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<b>Offham Downs</b>	<b>565899 157293</b>	<b>10 April 2007</b>	<b>TM/07/00816/FL</b>
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Proposal:	Demolition of existing police house and erection of 2no. detached dwellings, a shared car port and external car parking spaces
Location:	Camelot Teston Road Offham West Malling Kent ME19 5NF
Applicant:	Kent Police

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## **1. Description:**

- 1.1 This application seeks full planning permission to demolish a former Police house and its attached office and garages and its redevelopment with two detached four bedroomed dwellings and a detached car port.
- 1.2 The new dwellings would be set side by side in a similar location to the existing building but would have their front elevations staggered by 1.5m (Plot 1 being set behind Plot 2). The dwellings are individually styled with Plot 1 displaying design characteristics reminiscent of the 'arts and crafts' era and Plot 2 being more reminiscent of a Victorian property. Each of the dwellings would incorporate various design detailing features (such as string courses, decorative ridge tiles, open eaves etc.) and both properties would have steeply pitched roofs (Plot 1 a hipped style roof and Plot 2 a gabled roof style). Materials are suggested to be plain roof tiles, facing brickwork and render, although, the applicants are happy for a condition to be attached to agree materials at a later date.
- 1.3 The proposed car port would be constructed from weatherboarded elevations under a plain tiled pitched roof and would be set to the front of the new dwellings on the western side of the plot.
- 1.4 Both pedestrian and vehicular access would be taken via an existing centrally located access into the site from Teston Road.

## **2. The Site:**

- 2.1 The site comprises a rectangular shaped plot of land approximately 0.38 hectares in area and is situated within the defined built confines of the village of Offham and within that village's defined Conservation Area. The plot is essentially flat in topographical terms with a ragstone wall along the site frontage and conifer hedging along the remainder of the boundaries. The surrounding area is predominantly residential in character and features many historic properties, including several Listed Buildings. Immediately to the east is a historic terrace of properties called 'Manor Cottages' and immediately to the west is a modern detached dwelling called 'Brackens'.

### 3. Planning History:

TM/50/10347/OLD Grant with Conditions 1 March 1950

Preliminary application for one dwelling, office and garage.

TM/04/02664/TNCA No Objection 9 September 2004

Reduce 12 conifers to height of approx. 1.75m.

TM/05/01060/FL Refused. Appeal dismissed. 25 November 2005

Demolition of existing police house and construction of 2 no. detached four bedroom dwellings.

TM/07/00810/CA Approved 1 May 2007

Conservation Area Consent: Demolition of existing police house.

### 4. Consultees:

- 4.1 PC : Bearing in mind that this is the second application for the redevelopment of the site, once again, whilst we are not against the principle of demolition of the existing property and the consequent redevelopment of the site we do have concerns regarding the detail of the proposals and to this extent we object to the proposals for the following reasons:

Whilst there at least seems to have been given considerable more thought to a more sympathetic design, the overall impression is that quite simply the applicant is trying to squeeze too much onto the plot. The houses, although four bedroom are extremely compact and whilst the external elevations contain a considerable amount of detail they are more akin to what one would expect to find at the modern development of Kings Hill rather than in the centre of an historic Village. Whilst we fully accept that there are a variety of architectural styles throughout the Village, not all good, there are plenty of good examples from which to draw inspiration.

If the applicant were to produce a street scene showing a number of properties to both the right and left of the site the inappropriateness of the design would be clearly apparent. The proposed houses will not blend in at all with the existing street scene but will, we fear, dominate with a consequential negative impact on the local environment.

However, of most concern to us is the spatial setting of the two dwellings. Paragraph 6.1.1 of the Design and Access Statement mentions “adequate spatial separation, both between the new dwellings and the site boundaries” but whilst the proposed layout may well be “adequate” in terms of current design standards it does little to enhance the character or appearance of the area.

We accept that there is no particular merit in retaining the existing building from an architectural point of view, however it does have merit in terms of its massing and spatial relationship with adjoining properties and this particular point is not addressed in the Design and Access Statement.

Quite clearly the applicant has sought to squeeze in these two four bedroom detached houses, a fact that is quite clear from the internal layout, with a view to maximising the value of the plot rather than a desire to maximise the contribution the proposed development is making to this significant site in the heart of Offham’s Conservation Area. The overall setting and plot size is not akin to any of the surrounding properties, even the adjoining cottages enjoy a more open setting.

Whilst we presume that the provision of only two parking spaces per dwelling is in accordance with current standards, manoeuvring in and out of the site is going to be extremely difficult, especially if four cars are parked within the sites’ curtilage at any one time. Bearing in mind that the proposed dwellings are four bedroom houses it is almost certain that each household will own two cars. There is no provision for visitor parking meaning that all visitors will have to park on Teston Road. Because of the proximity of the junction with Tower Hill visitors will not be able to park immediately outside the proposed houses but will have to park either to the right or left, or opposite, none of which are ideal locations due to the alignment of Teston Road itself.

Whilst it might not appear to be a particular problem when looking at the plans, the actual problems that are likely to arise in terms of visitor parking, deliveries and manoeuvring in and out of the site etc are of great concern to us, and in particular to neighbouring residents, who know only too well the dangers of this section of Teston Road, exacerbated by the speed of “rat-running” traffic which often ignores the restricted visibility at this particular point.

It should be noted that it is quite some considerable time since the Police House was generating traffic movements of some “20 per day”. As far as we can ascertain it is at least 15 years or more since the property was used as a working police house. Although rented out to various police officers over the years it has been as a private dwelling and not as a police facility.

The inclusion of a car port rather than a garage is intriguing. We presume this to be to lessen the impact of a solid structure immediately adjacent to Teston Road. However, we predict that if built it would not be long before there is an application

to change the car port into a more traditional garage, bearing in mind that there is no room on the site for any other external storage other than the rear gardens of the proposed houses. With modern houses such as these, proposed storage space is extremely limited and garages often get used for storage of various items rather than for parking the car as intended. This we believe will put further pressure for space on the site and a solid structure in front of Plot 1 would not be at all aesthetically pleasing. In any event neither a car port or a garage is an attractive design feature and only serves to demonstrate that too much mass is being proposed for this site resulting in additional structures such as a garage or car port having to be squeezed in.

There appears to be a discrepancy between the floor plans and the elevational detail of Plot 1 in that on the elevations there is a side window shown on Bedroom 4 that is not indicated on the floor plan of the second floor of this plot. If a window is proposed then we would ask TMBC to ensure that there is no loss of privacy to the adjoining property. Also for this reason we presume, that if consent is granted, that the two windows to the bathroom and the en-suite will be restricted to obscure glass to reduce the threat of overlooking and loss of privacy to the adjoining property.

It should be noted that both of the adjoining properties to the right and left of the site have substantial conifer trees along the boundaries, which overhang the site by a considerable amount. Whilst we understand that the owner of the site is fully entitled to cut back the trees, anyone wishing to implement the proposed plans would have to cut back the trees significantly in order to achieve the required width. Needless to say conifer trees when cut back simply reveal all the formally hidden dead wood and will be very unsightly.

Overall, whilst this application is a considerable improvement on the first application for two totally inappropriate very modern designed houses, the applicant is still seeking to try to squeeze too much onto the plot and the overall design is not in accordance with the quoted Policy QL1 from The Kent and Medway Structure Plan which “demands new development to respond positively to the scale, layout, pattern and character of their local surroundings”.

We firmly believe that this site lends itself to the replacement of Camelot with either a large single dwelling or two or more smaller cottage style dwellings either or which would have more spatial awareness of the immediate environs thereby being far more in keeping with all the quoted policy and more genuinely contributing to the character and appearance of the area.

- 4.2 Offham Society (summarised): The proposals are considered to be excessive in terms of density, of an inappropriate design that will be totally out of character with village and its CA. The proposal would unacceptably increase highway hazards. The proposed dwellings are not reflective of nearby properties and a single dwelling with a design reflecting one of the many fine local buildings such as

'Teston Cottage', Offham Place Cottage' and 'Manor Cottages' would be better suited to the site.

- 4.3 KCC Highways: The site has been subject to a previous application, TM/05/01060/FL (2No detached four bedroom dwellings), that was refused but with no highway reasons for refusal attached.

The proposal shows the provision of two off street parking spaces per dwelling, along with an area potentially to be used for manoeuvring.

It is proposed to use the existing vehicle access that is acceptable. Although not ideal it is existing and has historically been used. Forward vision to the right for emerging traffic is not ideal but with suitable trimming of the foliage will provide some improvement. No objections

- 4.4 Private Reps: 6R/0S/1X. The letter raising no objection asks that the frontage tree is retained. The objection letters received express the following concerns:

- The proposals are contrary to the provisions of Policy RS3 (b) of the KSP as they do not represent minor development.
- The proposals represent an overdevelopment of the site, that would over-dominate the locality and appear out of scale and keeping with other development within this sensitive Conservation Area location.
- One detached house/two semi detached properties would be preferable.
- The proposed car port is too high and would be out of keeping in terms of its siting and design.
- Proposed materials are out of keeping
- The dwellings would give rise to additional hazards to traffic through high levels of traffic generation, an inadequate access and a lack of adequate parking facilities.
- Loss of light to neighbouring property.
- Loss of privacy to neighbouring property
- Inadequate landscaping details have been submitted

## **5. Determining Issues:**

- 5.1 As Members will note from the planning history, this site was the subject of a relatively recent appeal decision relating to proposals to redevelop the site with two new dwellings. Being situated within a residential area of the defined settlement of Offham, the principle of redevelopment with residential properties

must be considered acceptable and it was matters of detail that were ultimately found to be unacceptable by both the Council and by the determining appeal Inspector.

- 5.2 The Council refused the previous development proposals on the grounds that the **“...proposal would be detrimental to the character, appearance and integrity of the locality, which is a designated Conservation Area, by virtue of the incongruous design, materials and extent of built development proposed which does not respect the local vernacular and would represent an over-development of the site.”**
- 5.3 The Inspector agreed with the Council that the proposed designs of the dwellings would not be acceptable because they would too strongly contrast with the surrounding historic properties and he concluded that **“the attractiveness of a well thought out contemporary design does not in my view sit comfortably in its surroundings”**. However, the Inspector did not refuse the development on the grounds that the proposal for two dwellings on the site would either give rise to harm to highway safety or that the provision of a garage within the site’s frontage would be an unacceptable feature.
- 5.4 Moreover, the Inspector considered the issue of whether two properties extending across the whole width of the site was acceptable within this location and found that such a form of development would not constitute a ground for refusal. He concluded that, “I note that some of the nearby properties extend across the width of the plot and I take the view that subject to appropriate design the subdivision of the site to allow two dwellings to be built would not necessarily be out of keeping with the surrounding area.” The appeal decision therefore quite clearly rejected the proposals solely on the grounds of design.
- 5.5 In my estimation, because this application proposes two detached houses and a detached garage on a similar scale and with a similar layout to the appeal scheme, which the Inspector found unacceptable only because of the very contemporary design of the dwellings that were proposed, this Council now only has scope to consider the detailed design elements of these proposals i.e. whether or not the alternative designs sit comfortably within their Conservation Area surroundings and adequately safeguard the light and privacy of adjacent dwellings.
- 5.6 The proposed dwellings are quite orthodox and inoffensive in design in my view. I consider that they have an appropriate appearance and that the suggested materials are of a suitable quality for this location. I am aware that both the PC and several local residents have stated that they feel there are alternative redevelopment proposals and building styles that they consider would be preferable and I sympathise with these views to a certain extent. However, Local Planning Authorities are charged with the responsibility of making a judgement on the proposal as submitted, and cannot consider what might turn out to be a whole range of “possible” alternatives. Design and appearance are entirely subjective

matters upon which individuals may have significantly different opinions. For example, one of the representations received considers the proposed dwellings to be “mock Tudor”, The Offham Society describes the designs as “Fussy neo-Victorian devoid of architectural merit”. Another view states that the houses have been designed for a modern estate such as Kings Hill. These differences in viewpoint on what the proposed house designs actually represent highlights the subjectiveness over issues of design and appearance.

5.7 I acknowledge that the PC and local residents may well be correct that there may be preferable redevelopment solutions that could be applied to this site. However, the Council must determine the application placed before it and it cannot refuse permission on redevelopment proposals unless it can be demonstrated that the proposals would clearly give rise to harm to the streetscene and/or Conservation Area. Having looked at the proposed development, I cannot identify any demonstrable harm with the designs submitted and am satisfied that the development would preserve the character and amenities of the CA – particularly given the lacklustre appearance of the existing buildings on site .

5.8 Turning now to the issues of light and privacy the proposals have been amended to remove one flank window and I am now satisfied that the location and orientation of the proposed windows is such that there would not be any undue overlooking of neighbouring dwellings. Moreover, I am also satisfied that the structures would not cause any undue harm to the light or outlook of those surrounding properties.

## **6. Recommendation:**

6.1 **Grant Planning Permission** 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 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.

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.

- 4 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 Classes A, B, C, and D, of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In the interests of local visual amenity and privacy.

- 5 No development shall take place until details of existing and proposed ground levels 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 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.

- 7 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.

- 8 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.



- 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 windows at first floor level in the western and eastern elevations of Plot 1, and at first floor level in the western elevation of Plot 2 shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter.

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

- 11 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 flank elevations of either dwelling, other than as hereby approved, without the prior written consent of the Local Planning Authority. (D013)

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.

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