



crashes on this section of the A25 (between Long Mill Lane and Minters Orchard) in the last six years.

It is further considered that the applicant's proposed amendments to improve the standard of the access track and the junction with the A25, are commendable offering benefits for all users. It is also considered that early removal of the existing boundary hedge, site clearance and laying of temporary surfacing as shown, will enable construction to be undertaken satisfactorily without affecting road safety on the public highway. I also confirm that the parking provision proposed is within County standards and the clearance to the rear of parking spaces (at 5m) is suitable for manoeuvring to be undertaken satisfactorily.

Private Reps: 4 neighbours have made additional representations in light of the amended/additional information. The additional comments all raise objection on the following grounds (in summary):

- The new proposals in no way address the problem of parking within the road and access road.
- There is no turning facility within the private road.
- The parking bays shown are inaccessible.
- The previous recommendation required the hedge to remain and it is now proposed to be removed.
- The legitimacy of the use of the road to access the new development is at present being checked with Land Registry and Solicitors.
- The revised splay to the A25 achieves nothing to alleviate the problems of vehicles exiting on to the A25 except perhaps improving visibility to the East.
- There will be no visitor parking and as there is no turning area within the road resulting in visiting cars reversing on to a bend on the A25.
- There will be a large amount of bulk excavation to be carried out and there is no facility for lorries etc to enter the site.
- The widening of the track may encourage parking at the junction on to the A25 and on the widened track.
- During construction HGVs will be unable to turn so will be forced to reverse on to the A25.
- Daily traffic along this track will increase by 100% leading to detrimental surface conditions.
- The bend of the road gives limited sight of vehicles approaching on the A25. Speeding and weight of traffic are major problems and pulling out from the access track is hazardous. Until the hazards are reduced it would not be responsible to allow additional residents to put themselves at risk.
- The private road is used not only as access to King George's Field but by many pedestrians, dog walkers and of course by residents of the road.
- Making the access on to the A25 wider does not increase visibility to the west which is required as this is the direction of danger.

- Increasing the width of the road will increase maintenance costs for existing residents.
- The PC has misinformed the Committee about who uses the lane. The lane is used for football on Saturdays and during the evenings. The lane is also used by dog walkers and families who enjoy the park.
- The developer is clearly trying to overdevelop the site. The development at Platt Mill Close may have small plots but that was a bad decision and should not set a precedent.
- Comments on the KCC Highways comments. The report is inaccurate when it states that there have been no accidents in the last 6 years. There may not have been any casualties, but there have been several incidents where cars have crashed in to one another.
- Consideration should be given to allowing an extension to 1 Mill Cottages only.

DPHEH: The amended plans for the access on to the A25 and for the widening of the private road are perceived to be benefits to the scheme over and above that necessary to secure planning permission. The applicant's intention was to seek to overcome some of the concerns raised previously by Members, the PC and local residents. I do not consider the widening works would give rise to ad-hoc parking and KCC Highways have advised that the proposals meet their requirements. I note the comments made in relation to the partial loss of the hedge, however, there is proposed to be a replaced hedge planted within the site which would also be protected for 10 years.

The issue of the number of parking spaces and their accessibility was considered in the original report for 5 March A2PC and there are no changes to these proposals.

The ownership of the private road is not a planning matter and the existing cottage had an access and garage served by the private road, which appear to have been in situ for many years and therefore are likely to have prescriptive rights. I recommend an informative is attached to remind the applicant/developer to ensure that their private access rights allow them to develop the site in the manner proposed.

I note the concerns raised by the PC in relation to loss of openness, however the side garden to 1 Mill Cottages is not considered to provide such a degree of separation or openness between Platt and Borough Green. The site is within the confines of Platt and is not safeguarded open space. The main report from 5 March A2PC sets out the position in relation to development of garden land and there is no requirement for "exceptional circumstances" as suggested by the PC. The test within the NPPF is whether there would be no harm to the "local area".

**AMENDED RECOMMENDATION:****Amended Plans List:**

**Other existing site images dated 04.12.2013, Acoustic Assessment dated 25.11.2013, Design and Access Statement dated 21.11.2013, Email dated 13.01.2014, Email dated 16.01.2014, Email dated 17.01.2014, Email dated 14.02.2014, Letter dated 13.05.2014, Location Plan A670-E-008 A dated 13.05.2014, Plan A670-E-010 dated 13.05.2014, Plan A670-E-011 dated 13.05.2014, Plan A670-E-012 dated 13.05.2014, Plan A670-E-013 dated 13.05.2014, Details A670-P-501 dated 13.05.2014, Existing Elevations A670-E-004 A dated 13.05.2014, Existing Floor Plans A670-E-006 A dated 13.05.2014, Site Plan A670-P-104 F dated 13.05.2014, Proposed Floor Plans A670-P-106 E dated 13.05.2014, Proposed Elevations A670-P-109 E dated 13.05.2014, Parking Layout A670-P-500 C dated 13.05.2014:**

**Additional Informatives:**

- 3. The granting of this permission does not purport to convey any legal right to block or impede any private right of way which may cross the application site without any consent which may be required from the beneficiaries of that right of way.**
- 4. 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.**
- 5. The applicant is advised that separate approvals for works within the highway will be required including widening of the junction bell mouth. Applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000 418181) in order to obtain the necessary Application Pack**

---

**Trottiscliffe                      TM/13/03625/FL**  
**Downs**

**Demolition of Cedar Bungalow and outbuildings and erection of 3 terraced dwellings, landscaping and car park at Cedar Bungalow Church Lane Trottiscliffe West Malling Kent ME19 5EB for Valley Homes (Kent) Ltd**

Campaign to Protect Rural England – Tonbridge and Malling District Committee (CPRE):  
“Objection. The Conservation Area is characterised by unique, detached two floor properties that sit randomly within generous plots. The proposal to build an ‘urban’ terrace of three floor dwellings would be incongruous and therefore harmful to the Conservation Area. The form and massing of the proposal is excessive and will lead to privacy issues with neighbours. Open parking in front of the development will detract aesthetically. Rear garden space is too small and does not provide for storage of residential paraphernalia,

bins or bicycles. The application appears to be only partial development of the site. The Committee agreed that a holistic application of the extended site would benefit the applicant”.

DPHEH: I note the comments from CPRE, however am of the opinion that the local area is characterised by various different styles of properties and plot sizes. The dwellings opposite the application site (1-4 Pine Cottages) are modest sized terraced dwellings, whilst 1-2 Trosley House Cottages are a pair of modestly sized semi-detached dwellings. Whilst I accept there is an element of detached two storey properties that sit randomly within generous plots within the wider village, this is not necessarily characteristic of the immediate locality of the application site in this instance.

Furthermore, the size of the rear gardens proposed for the three dwellings is not a matter to specifically warrant refusal of planning permission in itself. It is noted that the size of the proposed gardens is not dissimilar to those of other properties in the nearby vicinity (1-4 Pine Cottages and 1-2 Trosley House Cottages). The size of the rear gardens proposed (which range between 10 and 17 metres in length) would not preclude any future owners erecting a shed (or similar structure) for the storage of residential paraphernalia such as bicycles.

At this stage it would seem appropriate to draw a distinction between the current application proposals for a three terrace scheme and the previous schemes which have been refused planning permission (and one which has been dismissed at appeal) in the past. In summary, there have been three recent planning application refusals as outlined in paragraph 4 of my original report. These involved the demolition of Cedar Bungalow and (a) the erection of 4 detached dwellings (TM/12/00296/FL); (b) the erection of 3 detached dwellings (TM/13/00075/FL); and (c) the erection of 2 detached dwellings (TM/13/00077/FL).

Scheme (a) involved three detached dwellings to the site frontage with parking to the rear and a large detached ‘chalet’ style dwelling to the rear of the site (outside the land included as part of the red line with the current application). This scheme was refused on various grounds, inter alia that the proposals would harm the character and appearance of the conservation area and that the design and layout was not appropriate. This application was tested at appeal, with an Inspector subsequently dismissing the appeal.

Scheme (b) involved two detached dwellings to the site frontage with parking to the rear and a large detached ‘chalet’ style dwelling to the rear of the site (outside the land included as part of the red line with the current application). This scheme was refused on similar grounds to scheme (a), in so far as the proposals were harmful to the conservation area and that the layout, scale and massing were harmful to the locality.

Scheme (c) involved two detached dwellings to the site frontage with parking to the rear. Broadly speaking, save for a turning head to the rear of the site, the red line area of scheme (c) is similar to that of the current application. Scheme (c) was refused for similar

reasons to schemes (a) and (b), in so far as the proposals were harmful to the conservation area and that the layout, scale and massing were harmful to the locality.

Generally speaking, the designs of the previously refused schemes were not up to a sufficiently high standard expected within the Conservation Area. As concluded within paragraph 6.13 of my original report, the current 3 terrace scheme is of a design, scale and layout that preserves the character and appearance of the Conservation Area and would not be detrimental to the natural beauty of the AONB.

In light of the above, my recommendation remains unaltered.

**RECOMMENDATION REMAINS UNCHANGED**

---