

Platt Borough Green And Long Mill	562254 156548	17.04.2007	TM/07/00035/FL
Proposal: Location:	Erection of a detached barn style house and ancillary garage Land Adjacent To Tudor Barn Long Mill Lane Platt Sevenoaks Kent TN15 8NA		
Applicant:	Mr And Mrs Moore		

1. Description:

- 1.1 The proposal is a two storey 4 bed dwelling in the rear garden of Tudor Barn. It will be sited approx. 60m from Long Mill Lane, on its western side. The new dwelling and Tudor Barn will share the existing driveway.
- 1.2 The dwelling will be built on higher land than the existing dwelling which is set in a cutting, a difference of approx. 1m according to section drawings information submitted by the agent. The main part of the house will have an eaves height of 3.8m and a ridge height of 7m. Due to the topography, the main ridge height will be approx 2 m higher than that of the host dwelling (based on the submitted levels drawing).
- 1.3 There will also be an oast style wing on the southern side, with an eaves height of 4.8m and a ridge height of 9.2m. The oast is not shown to have a cowl.
- 1.4 A modestly sized timber framed and clad double car port is also proposed along what will be the rear boundary of the reduced garden of Tudor Barn itself.
- 1.5 The materials are shown to be reclaimed brick, structural oak framing with lime rich rendered panels and plain clay roof tiles. The windows are small casements with matchboard appearance doors (materials not specified).
- 1.6 Additional information has been submitted and has been the subject of reconsultation. This comprises 6 scaled section/street scene drawings illustrating the visual impact of the proposal viewed from public vantage points in the rural locality and from within the Conservation Area.

2. The Site:

- 2.1 The site area is 0.54ha although only 0.145 ha is in the village confines. This gives a density of 7 dph on the non-Green Belt land. Tudor Barn will retain a plot of 0.19ha, giving a density of 5 dph.
- 2.2 The footprint of the dwelling will be within the defined village confines of Platt albeit at the south-western extent of the rural settlement of Platt. The footprint of the dwelling is also in Platt Conservation Area.

- 2.3 The remainder of the application site is currently rear garden to Tudor Barn and is proposed to form the rear garden to the new dwelling. This part is outside the village confines, being in the Green Belt, a Special Landscape Area, an Area of Local Landscape Importance and Green Wedge.
- 2.4 A public bridleway runs through farmland to the west. Farmland to the south is in the ownership of the applicants. To the north is a row of 5 properties on the western side of Long Mill Lane, all listed buildings.
- 2.5 Tudor Barn itself is an unlisted dwelling which is a converted barn previously part of Platt Farm. It has a large rear garden with a pond.

3. Planning History:

MK/4/62/555 Grant with conditions 12 December 1962

Outline application for conversion of tudor barn to dwelling.

MK/4/63/338 Grant with conditions 17 July 1963

A conversion of barn to dwelling.

MK/4/63/569 Refuse 28 November 1963

Outline application for two cottages, for R. J. Rennie, Esq.

MK/4/63/568 Grant with conditions 28 November 1963

A vehicular access, for R. J. Rennie, Esq.

MK/4/63/3 Grant with conditions 7 January 1963

Outline Application for a dwelling house, for J.R. Ronnie, Esq.

TM/99/01904/FL Grant With Conditions 21 February 2000

Extension to existing converted barn and replacement garage.

TM/00/01438/RD Grant 21 September 2000

Details of materials submitted pursuant to condition 2 of Planning Permission TM/99/1904FL: extension to existing converted barn and replacement garage.

TM/05/04238/FL

Refuse

22 February 2006

New 5 bedroom detached house.

4. Consultees:

4.1 PC: Objection: A highly sensitive site in one of the oldest parts of the Conservation Areas in Platt, it abuts the Metropolitan Green Belt, an Area of Local Landscape Importance, a Special Landscape Area and Green Wedge land. The proposed house would be extremely close to the edge of the settlement curtilage. Concern about the precedent effect if this "backland development" were to be allowed. The basic design concept and proposed materials are more sympathetic than the rejected 2005 scheme (TM/05/04238/FL). However, it is too large and there remains the problem of overlooking Tudor Barn. Moreover, a square oast is proposed and the only one in this parish that is not round is that presently being constructed at Stilestone, Crouch.

4.1.1 Any responses to the reconsultation on the section and street scene drawings will be included in a supplementary report.

4.2 Private Reps (10/1R/0S/0X) + CA/setting of LB Press Notice): One objection which says:

We are concerned about the impact on the landscape and the countryside. The area of land in question is within a conservation area and adjoins Metropolitan Green Belt Land, the application is contrary to Policy P4/4 of the Local Plan. This is 'backland' development which could be seen as a precedent for other properties. The overall size and height of the house is also much larger than the other properties in the area. The area of land provides the setting for the village of Platt. It will impact on people's view of the surrounding countryside from further along Long Mill Lane on the area of road about half a mile from the village towards Crouch. Currently this view is of agricultural land and listed properties. Under planning policy, applications to build in conservation areas should only be permitted if they are neutral or enhance the environment. Due to the points above we do not consider that this application does either of these - in fact we consider it to be seriously detrimental to the conservation area.

4.2.1 Any neighbour responses to the reconsultation on the section and street scene drawings will be included in a supplementary report.

4.3 KCC(Highways): No objections. The existing access and first part of the drive will be converted to shared use, where it would be normal to provide a width of 4.8m for the first 6m from the highway boundary and will allow two vehicles to pass. However, in this instance, although the gates create a pinch point (3.6m in width), suitable space for cars to wait or pass is available in close proximity of the gate. Long Mill Lane is a narrow, winding country lane that provides a regular route for

various types of traffic including tractors and heavy farm vehicles. The potential additional traffic movements from a single detached house in this location are likely to be acceptable.

4.4 DHH: Desk top study and reconnaissance needed due to sensitive end use of residential.

4.5 KCC (Heritage): The site is close to some medieval Kiln sites and an archaeological condition for field evaluation is suggested with any important structures to be retained in situ.

5. Determining Issues:

5.1 This is a resubmission in a revised form of the proposal submitted under ref. TM/05/04238 which was refused for the following reasons:

- 1 *The proposed dwelling, by reason of its size, bulk, design, appearance and materials will harm the character and appearance of the Conservation Area which includes a number of listed buildings. The proposal is thereby contrary to Policy RS1 of the Kent Structure Plan 1996 and Policies P4/4 and P4/11 of the Tonbridge and Malling Borough Local Plan 1998.*
- 2 *The proposed dwelling, by reason of its siting, size, bulk, design, appearance and materials will be detrimental to the character and visual amenities of the adjoining Green Belt, Special Landscape Area and Area of Local Landscape Importance. The proposal is thereby contrary to Policy RS1 of the Kent Structure Plan 1996 and Policies P2/16; P3/6; P3/7 and P4/11 of the Tonbridge and Malling Borough Local Plan 1998.*
- 3 *The proposed dwelling, by reason of its juxtaposition with the host dwelling will be detrimental to its privacy, contrary to Policy P4/11 of the Tonbridge and Malling Borough Local Plan 1998.*

5.2 As the dwelling is to be sited within the village confines, there is no objection in principle to the proposal under Policy P6/1 of the TMBLP. Members will note that the location of the dwelling per se did not form any of the reasons for refusal of the previous submission.

5.3 The design now proposed in this resubmission is an attempt to create a building with elements reminiscent of rural conversions and in my view is a significant improvement on the refused scheme. The eaves line is relatively low, reducing the overall height and bulk although it is true that the southern "oast" wing is the tallest part of the building and will be the most prominent element when viewed from the rural approach to Platt as it will be sited at the southern edge of the settlement.

5.4 There is plenty of interest and articulation in the design of the building, but in my view, it avoids an overly fussy appearance.

- 5.5 The footprint is relatively large and is considerably larger than that of Tudor Barn. However, the result is not cramped in my view as the new dwelling and Tudor Barn will both have garden areas commensurate with their respective sizes and in keeping with most of the plot ratios of this part of Platt Conservation Area.
- 5.6 The new dwelling is both taller and bulkier than Tudor Barn and due to the fact that Tudor Barn is in a cutting and due to the slope of the land, the new dwelling will be more visually prominent. As the PC and objector mention, this site is important in the immediate locality, being the south-western extent of the rural settlement and it will be particularly visible in approaching the village from the south along Long Mill Lane and also when leaving the village when it is viewed in the context of the Conservation Area.
- 5.7 However, in this case, I consider that the building has been sensitively designed with its location in mind. In my view, the aesthetic merits of the building are such that, on balance, it would not harm the Conservation Area's character and appearance nor the setting of the Green Belt nor character of the local rural landscape. Policy P4/4 of the TMBLP and Policy QL6 of the KMSPP require development to preserve or enhance the character or appearance of a Conservation Area. The preservation of a Conservation Area is achieved by a neutral impact.
- 5.8 Clearly, the impact of the building would be fundamentally affected by the slab level and a greater "digging down" of the slab would be beneficial in terms of visual impact. At the time of writing the report, the agent has verbally indicated that an additional lowering of the slab in the order of 400mm may be practicable and a condition is suggested in this regard.
- 5.9 I note the concerns of the PC and objector as to the acceptability of backland development. However, there is not a strong enough linear character to this part of Platt to argue that the backland siting is harmful as a matter of principle.
- 5.10 The proposed dwelling is to be close to a row of mature trees and the carport is to be sited next to some trees. However, there are no concerns in principle although a tree protection condition is suggested.
- 5.11 The previous refused scheme had amenity problems due to its juxtaposition with Tudor Barn as there were 3 first floor bedroom windows on the main front elevation. The revised scheme now has only one first floor bedroom window on the main house but because the siting is more angled away from the house and garden of Tudor Barn, the overlooking is reduced and unlikely to justify refusal. Two bedroom windows to the oast element would not be able to easily overlook the garden of Tudor Barn because of the proposed intervening carport.
- 5.12 There are no highway objections raised in principle by KCC (Highways). Conditions are needed for the retention of an adequate passing place at the junction, safeguarding of a turning area and tree root protection.

5.13 In conclusion, I consider that the reasons for refusal of TM/05/04238/FL have been overcome by a much more sensitively designed scheme and I think this application is worthy of support.

6. Recommendation:

6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 04.01.2007, Design and Access Statement dated 04.01.2007, Location Plan dated 04.01.2007, Floor Plans And Elevations 1287.6 A dated 04.01.2007, Floor Plans And Elevations 1287.7 A dated 04.01.2007, Elevations 1287.8 dated 04.01.2007, Site Plan 1287.9 dated 04.01.2007, Floor Plans And Elevations dated 04.01.2007, Survey S06/1730/01 dated 04.01.2007, Section 1287.10 key dated 27.03.2007, Section 1287.11A dated 27.03.2007, Section 1287.12A dated 27.03.2007 subject to

- receipt of revision to the proposed slab level to 101.90 approx
- the following conditions:

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. No development shall take place until details of any joinery to be used 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: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

4. No development shall take place until details of eaves, verges and rooflights 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class A, B, C, E, of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto. (R001)

Reason: In the interests of the character and appearance of the Conservation Area and the openness of the Green Belt.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class A of Part 2 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto. (R001)

Reason: In the interests of the character and appearance of the Conservation Area and the openness of the Green Belt.

7. With the exception of the window shown to be serving the bedroom, all windows on the first floor east elevation shall be fitted with obscured glass. This work shall be effected before the dwelling is occupied and shall be retained thereafter. (R003*)

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

8. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of
- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: In the interests of archaeological research.

9. No building shall be occupied until the area shown on the submitted plan as turning area 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 and 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 turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

10. The gateway to the shared access shall be retained set back a minimum of 8.0 metres from the edge of the highway

Reason: To enable vehicles to stand off the highway whilst any gates are being operated.

11. 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. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate and so retained thereafter.

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.

12. The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).

(b) No fires shall be lit within the spread of the branches of the trees.

(c) No materials or equipment shall be stored within the spread of the branches of the trees.

(d) Any damage to trees shall be made good with a coating of fungicidal sealant.

(e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.

(f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

13. No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

14. The new house shall be constructed at the level hereby approved.

Reason: In the interest of visual amenity.

Informatives

1. You are advised that remedial tree works are suggested with regard to the trees to the North West of the proposed house which are considered to be generally in poor condition and have suffered wind damage and also to the line of Chestnuts to the east of the proposed house which are considered to be in need of crown balancing. Any such works will need to be the subject of 6 weeks written notice to the Local Planning Authority.
2. You are advised to contact the Tonbridge Fire Safety Office with regard to provision of emergency access.

3. You are advised to widen the access to 4.8m to allow 2 vehicles to easily pass each other at the junction to Long Mill Lane.
4. The proposed development is within a road which does not have a formal street numbering and, if built, the new property/ies will require new name(s), which are required to be approved by the Borough Council, and post codes. To discuss suitable house names 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 contact Trevor Bowen, Principal Legal Officer, on 01732 876039 or by e-mail to trevor.bowen@tmbc.gov.uk. To avoid difficulties for first occupiers, 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. (Q049)

Contact: Marion Geary