

<b>Platt</b> Borough Green And Long Mill	<b>562254 156548</b>	<b>22 June 2007</b>	<b>TM/07/02163/FL</b>
Proposal:	Detached barn style house and ancillary garage		
Location:	Land Adjacent To Tudor Barn Long Mill Lane Platt Sevenoaks Kent TN15 8NA		
Applicant:	Mr And Mrs Moore		

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## 1. Description:

- 1.1 This application is a resubmission of an amended scheme following the refusal of application TM07/00035/FL at the Area 2 Committee of 16 May 2007 for the following reasons:
- 1 *The proposed dwelling, by reason of its size, bulk, design and appearance will harm the appearance of the Conservation Area which includes a number of listed buildings. The proposal is thereby contrary to Policies QL1 and QL6 of the Kent and Medway Structure Plan 2006 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 and appearance 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 QL1 of the Kent and Medway Structure Plan 2006 and Policies P2/16; P3/6; P3/7 and P4/11 of the Tonbridge and Malling Borough Local Plan 1998.*
- 1.2 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.
- 1.3 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).
- 1.4 This new application omits the oast style wing on the southern side. Instead, it is proposed to have a single storey wing in this location, the ridge height of which would be substantially lower than that of the main part of the house.
- 1.5 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.

- 1.6 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).
- 1.7 The application includes 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.

TM/07/00035/FL                      Refuse                      22 May 2006

Detached barn style house and ancillary garage.

#### **4. Consultees:**

- 4.1 PC: Objection- the removal of the oast has not in any way reduced the size and bulk of the proposed property and the dwelling remains intrusive. It has not improved the overall impact on the surrounding area which is Green Belt, Special Landscape Area and Area of Local Landscape Importance and is still contrary to policies listed in refusal letter. It is not in keeping with the other nearby listed properties. In description 1.4 it states "modestly sized car port" the Parish Council feel that rooms may be added to this.
- 4.2 Private Reps (8/0R/0S/0X + CA/setting of LB Press Notice): No views received at the time of preparing this report. Any comments received will be included in a supplementary report.
- 4.3 KCC (Highways): No views received.
- 4.4 DHH: No views received.

4.5 KCC (Heritage): No views received.

**5. Determining Issues:**

5.1 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 submissions.

5.2 The principal consideration in this application is whether the revised design is sufficient to overcome the previous reasons for refusal. The proposal no longer includes the southern "oast" wing which was previously the tallest part of the building and would have been the most prominent element when viewed from the rural approach to Platt as it would have been sited at the southern edge of the settlement. The alternative single storey element now proposed is clearly subservient to the main part of the house. This represents a significant reduction in height and bulk on what is, originally, the most sensitive part of the site. In consequence, I believe there are grounds for saying that this sufficiently addresses the previous reasons for refusal.

5.3 My assessment of the other material considerations with this application remains substantially as before, as set out below.

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 Policy P4/4 of the TMBLP and Policy QL6 of the KMSP 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. The aesthetic design of the building is of a high quality, appropriate to this village setting, and with the reduction in height and bulk now achieved, I believe the requirement to preserve or enhance the CA will be met.

5.7 Clearly, the impact of the building would be fundamentally affected by the slab level. In connection with the previous application, the applicants' agent indicated that a slab level of 101.75m would be achievable. This is some 0.55m lower than shown in the current application, and I am awaiting confirmation from the agent that the lower level also applied to this proposal.

5.8 In my view, 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.

- 5.9 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.
- 5.10 In terms of the impact on amenities of the host dwelling, there is 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. The garden of Tudor Barn is afforded some privacy because of the proposed intervening carport.
- 5.11 In conclusion, I consider that the reasons for refusal of TM/07/00035/FL have been overcome by the elimination of the tall oast style element and I think this application is worthy of support.

## **6. Recommendation:**

- 6.1 **Grant Planning Permission** in accordance with the following submitted details: This was approved in accordance with the following submitted details: Letter dated 22.06.2007, Design and Access Statement dated 22.06.2007, Floor Plans And Elevations 1287.6 B dated 22.06.2007, Floor Plans And Elevations 1287.7 B dated 22.06.2007, Elevations 1287.8 A dated 22.06.2007, Site Plan 1287.9 A dated 22.06.2007, Site Plan 1287.10 A dated 22.06.2007, Section 1287.11 B dated 22.06.2007, Section 1287.12 B dated 22.06.2007, Floor Plans And Elevations GARAGE dated 22.06.2007, Survey S06/1730/01 dated 22.06.2007, Location Plan dated 22.06.2007 subject to
- receipt of revision to the proposed slab level to 101.75m AODN 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.

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.

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.

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 of 101.75m AODN.

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](mailto: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)

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