
Borough Green Borough Green And Long Mill	561472 157313	10.05.2006	TM/06/00922/FL
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Proposal:	Detached house
Location:	Rear Of 1 + 2 Crow Hill Borough Green Sevenoaks Kent TN15 8HR
Applicant:	Mr L Chown + Mr R Webster

1. Description:

- 1.1 The proposed dwelling house would replace the existing double garage that is currently located within this site. The main part of the dwelling would measure 9m in width x 10.5m in depth x 7m in height to the ridge. A single storey garden room would be located to the rear of the main dwelling. The dwelling would incorporate a hipped roof that would contain a catslide to the front and a dormer window at first floor level. The house would also incorporate a protruding gable to the front elevation. The house would contain a kitchen, living, dining room, garden room and integral garage at ground floor level and 4 bedrooms and two bathrooms at first floor level. Whilst no details of materials have been submitted, the building would be finished externally with brickwork at ground floor level and tile hanging at first floor level.
- 1.2 Whilst the application site address is rear of 1 and 2 Crow Hill, the proposed dwelling would front on to Crow Hill Road where vehicular access to the proposed dwelling would be taken from.

2. The Site:

- 2.1 The site lies within the settlement confines of Borough Green, on the west side of Crow Hill Road. The property is surrounded by residential development of mixed age, character, size and design. The existing garage and driveway that are located within the application site serve No. 1 Crow Hill.

3. Planning History:

- 3.1 TM/05/02875/FL Granted 16.09.2005
Double garage (No. 1 Crow Hill).
- 3.2 TM/84/0458 Granted 25.06.1984
Double garage (No.1 Crow Hill (within the current application site)).

4. Consultees:

- 4.1 PC: Objections. The proposal is considered to be out of keeping as the size is overbearing on the neighbouring properties.

4.2 DHH: (Pollution Control): No objections

4.3 KCC (Highways): Under KCCVPS the proposals could attract a requirement for three parking spaces. The proposed garage is of acceptable size, although the front of the garage should be set back a minimum of 5.5m from the highway boundary, whilst other parking can take place in front. The application site is accessed via Crow Hill Road, which is a public highway abutting the eastern side of the site, whilst a Private Street fronts the original dwelling of Nos. 1 and 2 Crow Hill to the north.

Currently off street parking is provided for No. 1, whilst No. 2, seems to have no off street provision: the parking provision for the existing houses will therefore be unaffected.

In principle, the proposals shown are acceptable, subject to suitable parking provision. The garage to be set back (5.5m) and the new crossing to be carried out to the highway manager's requirements.

No footway abuts the site, but pedestrian vision splays 2m x 45degree x 2m to be shown to maintain safe visibility from the site.

Surface water from the site to be dealt with on site and not discharged onto the public highway.

4.4 Private Reps: 6/0X/0S/1R. The letter raises the following material planning objections:

- Loss of privacy to properties on opposite side of the road.
- House is too large for the size of the plot.
- Harm to highway safety as road is too narrow for additional traffic generated by another dwelling.

5. Determining Issues:

5.1 The main issues with this application concern the principle of the development, its impact upon the character of development in the locality and highway safety.

5.2 The site is located within the settlement confines of Borough Green, where minor residential development is acceptable in principle under the terms of policy P6/1 of the TMBLP 1998.

5.3 I note the comments of the local resident that the house is too large for this particular plot. However, the proposed dwelling fits comfortably within the site and includes a rear garden, driveway, and small front garden. Due to this, I do not consider that the proposed development would be cramped within this site.

- 5.4 Policy P4/11 of the TMBLP seeks to control the quality of new development, where proposals should respect the local character and should not harm the visual amenity of the locality. However, there is no uniform style, size or design of dwelling or uniform use of external materials in the immediate locality. The proposed dwelling is of a similar size and height to others in the locality. The form and design of the dwelling is different to that of the neighbouring dwellings, but given the variation in the size, style and age of properties, I do not consider that the proposal would detract from the character of the street scene nor the visual amenities of the locality. The combination of brickwork and tile hanging is widely used in the local area on both older and modern dwellings. The proposal has also been amended in order to incorporate a small front garden within the site in order to soften the impact of the proposed dwelling. Therefore, in terms of the scale, form and detailed design of the dwelling, I consider that the proposal complies with local plan policy P4/11.
- 5.5 In light of the position of the proposed dwelling within the site, I am satisfied that it would not cause an unacceptable loss of sunlight or daylight to the adjacent dwelling house. The proposal contains windows in the flank wall at first floor level that would serve bathrooms. As these windows can be required to be obscure glazed, I am satisfied that these windows would not cause a loss of privacy to the neighbouring residential properties to the north and south. The proposed house would face towards the end of the rear garden serving No. 3 Crow Hill. There would be an oblique view from the first floor of the proposed dwelling towards the rear elevation of No. 3 Crow Hill (and its private garden area). However, there would be a distance of over 21 m between the rear elevation of the proposed dwelling and that of No. 3 Crow Hill. In light of this distance and that the two dwellings would not directly face one another, I consider that the proposed dwelling would not cause an unacceptable loss of privacy to this neighbouring property. I note the comments of the local resident living in Crow Hill Road that the proposed dwelling would overlook No. 4 Crow Hill Road, situated on the opposite side of the road to the application site. However, the proposed dwelling would look towards the gap that separates Nos. 2 and 4 Crow Hill Road. The local resident also considers that the dwelling would overlook the side garden of her property (No. 2 Crow Hill Road), thereby eroding her privacy. However, the proposed dwelling would not overlook the private garden area of this dwelling, which is the area immediately to the rear of the dwelling house. As such, I am satisfied that the proposed development would not cause an unacceptable loss of privacy to the neighbouring residential properties.
- 5.6 I note the concerns of the PC and local resident regarding highway safety. The development has been amended in line with comments from Kent Highways so that a distance of 6.4m would exist between the front edge of the proposed integral garage and back edge of highway. The width and length of the proposed driveway is such that it would comfortably accommodate 2 vehicles and the proposed integral garage is also of an acceptable size (5.5 x 2.9m (internal dimensions)). Whilst Crow Hill Road is narrow, the proposal would provide an

adequate level of off road car parking. Kent Highways has not objected to this proposal and I consider it to be acceptable in terms of highway safety.

- 5.7 Whilst the proposed development would result in the double garage serving No.1 Crow Hill being demolished, permission was granted under ref. TM/05/02875/FL to erect a double garage and driveway to the side of the house within its retained plot. This has now been constructed and as such the proposal would not result in the loss of off street car parking for that dwelling house. The proposal would not interfere with the parking arrangements connected with No. 2 Crow Hill.
- 5.8 In light of the above, I am satisfied that the proposed development is acceptable and therefore recommend that planning permission be granted.

6. Recommendation:

- 6.1 **Grant Planning Permission** as detailed in plan no. 2006-24-01 date stamped 18.05.2006 and site location plan date stamped 21.03.2006, 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 No development shall take place until details and samples of 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.

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 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.

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

- 4 The garage(s) shown on the submitted plan shall be kept available at all times for the parking of private motor vehicles.

Reason: Development without the provision of adequate vehicle parking space is likely to lead to hazardous on-street parking.

- 5 The access shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the carriageway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 6 No gates shall be provided to the proposed vehicular access without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety.

- 7 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the 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.

- 8 The windows situated at first floor level on the north and south (flank) elevations of the dwelling shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the extension is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

- 9 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 at first floor level in the north and south (flank) elevations of the building 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.

Informatives:

- 1 The applicant is advised that surface water from the site should not be discharged onto the public highway.
- 2 The applicant is advised that the Borough Council operates an edge of highway refuse collection service.
- 3 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate number(s) to the new property/ies. To discuss the allocation of numbers 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.

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