the road is predominantly used by local traffic that is aware of

potential pedestrian activity Kent Highway Services are satisfied that the current proposal, which has its vehicular access from Grove Road, is acceptable.

In summary, there are a balance of issues here consideration of which can be to some extent subjective, but the principal matters appear to be whether the level of development is appropriate to the village and whether the development and associated highway works would be so detrimental to the character of the village as a conservation area as to make the scheme unacceptable. It is not considered that highway matters and the amenity of surrounding properties are issues of such momentous as to be critical to determination of the application as these are appropriately addressed in the application.

The proposal is considered to represent a minor increase in the size of the village and as such, to comply with Local Plan policy. Furthermore, the development would bring forward five new affordable houses, which would meet an identified local need. It is concluded that the proposal would maintain the character and appearance of the locality and the surrounding conservation area and would not have a detrimental impact upon any nearby listed buildings and that therefore the historic character of the village would not be compromised. It is therefore recommended that planning permission be granted. There are however matters outstanding that must first be resolved, the first of these being the conclusion of a Section 106 Agreement in respect of development contributions and the provision of the affordable housing and the second being the development of a technical solution to the problems of surface water disposal. Both of these matters would involve the applicant in considerable additional cost and not unreasonably he would wish to proceed with a degree of certainty before committing to that additional expenditure; a Section 101 delegation is therefore sought to allow these matters to be resolved, following which the planning permission would be issued. If matters cannot be resolved satisfactorily the application will be referred back to the Committee for further consideration.

BACKGROUND PAPERS:

1. Application Ref: CA/10/1022/FUL
2. Notes of Officer's site inspection, dated 16.07.10
3. Memorandum from Kent Highway Services, dated 09.09.10
4. Memoranda from Sea Defence Section, dated 05.07.10 & 31.01.11
5. Memorandum from Planning and Regeneration - Conservation, dated 22.07.10
6. Memorandum from Archaeological Officer, dated 02.07.10
7. Memoranda from Housing Strategy & Enabling Officer, dated 23.06.10 & 21.10.10
8. Memoranda from Countryside Officer, dated 19.07.10 & 18.11.10