



**4. Consultees:**

- 4.1 PC: Objection. This would result in the overdevelopment of the site. The orientation of the building should reflect that approved under TM/05/01345/FL to protect the privacy of neighbouring property "Wendings".
- 4.2 KCC (Highways): The proposal requires the provision of a maximum of three off street car parking spaces. The details show the provision of a suitable garage with driveway parking and on site turning. Applicant will need to liaise with the local authority regarding refuse collection/bin storage.
- 4.3 KCC (Archaeology): The application site lies 200m east of one of the comparatively few archaeological sites in the area. A group of sarsen stones were excavated in c.1956. The stones formed a quarter of a circle c.10m in radius. Pottery was also recovered which was identified by the British Museum as of late Iron Age date. Further from the application site are Palaeolithic flint tool finds 450m south-east. The proposed dwelling is a substantial one. The necessary extensive groundwork may therefore expose archaeological remains and I would therefore recommend that within any forthcoming consent, provision be made for a watching brief.
- 4.4 Private Reps (including Art 8 Site Notice): 10/0X/0S/5R. The grounds for objection are:
- Overdevelopment of the site.
  - It would be a dominant feature in the Bourne Valley.
  - It would have an unsympathetic design that is out of keeping with the natural beauty of the area.
  - Loss of privacy to "Wendings".
  - The bulk/mass and height of the proposed house is too large for this site.
  - The proposal does not comply with the Plaxtol Design Statement due to its scale and massing.
  - The applicant will operate a business from the proposed house if permitted, but the application makes no reference to this.

**5. Determining Issues:**

- 5.1 The main issues with this proposal are the principle of the development, its impact upon the character of the locality and the residential amenity of the adjacent properties.

- 5.2 The site is located within the settlement confines of Plaxtol where minor residential development is acceptable in principle, provided that it would conserve and enhance the special character of the settlement (TMBLP policy P6/13) and respect the linear street character of the village (TMBLP policy P6/5). Whilst the proposed dwelling would be behind the dwellings that front onto this part of The Street, this does reflect the existing pattern of development, given the bungalow that previously existed within this site. Furthermore, planning permission exists for a large detached dwelling within this site. In light of these factors, I consider that the principle of the proposed development is acceptable in broad policy terms.
- 5.3 Many of the objections raised by local residents to the proposed dwelling relate to the size, scale, bulk and design of the proposed house. However, planning permission currently exists for a large detached house within this site (TM/05/01345/FL). As such, the current proposal has to be assessed against the permitted scheme to see how and where they differ in terms of their size, bulk and design. The proposed dwelling takes a similar architectural style to the previously approved dwelling and is marginally longer (18.5m compared to 17.7m). Both schemes are also similar to one another in terms of their width and they also share the same ridge height (8.2m). The main difference between the two schemes is that where the approved dwelling incorporated a single storey side addition with a mono-pitched catslide roof, a two storey element is now proposed, that essentially fills in the void above the approved single storey part of the approved dwelling. The current scheme also incorporates rear catslide projections at each end of the dwelling house. The current proposal is not, in my opinion, significantly larger in terms of scale, bulk and mass than that of the approved dwelling for this site. The orientation/position of the proposed dwelling also differs from the previously approved scheme. In the current scheme the dwelling is aligned north/south, rather than east/west in the approved scheme and the building has been moved further west, closer to the residential curtilages of the properties Kingsdown and Pennyhaugh. The proposed layout leaves much open and private space to the rear (south) and to the east of the proposed dwelling. In light of these factors and given the size of the application site area (0.24ha), I do not consider that it would amount to an overdevelopment of this site.
- 5.4 The proposed dwelling would be larger than any of its near neighbours. However, large detached dwellings are not uncommon to Plaxtol village and the surrounding area. Indeed, as has been stated above, the proposed development is not dissimilar in terms of its scale, size and form to that of the dwelling that was previously granted permission by the Borough Council for this site and is not considered to be an alien form of development in this edge of village location. The site is not readily visible from The Street, but is from PROWs MR335 and MR339, one of which is located to the east of the site and the other to the south-west. However, the orientation and position of the proposed dwelling is such that, when viewed from MR335, which runs from The Street to Long Mill Lane, the building would present a smaller façade than in the approved scheme (an 11m wide two storey half hipped flank elevation compared to the 18m long frontage of the

approved scheme). The proposal would have a similar bulk to the approved scheme when viewed from PROW MR 339 to the south-west of the application site, in my opinion. In light of these factors, the proposed dwelling would be no more intrusive (and from certain viewpoints less intrusive) upon the local landscape than the approved scheme. Due to this, and because it is intended to finish the dwelling externally with good quality materials that are widely used in the locality, I do not consider that the proposed development would detract from the natural beauty of the AONB/SLA.

- 5.5 Members may recall that the reasons for refusing the first scheme for a dwelling (TM/04/01917/FL) related to its height, scale and position and how as a result of these factors the dwelling would impact upon the landscape, particularly as it is located on rising land when viewed from the PROW MR335 and Long Mill Lane to the east of the application site. The current scheme, therefore, has to be considered against this previous one to assess whether those reasons for refusal have been overcome. The height of the proposed building is the same as the one previously refused. However, as has been stated earlier in this report, it is also of the same height as the dwelling that was later granted planning permission. The form/design of the proposed dwelling is also more in keeping with this semi-rural location than that of the refused scheme. The proposed building is also set further to the north and west within the application site (towards the existing properties in The Street) than the dwelling the subject of the refused scheme, further away from the adjacent countryside. In light of these factors, I am satisfied that the proposed development overcomes the reason for refusing the previous scheme to develop this site.
- 5.6 Members may also be aware of the recently refused scheme (TM/06/00489/FL) which sought permission for a large neo-Georgian manor house to be located within this site. This application was refused due to the height, scale, bulk and location of the proposed dwelling being detrimental to the rural character of the locality. That proposal would have had a far greater impact upon the local landscape than the scheme currently proposed due to the scale, bulk, form and design of this neo-Georgian manor house.
- 5.7 Much concern has been expressed regarding the orientation of the proposed dwelling and that it would overlook the dwellings "Wendings" and "Kingsdown" that front onto The Street. The proposed dwelling would, indeed look directly into the rear gardens of these properties. However, a distance of over 40m stands between the front elevation of the proposed dwelling and the rear elevations of these existing dwellings. Under policy P4/12 of the TMBLP, a distance of 21m between dwellings is required in order to protect the privacy of neighbouring dwellings. Whilst advice in Kent Design recommends designing the layout of developments so as not to directly overlook neighbouring properties, rather than relying on distance alone to safeguard the privacy of neighbouring dwellings, due

to the significant distance between the proposed house and the existing dwellings in front it, I am satisfied that the proposal would not result in an unacceptable loss of privacy to the neighbouring properties.

- 5.8 In terms of highway safety, the proposal incorporates a double garage and large drive to the front of the house that would provide a satisfactory level of car parking for the proposed dwelling.
- 5.9 I note the comment of the local resident regarding running a business from home within the proposed dwelling. If permission is granted for this dwelling and such an activity occurs within the property at a later date, the matter could be investigated at that time. However, working from home does not necessarily amount to a material change in the use of the property, depending upon the nature and extent of the activities involved.
- 5.10 In light of the above, I would recommend that planning permission be granted.

## **6. Recommendation:**

- 6.1 **Grant Planning Permission** as detailed in letter dated 10.05.2006 and plan nos.320/PL05, 06, 07, 08, 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.

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- 4 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.

- 5 No development shall take place until details of the slab level of the dwelling have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

- 6 No external lighting shall be installed on the dwelling hereby approved or within the curtilage of the dwelling without the prior written approval of the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality

- 7 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority. (C005)

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Informative:

- 1 The applicant is advised that the Borough Council operates a back edge of pavement refuse collection service and as such refuse bins will need to be placed adjacent to the public highway on the day of collection.

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