

Platt Borough Green And Long Mill	561747 157220	29.03.2005	TM/05/00980/FL
Proposal:	Construction of 4x4 bedroom semi-detached houses with garages and shared access with Staddleswood		
Location:	Staddleswood Maidstone Road Platt Sevenoaks Kent TN15 8JH		
Applicant:	Tatham Homes Ltd		

1. Description:

- 1.1 Members will recall refusing planning permission for a scheme proposing the construction of 4 semi-detached properties at this site at the March 2005 meeting of this Committee. The formal grounds of refusal set out in the Council's decision notice were as follows:
 1. ***The proposed development would, by reason of the height, bulk and location of the proposed dwellings, detract from the character of the immediate streetscene that is predominantly linear in its form by virtue of the views for the new backland dwellings from A25. Accordingly, the Council considers that the proposal would appear as an incongruous development that would be harmful to the visual amenities of the rural settlement of Platt. The proposal is therefore considered to be contrary to the provisions of policy P4/11 of the Tonbridge and Malling Borough Local Plan, Policy RS1 of the Kent Structure Plan 1996 and Policy QL1 of the Kent & Medway Structure Plan 2003 (Deposit Version).***
- 1.2 This case is a revised application featuring amended house designs in an attempt to address those previous grounds of refusal and, although the application still seeks detailed planning permission for the erection of 4 semi-detached dwellings within the rear garden of 'Staddleswood', the actual houses and their garages have been redesigned with a particular emphasis on reducing the height of the proposed dwellings and a reduction in their bulk and visual prominence at first floor level.
- 1.3 Access would be taken from the existing private drive serving 'Staddleswood', which would be widened and extended deeper into the site to the rear garden area.
- 1.4 The new dwellings would be two storey structures featuring traditional design detailing and extend to a height of approximately 8.1m. The drawings indicate that traditional materials will be used but precise details of materials are reserved for future consideration.

- 1.5 Each property would have four bedrooms and be served by a garage and a second car parking space. The dwellings would be arranged to face each other but stand 'side on' to the existing house. The development would provide a density of 14.7 dph across the whole of the site (6.25 per acre), with a density of about 20 dph when using just the new houses and their land take.
- 1.6 The application has been supported design statement and a planning statement. Members are invited to view these documents.

2. The Site:

- 2.1 The site comprises the 'L' shaped curtilage of a large detached house situated on the southern side of the A25. It is located within a residential area of Platt that falls within the defined built confines of the settlement. 1 & 2 Fir Tree Cottages to the north east of the site are Grade II listed Buildings.
- 2.2 The curtilage of Staddleswood benefits from a significant amount of established vegetation – particularly along its rear and side boundaries – and several specimens are now the subject of a TPO. The land slopes both from front to back (north to south) and also from the east to the west. In total, the curtilage measures some 0.34 hectares (0.8 acres) and it is proposed to use 0.194 hectares (0.48 acres) of this for the development, leaving the main house with 0.146 hectares of garden (0.32 acres). An existing access onto the A25 serves the site.

3. Planning History:

- 3.1 TM/04/03401/FL Refused 18.03.2005
Construction of 2 pairs of 4 bedroom semi-detached dwellings with integral garages and shared access with Staddleswood.

4. Consultees:

- 4.1 PC: The overall design of the proposed dwellings is considered to be much improved over the previous designs. We are still, however, most concerned by the quality of the easterly site line at the access to the A25. It would appear to this Council that a very minor adjustment to the access point by moving it about 2mtr to the West would have an immense improvement to this easterly site line. This could be accomplished without affecting any of the trees in front of the old dwelling that have TPOs.
- 4.2 KCC (Highways): No objections subject to conditions to safeguard visibility and parking and turning facilities.
- 4.3 DHH: There is no obvious collection point on the private drive at its junction with Maidstone Road for refuse collection and recycling.

4.4 Private Reps: Art 8 Site Notice + 10/2R/0X/0S. The objections received raises the following material planning concerns.

- The amended proposals still propose bulky structures that represent 'backland' development and, consequently, do not overcome the previous objections that such the development would represent "*incongruous development that would be harmful to the settlement of Platt*".
- The proposal would give rise to an undue loss of privacy to neighbouring property.
- Permitting this application would set a precedent for similar applications in this part of rural Kent.
- Highway safety would be compromised by the proposal, which would raise the average number of traffic movements from 8 per day to 40 per day – particularly since pedestrian vision splays are considered to be substandard.
- Proposal would add to burdens on local infrastructure such as schools and health provision.

5. Determining Issues:

5.1 As Members will recall when planning application TM/04/03401/FL was considered, the principle of such a development was viewed as acceptable because the site lies within an area of 'built confines'. It was also resolved that the actual principle of a 'backland' development in this particular location could be acceptable providing that the visual impacts of the proposed dwellings was such that there would not be any undue erosion of the linear character of this side of Maidstone Road.

5.2 In response to the grounds of refusal, the applicants have sought to reduce the visual prominence of the proposed dwellings when viewed from outside the site and, principally, when viewed from the A25 and Minters Orchard. The revised proposals feature dwellings with ridge lines that have been reduced in height by approximately 1.6metres through dropping the first floor windows into the eaves of the roof and by amending the roof designs by deleting previously dominant large cat slides and the introducing less visible gable and smaller hip end designs. The integral garages that were originally set underneath the large cat slides have been provided as detached units under hipped and gabled roofs. The use of a narrow driveway with carefully positioned landscaping to obstruct views along that channel road is also featured by this layout and this will help to further reduce the visual prominence of the houses from the A25.

5.3 The changes to the development scheme have meant that both the height and extent of bulk at first floor level have been reduced, with a net result that the ridges of the new properties will be lower than that of Staddleswood. Thus, the new

houses will be screened to a large extent by that existing house. Consequently, the new dwellings will be much less visible in the streetscene than the originally proposed structures.

- 5.4 Whilst certain upper sections of the new houses will still be visible from some aspects of the site gained from the public highway – in my view the revised house designs will reduce the visual impacts of the development on the streetscene to a level that would now appropriately safeguard the linear character of this stretch of A25. The development would still leave Staddleswood as the dominant aspect of built form viewed from that road and, therefore, I find the visual impacts of the proposals upon the surrounding locality and the wider rural visual amenities to be acceptable.
- 5.5 In terms of the actual individual appearances of the new houses, the proposed detailing and materials are of a satisfactory quality to adequately respect local vernacular and character. Given the quality of the proposed materials, and the fact the new houses would be over 30 m away from 1 & 2 Fir Tree Cottages, in my view there would not be any undue harm to the setting or character of those Grade II Listed Buildings.
- 5.6 Whilst the relatively spacious, low density, character of this site will inevitably be reduced significantly by this more intensive use of the land, the proposed density level is entirely acceptable for this locality. Current policy is to exploit the use of sites like this that exist within areas of built confines subject to respecting local character. The proposed density of approximately 15 dph across the whole of the Staddleswood site is considerably less than the recommended policy target of 30dph prescribed by government guidance. However, this density level strikes a balance between exploiting the use of the land and reflecting the relatively spacious and low-density nature of this part of Platt. I feel therefore that this lower density type of proposal can be justified in these circumstances.
- 5.7 Turning now to highway issues, whilst I note the local concerns raised by the PC and a resident, KCC Highways has raised no objection on the basis that this is a 30 mph zone and the number of additional vehicle movements onto the A25 would not give rise to an increase in risk of accidents or significant traffic delays. The proposals that the proposed parking and turning facilities meet relevant standards and. The access would be both widened and improved in terms of its pedestrian visibility.
- 5.8 With respect to issues relating to residential amenity, the new dwellings would be sited a sufficient distance away from each other and the surrounding properties to ensure that applicable privacy and lighting standards are met. Accordingly, I can not identify any sustainable objection to this application on the grounds of harm to residential amenity.

5.9 Dealing finally with the issues of impacts upon existing mature protected trees, the submitted tree survey provides a comprehensive assessment about the impacts of the proposals on the existing vegetation at the site and in its approach trees are not identified as being adversely affected.

6. Recommendation:

6.1 **Grant Planning Permission** as detailed in drawing nos. 16498C/01; 16498C/02; 16498C/03 and 16498C/04 and subject to the following conditions:

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

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

2 No development shall take place until details and samples of all materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details. (D001)

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

3 The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4 The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).

(b) No fires shall be lit within the spread of the branches of the trees.

(c) No materials or equipment shall be stored within the spread of the branches of the trees.

(d) Any damage to trees shall be made good with a coating of fungicidal sealant.

(e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission, no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.

(f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

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

- 5 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space. All integral garages are to be a minimum of 2.6m x 5.6m and parking bays to be a minimum of 2.4m x 4.8m.

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

- 6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the roofs of the buildings without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of the amenity and privacy of adjoining property.

- 7 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the north elevation(s) of the buildings other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B or E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto. (R001)

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and to ensure that any further alterations do not adversely affect the area or other property.

- 9 The development shall be constructed at the level indicated on the approved drawing.

Reason: In the interests of amenity and privacy.

Informative:

- 1 The proposed development is within a road which does not have a formal street numbering and, if built, the new property/ies will require new name(s), which are required to be approved by the Borough Council. To discuss suitable house names you are asked to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or telephone Trevor Bowen, Principal Legal Officer, on 01732 876039. To avoid difficulties, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation. (Q049)

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