

| | | | |
|---------------------------|---|-------------------|-----------------------|
| Ightham Ightham | 559521 156681 | 22.03.2006 | TM/06/00931/FL |
| Proposal: | Construction of 2 bay garage and access | | |
| Location: | Land Rear Of Hortondene The Street Ightham Sevenoaks Kent TN15 9HH | | |
| Applicant: | Mrs M Allwood | | |

1. Description:

- 1.1 The proposal seeks planning permission for a 2 bay garage in the rear garden of the property. It is proposed that the garage would be timber boarded with a plain tiled pitched roof. The site would be accessed by a proposed driveway that would branch off the access way that links the main village hall car park and the recently-constructed "lower" car park to the rear.

2. The Site:

- 2.1 The proposed driveway would be sited within the MGB and ALLI. The proposed garage would be situated within the village confines and Ightham Conservation Area. The entire site lies within an AONB and SLA.
- 2.2 The garage would be sited within the residential curtilage of Hortondene. The main dwelling fronts onto The Street. The property has a long rear garden.

3. Planning History:

- 3.1 TM/02/01167/FL Approved 30.08.2002
Extension to car park and construction of passing bay on existing access road at land to the rear of Ightham Village Hall, Sevenoaks Road, Ightham.

4. Consultees:

- 4.1 PC: While we have no objection to the proposal to build a garage to the rear of Hortondene within its residential curtilage, we do have reservations of principle about the construction of access over PC land.
- 4.2 KCC (Highways): No objections.
- 4.3 EA: No objections.
- 4.4 Private Reps: 12/0S/0X/2R. 2 letters received, objecting on the following grounds:
- this proposal may open the woodland up to further development;
 - this proposal could lead to a future proposal to erect a dwelling in the rear garden;

- access rights granted now could make it difficult to use this site in the best interests of the community;
- uncertainty as to how the rest of the site came into the PC's possession;
- the proposal is inappropriate in the CA;

5. Determining Issues:

- 5.1 The proposed driveway does not fall into any of the categories of "appropriate" development within the MGB under PPG2: Green Belts, or policies MGB3 of the KSP and P2/16 of the TMBLP. Therefore, this element of the proposal represents inappropriate development within the MGB.
- 5.2 Nevertheless, given the very limited visual impact of the driveway itself, I am of the opinion that the proposal will not have a significant impact upon the openness of the countryside.
- 5.3 The proposal will involve removing a couple of trees. However, these trees are not worthy of retention. I am of the opinion that the proposal will not have a detrimental impact upon the character of the Conservation Area. The proposed vehicular access would be constructed of gravel bonded in bitumen, which would not in my opinion detract from the rural amenity of the locality.
- 5.4 The proposed garage will not have a detrimental impact upon the amenity of the locality or neighbouring properties. The garage would be positioned at a lower ground level than the car park and would be screened by trees and shrubs.
- 5.5 The number of additional vehicular movements resulting from the proposal would have a minimal impact on the use of the car park and adjacent highway. However, the gradient of the vehicular link road between the upper and lower car parks is fairly steep and the connection to the proposed access road will be an awkward geometric link. The applicant has amended the plans to increase the entrance radii to 3m, which would also aid sight lines at this point. Traffic using the link between the two parts of the car park should be travelling relatively slowly, and I do not consider that this proposal raises any wider public safety issues.
- 5.6 I note the concerns raised about constructing the access over Parish Council land. However, those concerns appear to relate to matters of principle which are not material planning considerations.
- 5.7 I note the concerns that the current proposal may result in a future proposal to erect a separate dwelling to the rear of Hortendene. However, should such an application be made, this would be considered against the policies within the TMBLP and any other material considerations.

5.8 I note the concerns raised that the application could create a precedent. However, any further applications would be considered on their own merits - if they are submitted.

5.9 In light of the above I consider the proposal to be acceptable.

6. Recommendation:

6.1 **Grant Planning Permission** as detailed in letter dated 21.03.2006 and plans date-stamped 22.03.2006, subject to the following conditions:

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

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

2 All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

3 No development shall take place until means of surface water disposal have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity.

Informatives:

1 This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners. (Q040)

2 The granting of this permission does not purport to convey any legal right to block or impede any private right of way which may cross the application site without any consent which may be required from the beneficiaries of that right of way. (Q041)

Contact: Glenda Egerton