

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**AREA 3 PLANNING COMMITTEE**

**5 July 2007**

**Report of the Chief Solicitor**

**Part 1- Public**

**Matters for Information**

**1 PLANNING APPEAL DECISIONS**

1.1 Site **Land adjacent to 93 Heron Road, Larkfield**  
Appeal **Against the refusal of permission for 2 no. two bedroom apartments**  
Appellant **Mark Forrest**  
Decision **Appeal dismissed**  
Background papers file: PA/62/06

Contact: Cliff Cochrane  
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- 1.1.1 The appeal site comprises a narrow strip of overgrown land to the rear of a concrete forecourt serving a block of lock up garages. This is single storey and in the Inspector's opinion, the distinctive visual break, is an attractive feature of the street scene.
- 1.1.2 Because of the two-storey- height the proposed block of apartments would significantly reduce the sense of a visual break between buildings and of a view out towards the tree belt. The proposed building would be close to a mature overhanging tree which the Inspector in the Inspector's view contributes strongly to the attractiveness of the street scene. He was not satisfied that the proposal could be implemented without significant damage to the tree, leading to its removal.
- 1.1.3 Although the building is of sympathetic appearance, the Inspector considered the marked reduction in the gap between the existing two-storey buildings and the potential loss of the large tree would significantly harm the character and appearance of the street scene.
- 1.1.4 Because of the noise source from the A20 road the proposed block has been designed with most of the first floor windows facing north. Although the view from the windows would be elevated the Inspector considered that it would still be dominated by the presence of the line of facing garage doors. The Inspector considered them to be unattractive, particularly when viewed at close quarters. In his opinion the movements and associated activities with the garages, together with the visual impact, would create a poor quality residential environment for the occupiers of the proposed first floor flat.

1.1.5 The Inspector considered the appellant's noise assessment and agreed that with suitable safeguards the design of the proposed buildings would meet relevant requirements for sound attenuation. However, in his view, this does not overcome the poor quality residential environment that would be created by the appearance and use of the garages so close to the first floor windows.

1.2 Site **Land on the corner of Willowside and Holborough Road, Snodland**  
 Appeal **Against the refusal of outline permission for a single dwelling**  
 Appellant **Mr Peter Martin**  
 Decision **Appeal dismissed**  
 Background papers file: PA/13/07 Contact: Cliff Cochrane  
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1.2.1 In the Inspector's opinion the siting of a dwelling in this position would relate very poorly to the existing surrounding development, in terms of both the overall layout and its adverse visual impact. It would eradicate the open character of the entrance to Willowside, creating a strong sense of enclosure and containment and introducing a cramped obvious new building, which would not respect the existing built form being set forward of the well established and clear building line formed by the side of No. 72 and the front of No. 1. As such she considered the proposal would not satisfy the objectives and provisions of policy P4/11 of the adopted Local Plan to protect the particular character and quality of the local environment.

1.2.2 The Inspector considered that the proposal would have an unacceptable and adverse effect on the setting of No. 72 Holborough Road, a Grade II Listed Building. It is set at a lower level than the appeal site and the proposed development would effectively block the existing views and visually enclose the side and rear elevations of the building, thereby reducing its contribution to the overall character of the area and adversely impacting on the setting of the Listed Building, contrary to the objectives of both national and local policy.

**Duncan Robinson**  
 Chief Solicitor