
Borough Green Borough Green And Long Mill	560526 157358	07.07.2005	TM/05/01700/FL
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Proposal:	Four bedroom detached house
Location:	74 Sevenoaks Road Borough Green Sevenoaks Kent TN15 8AP
Applicant:	Mr Gary Harrington

1. Description:

1.1 The application seeks planning permission for a two storey detached dwelling, with parking to the front of the property. It is proposed to use the existing access which serves the existing adjacent dwelling.

2. The Site:

2.1 The site is currently part of the garden for 74 Sevenoaks Road. The site lies within the built confines of Borough Green. The site fronts on to Sevenoaks Road. To the rear is a mainline railway track. Currently the site has a garage serving the existing dwelling. There are a number of mature trees in the garden, which slopes up away from the house. A lodge style dwelling lies to the east.

3. Planning History:

3.1 None relevant.

4. Consultees:

4.1 PC: No observations.

4.2 KCC (Heritage): No objection.

4.3 DHH: No objection.

4.4 KCC (Highways): No objection.

4.5 Network Rail: Has no interest in the application.

4.6 Private Reps: Art8 Site + Press Notice (7/0S/0X/3R). Two responses received, raising the following objections:

- The application shows that no tree felling will be required. It appears that at least 3 mature trees would have to be removed from the applicant's garden and 5 or 6 trees will be damaged on in the adjacent property.
- The proposed building would be built at the top of a slope 10-12 feet above the adjacent house and garden.

- The proposal would result in a loss of privacy and result in a loss of light to the adjacent property.
- The proposal is not in accordance with the Local Plan policies which do not allow the construction of new premises onto the main trunk road. Sevenoaks Road is a busy trunk road. The site is also near a blind bend.
- There appears to be allocated parking for 3 vehicles to the front of the site. However, this land does not belong to the applicant. If this land was sectioned off by the owners, where would the owners of the proposed dwelling park?
- The design appears to be out of character with the rest of the area and protrudes further than the line of the existing dwelling.
- The proposal would obscure the outlook from the adjacent property.
- A four-bedroomed house would affect the landscape.

5. Determining Issues:

- 5.1 The main determining issues associated with this application are the principle of such a development in this location, impacts on traffic, noise implications, impact upon trees within the site and whether the proposed design is in-keeping with the amenity of the surrounding locality.
- 5.2 The site lies within the village confines of Borough Green, which has been identified as an RS2 rural settlement under Policy P6/1 of the TMBLP, where minor residential development is appropriate. A site suitable for infilling must be able to accommodate a new dwelling/s conformably and provide sufficient space for parking.
- 5.3 Policies RS1 of the KSP and P4/11 of the TMBLP require proposals not to harm the particular character and quality of the local environment and wherever possible should make a positive contribution to the enhancement of the area. Development should also be well designed, appropriate in location, scale, density and appearance to its surroundings; acceptable in highway and infrastructure terms; and should enhance the character, amenity and functioning of settlements. I am of the opinion that the height and bulk of the proposed dwelling is in-keeping with those situated to the west on Sevenoaks Road, however, the proposed building does not relate well to the lodge style building to the east. West Bank Lodge is set at a lower level to the application site by approximately 2 metres (6½ ft), the difference in level does vary along this boundary. There are some mature trees along the boundary. However, I consider that the proposed dwelling could have an overbearing impact upon the principal elevation of West Bank Lodge which faces the development by virtue of its overall height. The proposed dwelling would be 5.2m at the eaves with a ridge height of 8m, when viewed from West Bank Lodge this would appear as 7.2m and 10m.

- 5.4 KCC (Highways) is of the opinion that the proposed new dwelling will not have an adverse impact on highway movements. The proposal shows that three parking spaces can be provided for the proposed dwelling and for no. 74 Sevenoaks Road, where there would be a loss of garaging as a result of the proposal. The proposal also shows that there would be satisfactory turning space for these properties. Part of the land shown for parking for the proposed dwelling is not within the applicant's ownership (the necessary certificate has been issued to cover this fact). A condition can be used requiring 3 parking spaces to be provided prior to the dwelling being occupied and retained at all times, in order to protect the parking as much as possible. Parking and turning for the existing dwelling can be provided within its own site.
- 5.5 The site is subject to some noise impact from the nearby railway and A25, but not sufficient for DHH to recommend refusal. However, I am of the opinion that provided satisfactory measures are taken to control the noise, the criteria in Policy P3/17 of the TMBLP can be met by the development.
- 5.6 I note the concerns raised in relation to the impact of the proposal on the sunlight and daylight of neighbouring properties. West Bank Lodge is situated approximately 10 metres from the proposed property, and at an angle from the proposal. As such, I am of the opinion that the proposal will not result in loss of light to this property to an extent where significant harm could be argued. The proposed property is situated approximately 4m from 74 Sevenoaks Road, also within the applicant's ownership. This property has a first floor side dormer window facing the proposed dwelling. Given the distance of the window from the development, I am of the opinion that the proposal will not result in a significant loss of light to this window. As such, I am of the opinion that the proposal is in accordance with policy PA4/12 of the TMBLP in terms of daylight provision.
- 5.7 In terms of privacy, the proposed dwelling has no first floor side windows serving habitable rooms. The ground floor has a window to the east serving a dining room. The 1.8m close-boarded fence would reduce any privacy issues resulting from the dining room window, along with mature boundary planting which exists along the boundary. Therefore, I am of the opinion that the proposal will not result in a significant loss of privacy to the adjacent properties.
- 5.8 I note the concerns raised in relation to the proposal being set further forward from the adjacent property. The proposed dwelling does not protrude significantly further forward of 74 Sevenoaks Road, and is further back from the highway than West Bank Lodge, therefore I do not consider that it would have a detrimental impact on the character or setting of the streetscene.
- 5.9 There are a number of trees on the site and a tree survey has been submitted as additional information. The majority of trees on the site are not of high amenity value, however, there is a significant Field Maple situated to the front of the proposed dwelling. It is considered that this mature tree is of high amenity value to

the local area and would be damaged considerably by construction of a new dwelling. The Field Maple is of such amenity value that a Tree Preservation Order has been requested to seek its long-term protection.

- 5.10 The principle of a dwelling on this location is acceptable in broad policy terms, as there is sufficient space to accommodate a dwelling on the site. However, the detailed design has been considered and in this location the proposed dwelling would cause harm to trees and harm to residential amenity by way of an overbearing impact. The proposal does not therefore meet the requirements of and infill dwelling in the built confines as identified in P6/1 of the TMBLP.
- 5.11 In light of the above considerations, I am of the opinion that the proposal would cause undue harm to the outlook of West Bank Lodge by way of an overbearing dwelling located close to the boundary of the two properties. I also consider that the proposal would be detrimental to an important Field Maple, now the subject of a Tree Preservation Order.

6. Recommendation:

- 6.1 **Refuse Planning Permission**, as detailed in letter dated 07.07.2005 and plan nos. 0505/2, 0505/3, 0505/4, 0505/1, plans date-stamped 04.07.2005 and additional information date-stamped 04.08.2005, for the following reasons:
- 1 The proposal, by virtue of its size and close proximity to adjacent dwellings, would be seriously detrimental to the amenity of the occupants of those dwellings because of a loss of outlook, and because it would result in an overbearing development. The proposal would therefore be contrary to policy P4/11 of the Tonbridge and Malling Borough Local Plan 1998 and in turn Policy QL1 of the Kent and Medway Structure Plan 2003. (DR06*)
 - 2 The site is affected by a Tree Preservation Order, and the Local Planning Authority considers that the development would result in harm to, and the potential loss of trees, which would be detrimental to the visual amenities of the locality. The proposal is therefore contrary to policy P3/8 of the Tonbridge and Malling Borough Local Plan 1998. (LR01*)

Contact: Lucy Stainton