

**East Malling & Larkfield**                      **569871 157141**                      **3 March 2008**                      **TM/08/00732/FL**  
East Malling

Proposal:                      Erection of single storey 3 bedroom bungalow  
Location:                      Land Rear 51 Mill Street Off Cottenham Close East Malling  
   West Malling Kent  
Applicant:                      Mr Simon Wood

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**1. Description:**

1.1 This proposal is for the erection of a detached bungalow. The proposed bungalow will provide three bedrooms and will stand 2.7m high to the eaves and 5.2m high to the ridge. The proposed bungalow will be served by an integral garage and parking space in front. The proposed residential unit will be accessed from Cottenham Close. The proposed building will be sited centrally within an irregular shaped plot.

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

2.1 The application is being reported to Committee following a request from Cllr Mrs Simpson.

**3. The Site:**

3.1 The application lies within the rural settlement confines of East Malling and to the rear of 51 Mill Street. The site fronts onto Cottenham Close and is currently a cleared site, between 51 Mill Street and 2 Cottenham Close. It is an irregular shaped site and relatively level. The surrounding properties are predominantly two storey dwellings dating from the 1960s and 1970s, apart from a bungalow on the opposite side of Cottenham Close. To the west of the site lays the rear garden of 53 Mill Street and beyond this the Mill Street Conservation Area and the recently completed Upper Mill housing development.

**4. Planning History:**

- 4.1 TM/07/03416/FL      Refused                      10 January 2008  
Erection of 3 bedroom chalet bungalow
- 4.2 TM/07/00617/FL      Refused                      25 May 2007  
Revised application for two storey three bedroom dwelling.
- 4.3 TM/06/04110/FL      Refused                      7 February 2007  
Erection of two storey three bedroom dwelling.

4.4 TM/85/1152 Refused 30 September 1985  
Appeal Dismissed 28 November 1986  
Detached bungalow with access and parking.

4.5 TM/85/142 Refused 29 March 1985  
Outline application for detached house and garage including new access.

**5. Consultees:**

5.1 PC: Views awaited.

5.2 DHH: No objection subject to imposition of standard land contamination and refuse storage conditions.

5.3 KCC Highways: In principle I raise no objections to the construction of a new dwelling house on the application site, subject to suitable access and parking. In this instance, the plans show a three bedroom unit, with a garage and parking area indicated for two spaces, which would be acceptable for this use, if the parking was of adequate dimensions. However, it is noted when scaling from the plan that the garage indicated is positioned too close to the highway boundary; a distance of 5.5m is required between the front of a new garage and the back of highway boundary. The preferred internal sizes of garages has also been increased to 5.5m long x up to 3.6m wide, where suitable access for use by the disabled may be required. In this instance I also note that the side door to the garage opens inwards and restricts the usable space, when a car is parked within. The applicant to be advised that the minimum size for parking bays has also increased to 5m x 2.5m., with an increased width to 2.7m where a corner space is restricted. Therefore, based on the submitted details, I could not support this application.

5.4 Private Reps: 5/0X/0S/0R: Views awaited.

5.5 East Malling Conservation Group: Views awaited.

**6. Determining Issues:**

6.1 The main issues to be considered are whether the proposal will detract from the visual amenity of the locality, whether it harms the residential amenity of nearby dwellings and whether the proposal will constitute a highway hazard. In this context, it is also necessary to consider whether this scheme satisfactorily overcomes the reasons for refusal of the various schemes that have previously been considered on this site.

6.2 The site lies within the rural settlement confines of East Malling, where minor residential development is deemed acceptable under policy CP13 of the Tonbridge and Malling Borough Core Strategy 2007 and HP5 of the Kent & Medway Structure Plan 2006. Government advice in PPS3: Housing also lends support to

this form of development. Therefore, the principle of residential development on this site is acceptable.

- 6.3 Members will recall that there is a long planning history of refusals on this site for residential development for two storey dwellings as well as a chalet bungalow, due to excessive development close to the boundary, loss of privacy and harm to the amenity of adjoining residential properties. The applicant has now sought to address these concerns by proposing a single storey bungalow, with no first floor accommodation. Whilst the footprint of the proposed building has increased, the impact on the neighbouring properties has been significantly reduced. The combination of a reduction of the height and the omission of any first floor accommodation, removes previous concerns over the overbearing and excessive development, close to the rear and side boundary lines.
- 6.4 The proposed design and appearance is relatively simple and would not be out of keeping with the mixed style of properties in Cottenham Close. The proposed bungalow has been sited slightly further forward than on previous schemes, but is generally along the same building as No.2 Cottenham Close to the south and the flank elevation of No.51 Mill Street to the north. Therefore, the proposal will not detract from the visual amenity of the locality.
- 6.5 The proposed removal of any first floor windows has overcome a previous reason of refusal relating to loss of privacy and overlooking. The ground floor windows would face onto either existing or proposed new boundary fences.
- 6.6 Given that the proposal will be single storey, and also taking into account its orientation and physical relationship to neighbouring properties, it will not result in the loss of any sunlight or background daylight to neighbouring properties.
- 6.7 The proposed three bedroom bungalow is proposed to be served by an integral garage and a parking space directly in front. The KCCVPS set out the preferred site of garage parking spaces as being 5.6m deep by 3.6m wide to ensure that there is adequate storage space. The proposed garage space will be 4.9m by 2.7m. This is significantly smaller than that required by KCCVPS and KCC Highways raise objections. The proposed second parking space in front of the garage will be 4.1m deep by 4.3m wide. The KCCVPS requires parking spaces to be 5m deep by 2.5m wide. Therefore, whilst the width is more than adequate, the depth is considerably below the required depth. This is further confounded, as this depth will not allow a vehicle to stand off the public highway whilst the garage doors are opened. Again, KCC Highways opposes this arrangement. Therefore, the proposed two parking spaces are substandard and this arrangement is likely to lead to cars parking on the public highway, which creates additional hazards to traffic on the public highway, in a location that is relatively close to the junction with Mill Street and the bend in Cottenham Close to the south.
- 6.8 In light of the above considerations, I am unable to support this proposal and therefore recommend refusal.

**7. Recommendation:**

**7.1 Refuse Planning Permission** for the following reason:

1. The absence of adequate parking facilities due to insufficient dimensions of the both the garage parking space and the curtilage parking space would be likely to create additional hazards to traffic. As such the proposal will be contrary to policy T19 of the Kent and Medway Structure Plan 2006.\*

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