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**Report of 18 January 2012**

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<b>Platt</b> Borough Green And Long Mill	<b>562226 156724</b>	<b>13 September 2011</b>	<b>TM/11/02257/FL</b>
Proposal:	Demolition of existing bungalow and construction of new detached house and garage		
Location:	White Court Long Mill Lane Platt Sevenoaks Kent TN15 8NA		
Applicant:	Tanchester Development Ltd		

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**2. Description:**

- 2.1 The application proposes the demolition of the existing bungalow and construction of a new detached house with double garage attached at the front.
- 2.2 The proposed dwelling is indicated to be 12.6m wide x 11.9m deep, with 4.89m high eaves and ridge height of 7.6m. The garage attached to the front of the dwelling is shown to be 6.1m wide x 6.4m deep with a small part wrapping around the main building. The garage eaves height is to be 2.7m and ridge height 4.8m.
- 2.3 The dwelling is to be set back 20m from the lane, 3m from the north side boundary, 3.3m from the south side boundary and in excess of 20m from the rear boundary. The garage is to be set back 15.5m from the lane and 2m from the south side boundary.
- 2.4 External materials are to consist of stock brick work, stone and render between stained timbers to walls, plain clay roof tiles and white painted timber window and door frames.
- 2.5 Amended Plans were received on 26 October 2011 showing a reduction in the height of the dwelling by 700mm. As only existing site levels were provided initially, additional plans and information were also submitted providing a proposed dwelling ground floor level and levels of patio and driveway areas. A streetscape plan was also submitted. Sections across the side boundaries and clarification of ground levels on the elevation plans were also submitted on 8 December 2011. These amendments prompted re-consultation of the application.

**3. Reason for reporting to Committee:**

- 3.1 The application has been called to Committee by Councillor Evans due to local concern.

**4. The Site:**

- 4.1 The application site is located on the west side of Long Mill Lane, about 250m south of the junction between Long Mill Lane and Comp Lane, in Platt. The site is positioned on a rise along Long Mill Lane. The land slopes down to the rear

(west). It currently accommodates a bungalow which is sited forward on the site and set higher than the adjoining properties. Established hedges, most in excess of 2m in height, line the side and rear boundaries of the site.

- 4.2 The site is located within the settlement confines of Platt. The Platt Conservation Area lies directly across Long Mill Lane to the east and to the south, where the Conservation Area boundary cuts through the middle of the residential curtilage of Meadow Cottage.
- 4.3 The locality surrounding the site consists of detached residential properties along both sides of Long Mill Lane. Meadow Cottage, a 2-storey dwelling, which was constructed in the mid 1990s lies to the south. It has an integral garage with first floor over adjacent to the boundary with the application site. It is cut into the site resulting in it being about 1m lower than the ground level at the boundary with the application site. Gregories, a 2-storey dwelling, lies to the north. A substantial single storey side extension with accommodation over has been added to its south side. The grade II listed building of Rose Cottage lies directly across Long Mill Lane to the east and a similar listed building, Dales, is sited to the south of Meadow Cottage. Farmland lies to the west of the application site.

## 5. Planning History:

TM/65/10668/OLD grant with conditions 25 March 1965

Outline application for dwelling, garage and vehicular access, for J.J. Blackburn, Esq.

TM/68/10882/OLD grant with conditions 16 April 1968

Outline application for dwelling, garage and vehicular access (extension to permission).

TM/71/10963/OLD grant with conditions 10 August 1971

Outline application for dwelling and vehicular access, for J. J. Blackburn, Esq.

TM/73/11255/OLD grant with conditions 14 September 1973

Bungalow with garage and access.

TM/04/04142/FL Refuse 10 February 2005

Partial demolition and extension providing first floor accommodation and double garage

## 6. Consultees:

- 6.1 PC (Comments on original scheme): It is unfortunate that the location of this property is on a crest of a hill and the proposed scheme will dominate the adjoining properties. The sheer size and bulk of the proposed dwelling will overshadow its neighbours and spoil the existing street-scene. A smaller scheme was refused in 2005 but even with the present climate of favouring the Applicant we would expect it to be considered under Local Policy P4/4 that "Proposals for land which adjoins a Conservation Area should respect the setting of the Conservation Area and views into or out of it". We feel that the Applicant is trying to squeeze too much into a very restricted space and as such we strongly object to the scheme as proposed.
- 6.1.1 PC (1<sup>st</sup> re-consultation): The Parish object strongly to the revised scheme. The reduction in height can only be achieved by reducing the existing ground levels, which is of concern to the adjoining owners. We feel it important to preserve this area and only the minimum alteration to existing levels should be allowed. The redesign of the top floor brings the internal storey height to its minimum, needing precise engineering; otherwise the roof height will have to be increased during construction. It will still present a large mass on a prominent point in the street-scene, overshadowing its neighbours. As before, we feel that the applicant is attempting to squeeze too large a dwelling on to a small plot.
- 6.1.2 PC (2<sup>nd</sup> re-consultation): The additional information supplied does not alter our past concerns. We still strongly object to this application for reasons previously submitted.
- 6.2 DHH: It is recommended that a condition be imposed requiring a site investigation be undertaken to determine the nature of any contamination of the land. Informatives relating to times of construction and refuse collection are also recommended.
- 6.3 Private Reps: 6/0S/12R/0X plus Article 13 site notice and Conservation Area press and site adverts. Twelve letters have been received, from a total of 5 local neighbours, objecting on the following grounds:

### Original scheme

- The size, scale and bulk of the dwelling, and its position on the crest of the land, would make it appear dominant within the street-scene and cramped in its relationship with the dwellings either side.
- The building is too large for the site. It would not be minor development appropriate to the scale and character of the settlement.
- The development would be sited too close to Meadow Cottage, reducing the spacing between the two dwellings that currently exists.

- The building extends deeper into the site and, given its proposed size and scale, would significantly affect views from the rear garden of Gregories to the north.
- The development would overshadow the adjacent dwellings and result in a loss of sunlight to the garden of Gregories.
- Side facing windows are proposed that would result in overlooking of Meadow Cottage and the garden of Gregories.
- The side and rear elevations of the dwelling present a rather bland and suburban appearance and its design does not complement or preserve the character of the Conservation Area.
- Due to the level of the garage to Meadow Cottage being lower than the proposed floor level of the dwelling and being heavily retained, surface water drainage from the development may cause flooding to the garage of Meadow Cottage.

#### 1<sup>st</sup> re-consultation

- The amended scheme proposes a lowered ground level which would require excavation and cause a severe step down which may give rise to on-boundary issues. No details relating to retaining structures along the boundaries or impact on the hedges have been submitted.
- The plans do not show the relationship of levels between the properties as the elevation is based on the levels at the road.
- The scheme would damage the hedge roots affecting their health.
- The dwelling is too large for the site in this location.

#### 2<sup>nd</sup> re-consultation

- Despite the proposed alterations to land levels the size of the proposed dwelling is too large for the plot and will impact on views from the fields at the rear.
- The boundaries are still not defined and the retaining wall with foundations is only 1m from the boundary which raises concern relating to the impact of the development on the hedge.

### **7. Determining Issues:**

- 7.1 As the application site is within the settlement confines of Platt there is no objection in principle to a replacement dwelling.
- 7.2 The main issues therefore are the effect of the proposed new dwelling on the street-scene, the character of the area and on neighbouring amenities. The character of the area in this case is influenced by the adjacent Platt Conservation

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Area and the listed building of Rose Cottage located directly across the lane from the application site.

- 7.3 The existing bungalow to be demolished, although limited in scale, is situated well forward of the neighbouring two dwellings and on land on a rise along Long Mill Lane. In contrast, the proposed dwelling is to be set further back in the site providing a more complementary positioning in relation to the dwellings either side that, in my view, would improve the pattern of development in this area.
- 7.4 The proposal provides a relatively large 2-storey dwelling. Although large, I do not consider that its size and scale would be substantially different to that of other dwellings in the locality. Moreover, the main bulk of the building is located well behind the front building alignments of the dwellings of Meadow Cottage and Gregories, and the front garage element assists in providing a visual break to the width. The overall height and scale of the building has been reduced and the slab level lowered so it would display a similar 'relative' height to that of Meadow Cottage to the south. The building would be higher than Gregories to the north by approximately 1.6m, but the separation to this neighbouring dwelling is about 11m, and a greater distance to the main 2-storey part of the building. As a result, I consider that the new dwelling would provide a satisfactory visual transition in respect of its height and scale relative to Meadow Cottage and Gregories, such that it would not harm the street-scene.
- 7.5 The dwelling has been designed with render between stained timbers, with stock face brick below, to the front elevation and a small part of the side elevations, which reflects a similar design and finish to the front and sides of Meadow Cottage. The side and rear elevations are to consist mainly of face brick. It also displays a pitched roof, with full side hips. I am of the view that this design and use of materials, given the different styles and appearances of the dwellings either side, would strike an acceptable balance that would adequately complement the character of the area. I am also of the opinion that the proposed dwelling would not harm the setting of the listed building of Rose Cottage to the east as it is set well back from the lane, and the dwelling at Rose Cottage is well screened by the roadside embankment and front hedgerow within the front of its site. It has been suggested that the side and rear elevations of the new building are somewhat bland and suburban. However, I consider that these non-principal elevations present an acceptable appearance given the prevailing character of the area.
- 7.6 The main building is to be inset 3m from the north side boundary and a minimum of 3.3m from the south side boundary. I consider the spacing to side boundaries to be adequate, given the site's setting and given the general pattern of development in the area. In particular, similar side separations are provided by Meadow Cottage to the south and a number of dwellings further to the north on the west side of Long Mill Lane.

- 7.7 The side and rear boundaries of the site are lined with hedges, about 2m high, that provide a high level of privacy between properties and help screen the development. It is proposed that the side hedges are to be retained and the rear hedge to be removed. Although not protected, I consider these hedges, particularly those along the side boundaries, enhance the character of the area. The rear hedge however is less prominent and contributes less to the character of the area and therefore I consider it reasonable for this to be removed. Therefore, ideally, the 2 side hedges should be retained and protected during construction. Neighbours have expressed concern that the development may impact on the health of the hedges as a result of excavations and proximity of the buildings and paths to them. The applicant has provided ground sections on Drawing No.372-2C showing the proposed separations between the hedges and the buildings and retaining walls at the edge of the paths that surround the dwelling. The retaining walls are shown to be inset about 1.5m from the centre of both hedges. I consider that sufficient sympathy has been shown to the hedges in order to protect them. Several young trees located in the rear garden are not protected and not of any great importance, in my opinion. In order to further soften the appearance of the dwelling, I consider it reasonable that a landscape scheme be submitted that provides some substantial landscaping across the front of the site. The retention and protection of the neighbouring hedges should also be identified within this scheme.
- 7.8 I am therefore satisfied that the proposed dwelling, in respect to its siting, scale and bulk, and general appearance, would not harm the street-scene and would satisfactorily preserve the character of the area. This is subject to frontage landscaping being submitted and approved.
- 7.9 The dwelling will extend deeper into the rear garden than the dwellings either side. In respect to Meadow Cottage, this projection would be limited. The dwelling at Gregories is angled toward the application site. As a result, the proposed dwelling would be much more visible than the existing dwelling is from the rear of Gregories. However, this neighbouring dwelling and its private amenity space at the rear of the main part of the dwelling are a substantial distance from the proposed dwelling. As such, I do not consider that the proposal would significantly diminish the existing spaciousness or demonstrably harm the outlook from the rear garden of Gregories sufficient to warrant refusal.
- 7.10 I acknowledge concerns from the two adjoining neighbours relating to overlooking from first windows within the side elevations. These windows are to bathrooms / WCs which are not habitable rooms and would normally make use of obscured glass windows to provide privacy. A condition can be imposed to ensure that these windows will contain obscured glass.
- 7.11 I note comments from neighbours suggesting that overshadowing from the proposed dwelling would result in a loss of light to neighbouring dwellings and garden areas. However, in respect to Meadow Cottage, the building separation is

generous and the new building is to its north, so there would not be overshadowing. It is envisaged that some overshadowing of the side garden of Gregories would result but this shadowing, given the substantial separation to the dwelling, would not, in my opinion, result in a harmful loss of light to the dwelling or private amenity area at the rear of the dwelling sufficient to warrant refusal.

- 7.12 Several concerns have also been expressed relating to likely development close to the side boundaries and the impact of any retaining walls and surface water drainage. However, given the building set backs proposed, I do not envisage that any of the concerns raised cannot be dealt with under Building Regulations. Sections have also been submitted that clarify proposed retaining walls, degree of excavation and pathways adjacent to the side hedges. With appropriate on-site management, impact on these hedges can be minimised in my opinion.
- 7.13 The existing vehicle access is to be retained with enlarged splays to improve manoeuvrability and visibility. Parking for 2 cars can comfortably be provided in addition to the garage. This provision would satisfy the Kent Design Guide: IGN 3 Residential Parking Standards.
- 7.14 DHH has recommended that a site investigation be undertaken to determine the nature and extent of any contamination of the land. I consider this to be reasonable given the amount of excavation and alteration of the finished ground level.
- 7.15 I also consider it necessary to impose a condition removing permitted development rights for any future extensions to the main building and enlargements to the roof, so as to prevent overdevelopment of the site.
- 7.16 In conclusion, I consider the proposed dwelling to be sufficiently complementary to the scale and character of the dwellings along the west side of Long Mill Lane and adequately respectful to the settings of the Listed Building of Rose Cottage and the adjacent Platt Conservation Area. I am also of the view that the proposal would not demonstrably harm neighbouring amenities. The development would therefore satisfactorily meet policies CP13 and CP24 of the TMBCS, policies SQ1 and SQ8 of the MDEDPD and National Guidance PPS5: Planning for the Historic Environment. In light of this, I recommend that the application be approved.

## **8. Recommendation:**

### **8.1 Grant Planning Permission as detailed by :**

Letter dated 12.09.2011, Photographs dated 12.09.2011, Location Plan dated 13.09.2011, Letter dated 17.08.2011, Site Survey dated 17.08.2011, Design and Access Statement dated 22.11.2011, Planning Statement dated 22.11.2011, Letter dated 22.11.2011, Proposed Floor Plans 372-2C + Sections dated

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08.12.2011, Proposed Elevations 372-3B dated 05.12.2011, Letter dated 05.12.2011, Letter dated 08.12.2011, Letter dated 26.10.2011, Letter dated 04.11.2011, Street Scenes + Levels dated 04.11.2011, 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 of all materials to be used externally have been approved by the Local Planning Authority. In order to seek such approval, written details and photographs of the materials (preferably in digital format) shall be submitted to the Local Planning Authority and samples of the materials shall be made available at the site for inspection by officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 3 No development shall take place until details of the eaves, joinery and rainwater goods 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, appearance or visual amenity of the locality.

- 4 The ground floor level of the dwelling and finished ground and hard surfaces shall be carried out in accordance with Drawing No.372-2C hereby approved.

Reason: To ensure that the development does not harm residential amenities, the street-scene or character of the area.

- 5 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.

- 6 Prior to the commencement of development, details of a scheme to demonstrate that the development hereby approved will incorporate appropriate measures to contribute to a sustainable environment shall be submitted to the Local Planning Authority for approval. The scheme shall include measures to minimise waste generation, and to minimise water and energy consumption, having regard to the need for 10% of energy consumption requirements to be generated on site from alternative energy sources and the potential for recycling water. The approved scheme shall be implemented prior to the first occupation of any of the units hereby approved and maintained for the lifetime of the building.

Reason: In accordance with Core Strategy policy CP 1 of the Tonbridge and Malling Local Development Framework

- 7 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. Surfaces shall be porous or shall discharge run-off to permeable areas within the site or to a soakaway. 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.

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

- 8 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 or B, of Part 1, of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To ensure that any future development does not harm the character of the area or neighbouring residential amenity.

- 9 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include substantial plantings within the front garden of the site, and indications of all existing trees and hedges on the land, and details of any to be retained, together with measures for their protection in the course of the development. 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.

- 10 The first floor windows on the side flank elevations shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. 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.

### **Informatives**

- 1 This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.
- 2 If the development hereby permitted involves the carrying out of building work or excavations along or close to a boundary with land owned by someone else, you are advised that, under the Party Wall, etc Act 1996, you may have a duty to give notice of your intentions to the adjoining owner before commencing this work.

- 3 With regard to works within the limits of the highway, the applicant is asked to consult The Community Delivery Manager, Kent County Council, Kent Highway Services, Double Day House, St Michaels Close, Aylesford Tel: 08458 247 800.
- 4 During the construction phase, the hours of working (including deliveries) should be restricted to Monday to Friday 08:00 hours – 18:00 hours. On Saturday 08:00 to 13:00 hours, with no work on Sundays or Public Holidays.

Contact: Mark Fewster