TONBRIDGE & MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

16 April 2009

Report of the Central Services Director

Part 1- Public

Matters for Information

1 PLANNING APPEAL DECISIONS

1.1 Site **16 Larkfield Close, Larkfield, Aylesford**
Appeal **Against the refusal to grant planning permission for the demolition of an existing garage and erection of 1 no. detached dwelling and garage together with providing replacement parking for 16 Larkfield Close and new driveway**
Appellant **Mr David Thompson**
Decision **Appeal dismissed**
Background papers file: PA/48/08 Contact: Cliff Cochrane 01732 876038

The Inspector considered there to be two main issues. The first is the effect of the living conditions of the occupiers of No. 50a New Hythe Lane with particular regard to outlook. The second issue is the effect on the character and appearance of the surrounding area.

The site presently forms part of the garden area of No. 16 Larkfield Close, an end of terrace property at the end of a cul- de- sac. Access to the proposed dwelling would be via a new drive from Larkfield Close which would run between Nos 16 and 17. It is proposed to locate the new dwelling in the widest part of the site, some 20m from No. 16 and some 5m from the common boundary with No. 50a.

Living conditions

No. 50a enjoys a relatively open aspect looking out onto the rear garden of No 16 although a bamboo fence has been erected along part of the common boundary and the Inspector accepted that it would be possible to erect a sizeable fence without the submission of a planning application. On the ground floor No 50a has principal windows to a living room and dining room. On the first floor there is a window to the hallway and four roof lights, one serving a bathroom and two serving a bedroom. This part of the dwelling is about 2m from the common boundary and would be some 5m away from the flank elevation of the proposed dwelling. Even though a garage is proposed closest to this common boundary, its roof would extend upwards to the dwelling's main roof which would have a ridge height of some 8m. The outlook from the ground floor windows would be

dominated by the new dwelling which would extend across much of No 50a's eastern elevation. The Inspector considered that the combination of the width and height of the new dwelling and its proximity would result in a sense of enclosure and would be overbearing spoiling the enjoyment of these rooms at No 50a. This harm would be compounded by new tree planting in close proximity to the common boundary which would add to the sense of enclosure. The Inspector considered that the resulting harm would conflict with the Kent and Medway Structure Plan Policy QL1 and Policy CP24 of the adopted Core Strategy.

Neighbours also raised concerns about the proposed parking area for the new dwelling and loss of sunlight. The Inspector considered that traffic movements, with their associated noise and disturbance, would be particularly close to the dining room window. She also considered it likely that, given the relative orientation of the properties, the amount of morning sunlight reaching the ground floor windows would be reduced. Whilst she considered these issues not to be determining factors they added concerns about the proposal.

Character and appearance

There is no objection in principle to the development. The local area has a mix of dwelling styles and designs, but in the main consists of pitched roof two-storey semi-detached or terraced properties. Having regard to the varied nature of the area, the chalet bungalow at No 50a New Hythe Lane and the Inspector's colleague's comments in the previous appeal decision, the Inspector did not consider the proposal would look out of place. On this issue, the proposal would not conflict with the objectives of SP Policy QL1 and CS Policy CP24

Julie Beilby
Central Services Director