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<b>Plaxtol</b> Borough Green And Long Mill	<b>560749 153425</b>	<b>06.10.06</b>	<b>TM/06/01610/FL</b>
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Proposal:	Construction of detached 2 storey dwelling with garage block and ancillary works
Location:	Rooks Hill The Street Plaxtol Sevenoaks Kent TN15 0QL
Applicant:	Mr + Mrs R Olnier

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### **1. Description:**

- 1.1 Members will recall that this item was deferred from the July meeting of Area 2 Planning Committee to enable Members to visit the site. This visit took place on 5 September 2006.
- 1.2 Following the site visit the applicant submitted details of the internal floor level of the proposed dwelling (20.42m AOD). The Council also directed the applicant to submit photo montages of the proposed house sitting in the existing landscape, as viewed from two locations along footpath MR335 which is located to the east of the application site and links The Street to Long Mill Lane. The viewpoints of the submitted photomontages are the same two locations that Members viewed the application site from.

### **2. The Site:**

- 2.1 The site is located within the settlement confines of Plaxtol, on the south side of The Street. The site is located on the boundary of the settlement confines and is surrounded by open countryside to the south and east. The site is also located within an AONB and SLA, but lies outside the Plaxtol CA. Residential properties are situated to the north and west of the application site. The site is accessed from The Street via a private track measuring approx. 60 m in length, which also provides vehicular access to the neighbouring bungalow (Brambly). Until recently, a modest bungalow stood within the site.

### **3. Planning History:**

TM/04/01917/FL	Refuse	20 October 2004
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Demolition of existing dwelling, garage and outbuildings and construction of a replacement dwelling with integral garaging

TM/05/01345/FL	Grant With Conditions	26 July 2005
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Demolition of existing dwelling, garage and outbuildings and construction of replacement dwelling and garage

TM/06/00489/FL

Refuse

29 March 2006

Demolition of existing dwelling and outbuildings and construction of a detached two storey dwelling with garage block and ancillary works

**4. Consultees: (Received since the July meeting of APC2)**

4.1 PC: The proposal remains over-development of the site in terms of height and bulk. The montages not only confirm this but also highlight the inappropriate visual impact that such a prominent building will bring. The proposal does not comply with the Plaxtol Design Statement with regard to scale, massing, removal of trees and the lie of the land.

4.2 Private reps: 14 further letters of objection have been received re-iterating earlier objections concerning the mass, scale and position of the building being out of keeping with the locality; not complying with the Plaxtol Design Statement and causing a loss of privacy to neighbouring properties. The following comments have been made regarding the photo montages:

- The montage makes the existing house towards the right seem more prominent than the proposed buildings whereas the true effect would be quite the opposite.
- It suggests that the scale of the proposed buildings would fit in well with their surroundings, whereas when viewed from most other angles, the buildings would appear oppressively large.
- The montages are of very limited help. It is not possible to ascertain if the montage is accurate without the help of a datum or local landmark positioned near to the proposed house.
- The view points selected for the montages are not critical to the overall visual impact of the development within this section of Bourne Valley. It is the views from the windows of the overlooked adjacent properties that are important and should be accurately assessed.

**5. Determining Issues:**

5.1 I consider that the photomontages provide a good representation of the position, height and bulk of this development when viewed from these viewpoints along public footpath MR335. The presence of the adjacent bungalow (Brambly) and the house at "Coppers Oak" provide useful reference points to gauge the mass and height of the proposed dwelling.

- 5.2 I note the comments from the local resident that it is the view of the proposed development from the windows of the adjacent houses that is important. Whilst I can understand this view, there are no rights to a view and the issue of privacy has been addressed in my report to the July meeting of Area 2 Planning Committee.
- 5.3 With regard to comments regarding the Plaxtol Parish Design Statement, this requires that the building line, scale and massing of new dwellings should take into account the lie and level of the ground, the positioning within the plot and landscaping. It also requests that trees be preserved to retain the character of the locality. With regard to the issue of trees, none of the trees that existed within this site were protected, and could, therefore be removed without needing to be the subject of an application to the Borough Council.
- 5.4 The finished ground floor level (slab level) has been stated as being 20.42 m AOD. The existing land levels specified by the applicant for the part of the site which would be covered by the proposed dwelling range between 20 and 20.25 m AOD. The applicant's agent believes the proposed ground floor level relates well to the slab level of the existing bungalow. I consider that building the proposed dwelling at this level would not detract from the rural character of the locality or the amenity of residential properties.
- 5.5 My comments regarding other planning issues relating to this development are contained in my previous report to the July meeting of the Area 2 Planning Committee which is attached to this report as an Annex.
- 5.6 In light of the above, I recommend that planning permission be granted.

**6. Recommendation:**

- 6.1 **Grant Planning Permission** as detailed in letter dated 10.05.2006, plan nos. 320/PL05, 06, 07, 08, e-mail dated 06.09.2006, plan date stamped 06.10.06 and photographs date stamped 06.10.2006 and 26.10.2006, 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. 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. The dwelling hereby approved shall be constructed in such a way to achieve a slab level of 20.42m AOD as specified in the approved application documents, unless otherwise approved 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.

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.

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.

Contact: Matthew Broome