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<b>Ditton</b>	<b>571059 157969</b>	<b>09.06.2005</b>	<b>TM/05/01174/FL</b>
Ditton			

Proposal:	Erection of 1 No. four bedroom detached house with detached garage
Location:	Land Between 95 - 101 New Road Ditton Aylesford Kent
Applicant:	Wealden Homes

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### **1. Description:**

- 1.1 This proposal is for the erection of a single detached four bedroom dwelling in the side gardens of No. 95 and No. 101 New Road. The proposed two storey dwelling is proposed to sit centrally within the site and will be served by a detached garage to the north of the dwellinghouse. Vehicular access to the site will be created onto New Road. The applicant has indicated that the compensatory parking for No.101 New Road is available at the rear of the communal garage court to the north of the application site.
- 1.2 This application follows a previous refusal for two detached dwellings, which was also dismissed at appeal. The applicant considers the new application, through the provision of on-site turning facilities, overcomes the previous ground of refusal.
- 1.3 The application site area is 0.05 hectares and the density of the proposed development is 20 dwellings per hectare.

### **2. The Site:**

- 2.1 The application site lies within the urban confines of Ditton and the Conservation Area. The application site lies to the south east of the St Peters Road junction with New Road and to the north east of the junction of New Road Business Estate and New Road. The site lies close to a bend in the public highway to the south. The application site is formed by the side gardens of No.95 and No.101 New Road and also lies below the ground level of the public highway. To the north of the application site lies a block of four 1960s terraced houses, whilst to the south lies a pair of semi-detached bungalows. To the east of the application site lies the 1970s residential development of Scott Close.
- 2.2 Policies P4/4 (Conservation Areas), P4/11 (Quality of new development) and P5/3 (Housing Opportunities) of the TMBLP 1998 are most relevant.

### **3. Planning History:**

- 3.1 TM/04/00914/FL Refused 28.05.2004; Appeal: Dismissed 31.01.2005  
Erection of 2 no. three bedroom detached houses with integral garages.

**4. Consultees:**

- 4.1 PC: Strongly objects to this application for the same reason it objected to the original application that it would be very dangerous for vehicles to enter and leave the driveway of this property when it is positioned so close to a bend and junction opposite.
- 4.2 DHH: No objections.
- 4.3 KCC Highways: This proposal is similar to a previous application TM/04/00914/FL that was for two houses. That application was refused due the sub standard forward vision to the south towards the bend, from the proposed accesses. This application went to appeal and was dismissed.
- 4.3.1 The submitted plan No P02 shows the current proposal having a new access located slightly further to the north than the access shown on the previously refused application. I assess that it is approximately 2m further north. The similarly located access on the refused application had a forward vision to the south of approximately 42m, this measurement was not disputed by either the applicant or the inspector. The forward vision for this proposal still falls substantially short of the minimum requirement of 70m.
- 4.3.2 KCCVPS could attract up to a maximum of three off street parking spaces for a four bedroom house that I require to be provided in this location. The submitted A3 plan, scale indeterminate, shows what is assumed to be a single garage along with additional parking and turning. I am of the opinion that the required three spaces will inhibit turning resulting in vehicles reversing out onto New Road.
- 4.3.3 This proposal is similar to the previously refused application and has not and indeed cannot address the deficiencies in the forward vision to the south towards the bend. I therefore raise objection to this application.
- 4.3.4 The alternative parking arrangements for No. 101 New Road are noted. Previous comments still apply.
- 4.4 Southern Water: No comment.
- 4.5 Private Reps: 29/0S/0X/5R. Five letters have been received objecting on the following grounds:
- Loss of privacy;
  - Higher than dwellings within Scott Close;
  - Proposal should be bungalow;
  - Access onto New Road is dangerous;

- Access is now closer to the junction of New Road and St Peters Road;
- Loss of light;
- Turning facility is unlikely to be sufficient;
- Conifer trees have been reduced in height
- Lack of parking for the bungalow (No. 101 New Road);

4.6 Press Notice & A8 Site Notice: No response.

## **5. Determining Issues:**

- 5.1 The main issues to be considered are whether the development is appropriate, whether the proposal will detract from the visual amenity of the locality and the character of the Conservation Area and whether the proposal will constitute a highway hazard.
- 5.2 The site lies within the urban confines of Ditton and within an established residential area. PPG3 and policy P5/3 of the TMBLP 1998 seek to make effective and full use of land within urban locations for residential development, where it is compatible with the characteristics of the site, its surroundings and the highways serving the site. PPG3 also requires proposals to respect the characteristics of the local area and Policy P4/11 of the TMBLP 1998 also seeks to control the quality of new development.
- 5.3 The site also lies within the Ditton Conservation Area and is subject to policy P4/4 of the TMBLP 1998, which requires new development to either preserve or enhance the character of the Conservation Area.
- 5.4 The locality is a mixture of detached, semi-detached and terraced properties, and also includes two storey and single storey built form. The proposed two storey dwelling in terms of form would not be out of character with the local area or the Conservation Area. The proposed dwelling would be constructed at a lower level than the public highway, which helps to reduce its visual impact from public vantage points. However, concern has been raised by residents of Scott Close that the proposal is too tall. The proposed dwelling will be approximately 7.5m high whilst, under the previous applications, the dwellings were to be 8.4m high and 7.5m high. No ground of refusal relating to this aspect of the development was previously stated under TM/04/00914/FL. Therefore, no sustainable argument can now be advanced that the proposed height of the detached dwelling would be detrimental to the locality. In terms of the design it is relatively simple and, subject to the use of appropriate materials, will not detract from the visual amenity of the locality and will preserve the character of the Conservation Area.

- 5.5 The prior topping of trees within a hedge between 95 and 101 New Road has been raised by local residents. It is understood that the trees were mainly conifers growing within a boundary hedgerow. Given that the trees are located in a Conservation Area, prior notification ought to have been given to the Council before such works were undertaken. Members will note that under the previous application the proposed dwellings would have resulted in the trees' removal and this was not previously opposed. The trees have been reduced to the same height as the hedgerow and given the circumstances, I consider that no formal action should be taken.
- 5.6 I note local residents concerns that the proposal will result in the loss of light to their properties. However, given the distance and physical relationship between the properties, I do not consider the proposal will result in either the loss of sunlight or background daylight to the residential properties in Scott Close and New Road.
- 5.7 In terms of loss of privacy and overlooking, the previous planning application was not refused on loss of privacy, as the distance between proposed dwellings and those in Scott Close exceeded the recommended distance of 21m as advocated by the adopted Kent Design guide. The current proposal does not appear to be closer to the properties in Scott Close than previous scheme, although the submitted site plan is not to the correct scale and a revised site plan is awaited from the applicant. Notwithstanding this, adopted Kent Design guide recommends a back to back distance of 21m between dwellings. This is not a minimum requirement. The new draft for public consultation version of the Kent Design Guide does not provide any distances, but suggests a number of design methods to protect privacy. Therefore, I believe this proposal will not result in an unacceptable loss of privacy to neighbouring properties.
- 5.8 The previous application was refused solely on highway grounds and dismissed at appeal. The stated reason was as follows:

*The proposed sight lines are inadequate because they are significantly below the minimum requirements and would create unacceptable hazards to traffic.*

The applicant has sought to address this ground of refusal by reducing the number of accesses to one, moving the access to the north and providing a turning space within the application site.

- 5.9 The relocation of the access to the north improves the forward vision to the south, but the distance of 42m is still substantially below the 70m required distance to ensure highway safety. In these circumstances, KCC Highways continues to raise objections due to the unacceptable additional hazards to traffic.

- 5.10 In terms of parking provision, the proposed dwelling appears to be served by a garage, a single parking space and a turning area. KCC Highways note that under the KCCVPS up to three parking spaces could be required for this development, which would impinge on the use of the turning area. PPG3 requires new housing development on average to provide 1.5 parking spaces. However this is a single dwelling development and given the proximity to local services, amenities and public transport links, I consider that the provision of two parking spaces would be adequate in this urban locality. Therefore, the use of the turning provision should not be impinged.
- 5.11 I note residents concerns that the proposed access is too close to adjacent road junctions, however, KCC Highways does not consider this aspect of the proposed arrangement to be unacceptable. Local residents have also raised compensatory parking for No.101 New Road as a concern and the applicant has demonstrated that an existing parking area adjacent to a garage court can adequately serve No.101 New Road.
- 5.12 In light of all the above considerations, the proposal will result in hazardous highway conditions and therefore I am unable to support this application and recommend refusal.

**6. Recommendation:**

6.1 **Refuse Planning Permission** as detailed by letters dated the 20.06.2005, 13.04.2005, 07.06.2005 and supporting statement received on the 14.04.2005 by plans P02 received on the 21.06.2005, P03, RP:2, P04 and SK:826 for the following reason:

- 1 The proposed sight line to the south towards the bend is inadequate because it is significantly below the minimum requirements and would create unacceptable additional hazards to traffic.

**Informative:**

- 1 The applicant is advised that the submitted block plan P02 received on the 21.06.2005 is not at not a scale of 1:200.

Contact: Aaron Hill