

- 2.3 The site is well screened from the side and rear by mature hedging, trees and shrub planting. The area proposed for the siting of the new dwelling is currently formal grass lawn which gradually slopes down away from the existing house.

3. Planning History:

TM/01/01713/FL Grant With Conditions 30 August 2001

Construction of conservatory.

TM/06/03541/OA Refuse 15 January 2007

New dwelling and new access

TM/62/10765/OLD Refuse 8 March 1962
(MK/4/61/632)

Outline application for demolition of 'Crouch House' and erection of ten dwellings, for St. Clements and St. Lukes Homes.

TM/68/10979/OLD Grant with Conditions 26 March 1968
(MK/4/68/67)

Alterations and conversion to dwelling.

4. Consultees:

- 4.1 PC: Platt Parish Council has no objection to this proposal. The relocation and revised design of the proposed new dwelling would appear to have addressed the adverse points raised in the report on the previous application.
- 4.2 KCC (Highways): No objection subject to conditions, but advises that the width of the access should be widened to 4.8m for the first 6m from the highway boundary to allow two vehicles to wait or pass, with any new gates to be suitably set back by 5m and inward opening.
- 4.3 DHH: Advice given regarding refuse collection. With regard to contamination, a desk study and site reconnaissance are required due to the sensitive use proposed.
- 4.4 Private Reps (7/0R/0S/0X + Site Notice): No response.

5. Determining Issues:

- 5.1 The previous application TM/06/03541/FL was refused on the grounds of the scale, height and siting of the proposed development, which would have caused harm to visual amenity and the streetscene.

- 5.2 The ridge height of the proposed dwelling has been reduced from 8.65m to 6.7m when viewed from the front (public view); from the rear the height is reduced to 7.4m. The proposed dwelling has been redesigned to make use of the change in level at the rear of the site and, as a result, the building would have the appearance of a chalet bungalow from the front. The reduction in height and use of levels would, in my opinion, sufficiently address the objection relating to the height of the previous proposal. The chalet design would also, in my opinion, protect the privacy of The Coach House and adjacent dwellings, as no windows are proposed in the west face of the roof.
- 5.3 The scale of the proposed dwelling has been further reduced by decreasing the width of the house from 22m to 16.3m as the garage has been detached. If the garage were still attached, the dwelling would remain at approx 22m. However, when the reduction in height, the use of levels and the detachment of the garage are all taken in to account, I would consider the overall scale and impression of bulk to be a considerable reduction when compared to the previously refused scheme.
- 5.4 The proposed dwelling is sited an average distance of 12m from the rear boundary. The previously refused scheme was sited approximately 7m from the rear boundary. That siting was considered inappropriate as it was incongruous with the general pattern of development on the east side of Long Mill Lane in the village of Crouch. To result in a siting which is more in keeping with the pattern of existing development, the dwelling would ideally have been sited approximately 4m further west to be more in line with Grimble to the north. However, such a siting would not allow for adequate turning and the retention of existing trees. The proposed siting is therefore a compromise on the relevant site constraints. I would therefore consider, on balance, the siting to be appropriate.
- 5.5 The submitted plans show the vehicular access to be 3.7m wide but, when the verges either side are taken into account, the overall width of the access strip is 5.0m. KCC Highways require the first 6m of the access, from the back edge of the highway, to be 4.8m wide. One of the concerns raised by Members during consideration of the previous application was the impact of a 4.8m wide access on the streetscene. The creation of the new access would necessitate the removal of a length of brick boundary wall, set behind the road-side verge. Although this would open up the road frontage to a certain extent, I do not consider that this would be unacceptably harmful to the streetscene overall, subject to the detailed design and layout being drawn up and agreed. The overall width available is adequate to meet KCC Highways requirements. The proposal will involve cutting back a Willow in front of the house and cutting back or removal of a Holly for the access drive. Care would need to be taken not to damage roots of other trees for the access. I do consider that a suitable scheme is achievable, but it is important that the detailed design is appropriate.

6. Recommendation:

- 6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 15.05.2007, Design and Access Statement dated 15.05.2007, Location Plan dated 15.05.2007, Site Plan CH10 dated 15.05.2007, Floor Plans And Elevations CH12 dated 15.05.2007, subject to the following:

Conditions / Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (Z013)

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 all 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. (D001)

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 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. (L005)

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.

4. 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 in the roof of the building without the prior written consent of the Local Planning Authority. (D014)

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.

5. 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 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 parking space. (P004)

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

6. No building shall be occupied until the area shown on the submitted plan as a 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. (P011)

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

7. No development shall take place until details of a desk study and site reconnaissance in relation to soil contamination have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008*)

Reason: In the interests of residential amenity.

8. No development shall take place until full details of the layout and construction of the proposed access road serving the dwelling hereby approved including elevational details of the access in relation to that serving Navarrica, have been submitted to and approved by the Local Planning Authority. The submitted details shall identify all necessary tree works and appropriate construction methods to safeguard retained trees and their root systems. The work shall be carried out in strict accordance with those details. (D008*)

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

9. The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part. (H011)

Reason: To ensure the safe and free flow of traffic.

10. Any gateway to the access shall be set back 5.0 metres from the edge of the highway. (H013)

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

Informatives

1. 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. 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 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. (Q049)
2. With regard to the construction of the access from the highway, the applicant is asked to consult The Highway Manager, Kent Highways, Joynes House, New Road, Gravesend, Kent, DA11 0AT. Tel: 08458 247 800.
3. The Tonbridge and Malling Borough Council operates a wheeled bin, boundary of the property refuse collection service. Where there are shared private drives, bins should ideally be placed at the nearest point to the public highway on the private drive (on the relevant collection day).

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