

**Platt**

**2 March 2016**

**TM/16/00702/FL**

Borough Green And  
Long Mill

Proposal: Erection of 1no. 4 bedroom detached dwelling  
Location: 1A Marion Cottages Maidstone Road Wrotham Heath  
Sevenoaks Kent TN15 7SN  
Applicant: Mr Ian Colbridge

---

**1. Description:**

- 1.1 The proposal seeks planning permission for the erection of 1 no. 4 bedroom detached dwelling. It is shown to be of facing brick to the ground floor, a black weather boarded first floor and plain tiled roof.
- 1.2 The proposed dwelling would be detached, measuring 7.1m wide x 10.2m deep x 7.32m high.
- 1.3 The site forms part of the side garden of the existing dwelling, 1A Marion Cottages, which has frontages to Windmill Hill and Maidstone Road. The Maidstone Road frontage has a low stone wall with a hedge adjacent.
- 1.4 It is proposed to divide the plot. At present, there are two accesses serving the existing dwelling. It is proposed to use the existing access on the corner of Maidstone Road and Windmill Hill for the new dwelling.
- 1.5 It is proposed to provide two parking spaces within the plot and a parking and turning area.
- 1.6 The dwelling is proposed to face Windmill Hill with its flank to Maidstone Road.

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

- 2.1 At the request of Cllr Taylor due to concerns relating to overdevelopment; highway safety; impact on the streetscene; impact on historic character; bulk and mass.

**3. The Site:**

- 3.1 The application site measures approx. 21m by 17m. It is situated on the edge of the settlement confines of Wrotham Heath. To the west of the site, beyond Windmill Hill, lies the Metropolitan Green Belt and open countryside. Maidstone Road, to the north beyond the A25, is also the settlement confines. The A25 is a trunk road, connecting Wrotham Heath and the A20 with Borough Green and Sevenoaks.
- 3.2 Windmill Hill rises towards the south. The dwelling to the south of the site is a semi-detached 1960's dwelling. To the east lies the host dwelling, set

approximately 22m from the proposed dwelling. The host dwelling is an end of terrace to a group of Victorian iron stone terraced cottages. The host cottage has painted its stone and had a painted brick extension to its side, closest to the application site.

3.3 There are a number of trees located within the site.

#### 4. Planning History (relevant):

TM/98/00371/FL      Grant With Conditions      7 April 1998

demolition of existing single garage and erection of new double garage and turning area

TM/12/00824/FL      Approved      17 April 2012

Proposed roof extension and loft conversion to incorporate a study with a rear dormer and velux window

#### 5. Consultees:

5.1 PC: Object on the following grounds:

- The site lies within an Area of Historic Character. Even if Policy P4/7(b) of the TMBLP is not saved, the principle must be maintained;
- The streetscene of the A25 is a row of Victorian iron stone terraced cottages and to place this two storey detached house on the end will be out of character;
- The proposal will present a large gable end feature with a black weatherboarded finish abutting the row of cottages on the A25;
- It is surrounded by a 1.8m high closeboarded fence which is out of character with the streetscene;
- The proposed house is a large 4 bedroom house but with parking for only 2 cars. This is overdevelopment of the site and smaller affordable dwellings should be provided;
- The access is on a dangerous junction and with a 4 bedroom house more than 2 cars are expected to access the dwelling, along with visitors and delivery vehicles. Windmill Hill is already congested with parked cars, and therefore the proposal will result in a safety hazard;
- The existing gated entrance onto Windmill Hill/ A25 is not used frequently, but with this proposal it will be continuous;

- There have been problems with lorries accessing Windmill Hill demolishing the existing stone wall to this site and increasing traffic movements will not help. The pedestrian footpath is becoming increasingly dangerous, with the volume of traffic on the A25 and the vehicles going up and down Windmill Hill.

5.2 KCC (Highways): Visibility at the access is limited. However, the access exists, with no history of injury crashes associated with the access. Visibility at the access is to be improved by the proposed 0.9m high fence, which will allow for vehicles exiting the site to have a greater vision splay along Maidstone Road (A25). The turning head within the site is welcomed to allow vehicles to egress the site in a forward gear.

5.2.1 Whilst visibility from the site is limited the applicant has supplied sufficient mitigation measures to overcome these. I therefore wish to raise no objection on behalf of the local highway authority subject to conditions.

5.3 Private Reps: 7/0S/0X/0R + Site Notice. No objections received.

## **6. Determining Issues:**

### Principle of Development:

6.1 The site lies within the settlement confines of Wrotham Heath. Policy CP13 of the TMBCS 2007 restricts development within rural settlements to minor development appropriate to the scale and character of the settlement. In light of this, the principle of residential development on this site is acceptable in broad policy terms.

### Impact on Surrounding Locality:

6.2 Policies CP13 of the TMBCS allows for new development within the confines of rural settlements. It requires new development to be restricted to minor development appropriate to the scale and character of the settlement.

6.3 Policy CP6 of the TMBCS states that development will not be permitted within the edge of a settlement where it might unduly erode the separate identity of settlements or harm the setting or character of a settlement when viewed from the countryside. I am of the opinion that this dwelling will not be significantly detrimental to views of Wrotham Heath from the surrounding countryside.

6.4 Policies CP24 of the TMBCS and SQ1 of the MDEDPD require development to be well designed and through its scale, density, layout, siting, character and appearance respect the site and its surrounding. It should also protect, conserve and where possible enhance the character and local distinctiveness of the area, including its setting in relation to the pattern of settlements, roads and surrounding landscape.

- 6.5 The site is of a similar scale to surrounding plots. Whilst there are a row of smaller terraced properties to the east, these would be located approximately 22m from the proposed dwelling. There are also a number of dwellings of similar scale to that proposed within the surrounding locality. Therefore, I am of the opinion that the proposal will not result in overdevelopment or be out of character.
- 6.6 The proposed dwelling would be a two storey dwelling. The host dwelling is an end of terraced dwelling, fronting Maidstone Road. This proposed dwelling will be set back from the building line of Marion Cottages, and will be a similar continuation to the building line of the dwellings in Windmill Hill.
- 6.7 There are some differences in land levels across the site. The host dwelling is situated at a lower ground level than some of the application site and Kinderdijk, to the south, is situated at a higher ground level. The proposed access is situated at a relatively low ground level within the site and this, in my opinion, provides a good benchmark for a suitable level within the site for the development. No topographical survey or sectional plans have been submitted with the application. Therefore, should planning permission be granted, further details will be required of a topographical survey and finished floor levels.
- 6.8 The proposed dwelling would be a two storey dwelling, with the first floor built within the roofslope, with dormer windows. The proposed dwelling will be located approximately 22m from the host dwelling. The rear elevation of the proposed dwelling will be facing the side of the host dwelling, with the existing garage lying to the side of this dwelling. The proposed dwelling will be located 3m to the north of the neighbouring dwelling, Kinderdijk.
- 6.9 I am of the opinion that the height of the proposed dwelling will not be out of keeping with the host dwelling, given that it will be some distance away. Whilst the dwelling to the south has a relatively shallow pitch given that it is a fairly typical 1960's semi-detached dwelling, it is set at a higher ground level to this site. Therefore, I am of the opinion that the proposal will not have an overbearing impact on the host dwelling.
- 6.10 The proposed dwelling would be set back 5.2m from Maidstone Road, further back than the host dwelling. A 1.8m high close boarded acoustic barrier fence is proposed on the boundary of the site with Maidstone Road. At present there is a low level boundary stone wall and mature planting up to the height of 2m. I am of the opinion that the proposed fencing, if set behind the wall, will not be detrimental to the streetscene of Maidstone Road. This is already a private garden set next to a busy road and a high fence to give noise protection would be reasonable in my view, in any event. Given that the proposed dwelling lies adjacent to a pair of 1960's dwellings on the Windmill Hill frontage, at a similar building line, I am of the opinion that the proposal will not be detrimental to the streetscene of Windmill Hill.
- 6.11 The host dwelling is a painted end of terrace dwelling, with a large extension added onto the original terrace dwellings some time ago, and the dwellings to the

south of the application site are 1960 semi-detached dwellings. Whilst I note that some of Maidstone Road is characterised by iron stone terraced dwellings of some historical merit, given the location of the proposed dwelling some distance away, set back within the site and screened by fencing, I do not consider that the proposal will have a significant detrimental impact upon the historical character of the locality.

- 6.12 The dwelling to the south has two windows overlooking the application site, which appear to serve a lounge and a kitchen. It appears that these rooms are also served by windows in other elevations, and therefore I am of the opinion that the proposal will not result in a significant loss of light to the adjacent dwelling.
- 6.13 The proposed dwelling would have a first floor bedroom window in its side elevation, looking towards Kinderdijk. Given that the only side windows in this adjacent property are at ground floor level, I am of the opinion that the proposal will not result in a significant loss of privacy to this dwelling, despite the differences in ground level between the two sites, subject to a condition to control slab levels of the proposed dwelling. The first floor windows in the rear of the proposed dwelling are shown to be obscure glazed and a condition would be imposed for fanlight opening. This will therefore protect the privacy of the host dwelling as the garden of the new dwelling is to be relatively short.

Access, Highway Safety and Parking:

- 6.14 Policy SQ8 of the MDE DPD states that development will not be permitted which involves either the construction of a new access or increased use of an existing access onto the primary or secondary road network where a significantly increased risk of crashes or traffic delays would result.
- 6.15 It is proposed to access the site from an existing access to the NE of the garden that currently exists into the side garden of the host dwelling. This access is on the junction with Maidstone Road and Windmill Hill. Off street parking will be retained by the host dwelling, with an existing driveway and garage adjacent to this dwelling. Whilst the proposal will result in additional vehicular movements onto a classified road, this would not in isolation be a concern as there is adequate on-site turning. Visibility at the existing access is limited by 1.8m brick pillars and mature planting. It is proposed to improve visibility at the access by a proposed 0.9m high fence, which will allow for vehicles exiting the site to have a greater vision splay along Maidstone Road (A25). Whilst visibility from the site is not ideal, KCC (Highways) is of the opinion that the applicant has supplied sufficient mitigation measures to improve visibility. The access has no history of injury crashes.

Trees:

- 6.16 A number of trees exist within the site, including a Scots Pine tree. An arboricultural survey has been submitted with the application. This takes full

account of the root protection areas around the trees, to prevent damage to the roots through the course of development. It is proposed to retain all of the trees within the site, with the exception of a Holly and a Leylandii Cypress.

Noise:

- 6.17 The applicant has submitted an acoustic appraisal with the application. I note that whilst it deals with road traffic noise, it does not mention the nearby railway. However, given that this runs through a steep cutting, the noise disturbance faced at the site is minimal, and no further information is required on this aspect. The report has cited a night-time L<sub>Amax</sub> of 77dB as being the level not regularly exceeded at night, but no information has been provided to support this, such as graphical representation of the L<sub>Amax</sub> levels. Any approval should be subject to a condition seeking further information/data demonstrating the L<sub>Amax</sub> levels to which this site is exposed.
- 6.18 I note the comments of the PC with respect of the Area of Historic Character. However, whilst the site was within a designated Area of Historic Character within the TMBLP, this is not a saved policy, and therefore the site is no longer designated as an Area of Historic Character. Policy SQ1 allows for any part of the character of an area to be assessed, including historic character. However, for the reasons given above, the siting of this new dwelling relates more to the 1960s semi-detached house adjacent in Windmill Hill and is segregated from the ironstone cottages by some distance and an intervening more modern side extension to the end cottage.
- 6.19 In light of the above considerations, I am of the opinion that the proposal is acceptable.

**7. Recommendation:**

**Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 01.03.2016, Report Arboricultural dated 01.03.2016, Noise Assessment dated 01.03.2016, Location Plan BDS-WR-21 dated 01.03.2016, Proposed Plans and Elevations BDS-WR-20 dated 01.03.2016, Certificate A dated 02.03.2016,

**Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.
- 2 No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning

Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 3 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 4 No development shall take place until further information/ data has been submitted to and approved by the Local Planning Authority demonstrating the LA max levels to which the site is exposed. Where noise levels are shown to exceed those in BS8233:2014, details of acoustic protection for the dwelling, in line with the requirements of BS8233:2014, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwelling and shall be retained at all times thereafter.

Reason: To safeguard the aural amenity of the future occupiers of the dwelling.

- 5 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 6 No building shall be occupied until the area shown on the submitted plan as turning area has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 7 No development shall take place until a plan showing the existing levels of the site and adjoining land and the proposed slab levels of the dwellings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area or visual amenity of the locality

- 8 The windows on the east elevation shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. This work shall be effected before the extension is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

- 9 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the south elevation(s) of the building other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

- 10 The hereby approved driveway and parking area shall be constructed in a bound surface for the first 5 metres of the access from the edge of the highway as shown on the submitted plan.

Reason: In the interests of highway safety.

- 11 The access shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 0.9 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure the safe and free flow of traffic.

- 12 Any gateway to the access shall be set back 5.0 metres from the edge of the highway.

Reason: To enable vehicles to stand off the highway whilst any gates are being operated.



Informatives:

- 1 The proposed development is within a road which does not have a formal street numbering and, if built, the new property/ies will require new name(s), which are required to be approved by the Borough Council, and post codes. To discuss suitable house names you are asked to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to [addresses@tmbc.gov.uk](mailto:addresses@tmbc.gov.uk). To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.
  
- 2 The applicant must liaise with KCC Highways prior to and during the construction phase to ensure that safety of all users of the public highway is maintained at all times.

Contact: Glenda Egerton