

Hildenborough **556888 148983** **14 February 2014** **TM/13/03930/FL**
Hildenborough

Proposal: Shed to house a mobility scooter in front garden
Location: 46 Riding Park Hildenborough Tonbridge Kent TN11 9JE
Applicant: Mrs Sylvia Beevis

1. Description:

- 1.1 Permission is sought for a 2m by 2m by 2.5m high wooden shed (as scaled off the plans), to be constructed at the front of a dwelling house to provide shelter for a new mobility scooter. Further clarification has been sought, from the applicant, as to the type of material proposed for the roof and I have since been advised that it will be felt.
- 1.2 The applicant has explained that the new mobility scooter is too large to get into an existing outhouse to the side of the house. A larger mobility scooter is required as the existing mobility scooter is unreliable and has limited distance that it can be used for. The new scooter will provide the applicant with greater independence as she will be able to travel further afield.

2. Reason for reporting to Committee:

- 2.1 High level of local interest.

3. The Site:

- 3.1 The application site consists of a post war semi-detached dwelling located within an estate within the defined rural settlement confines of Hildenborough. The dwelling is located in the corner of a cul-de-sac within the estate. The dwelling has an attached outhouse to the side and there is a grassed area to the front.

4. Planning History:

TM/74/11153/OLD No Objection 3 July 1950

Road extension and layout 4 pairs type L3 houses.

5. Consultees:

- 5.1 PC: Object – would set a precedent as there are a number of residents in Hildenborough with scooters so if this is allowed others in area would have to be allowed which would severely affect the aesthetic aspect of the area. They consider that it would be an insecure method of storage. The shed is close to 44 Riding Park and would have a detrimental visual impact on that property. Other

options should be looked at such as widening access to existing out-house or using access via 44 Riding Park. Application unclear as plans show separated from house yet on forms state lean to shed.

5.2 Private Reps: 10/0X/2R/0S. Objections centre on the following grounds:

- Unsightly – especially if it has a plastic roof.
- Would set a precedent for other sheds/outbuildings to be erected in front gardens.
- On forms states will be 6ft by 6ft – yet on plans measures 2m by 2m so unclear.
- Visually impacts on all aspects from front of 44 Riding Park.
- No allowance has been made for a turning space for the scooter.
- The height of shed (2.5m) is much higher than that permitted for a garden fence so screening would be difficult.
- Consider that the shed would need to be erected on a plinth so shed will be even higher than as shown on plans.
- Shed will be insecure as easy to break into.
- If allowed consider that conditions should be imposed that do not allow shed to extend beyond width of existing brick built shed, the shed should be as near as possible to the existing building, the overall height should not exceed 2.5m, the shed roof should not be plastic, the shed should be removed when no longer required for the scooter.
- Consider shed will impact on the largely open appearance of this visually pleasant small square of houses.

6. Determining Issues:

6.1 Policy CP24 of the TMBCS requires that development must respect the site and its surroundings and that it will not be permitted where it would be detrimental to the built environment and amenity of a locality. This is supported by policy SQ1 of the MDE DPD which states that all new development proposals should protect, conserve and where possible enhance:

- the character and local distinctiveness of the area including any historical and architectural interest and the prevailing level of tranquillity;
- the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views.

- 6.2 The associated Hildenborough Character Areas Supplementary Planning Document comments that this area has a uniform character and strong sense of place.
- 6.3 The proposed development would change the appearance of the site within the street scene. Whilst I note the neighbours' and the Parish Council concerns regarding this shed, I do not judge that such a change to the street scene would be so great as to cause unacceptable harm to the visual amenities of the area. It is a very small scale structure and its particular siting, well back into the site adjoining the main dwelling, would mean that it would be seen directly against the backdrop of the main house. The structure is intended to be constructed from shiplap timber, with a felt roof. These materials are appropriate for the type of development proposed here and use of these materials can be made the subject of a condition should planning permission be granted. For these reasons, I consider that the structure would be something of an obtrusive feature within the street and would have some harm on the visual amenities of the street.
- 6.4 The shed would give rise to some harm to neighbouring amenities. The neighbouring dwelling at 44 Riding Park (which faces the location of the shed in the application site) has a parking space to the front of the dwelling. There are windows at the front of this dwelling that serve a living room and porch at the ground floor and a bathroom and landing at the first floor. Whilst views from the front windows and garden at 44 Riding Lane will be gained of the shed, given its size and location it would have some effect on the amenities and outlook. Given the distances involved and the particular relationship between the two plots, unless there is some special justification, it would normally be expected to not accept such development.
- 6.5 Both the judgements of impact mentioned in paragraphs 6.3 and 6.4 above recognise that there will be some impact and ideally this would not be accepted in the absence of a special justification for development in this front garden area. I acknowledge the suggestion made that the shed should be subject to a condition requiring its removal when no longer required by the applicant and, given the position explained above, I consider that this is an appropriate approach. It is appreciated that allowing this shed will afford the applicant greater mobility and independence. I also consider that had the shed been required for any purpose other than accommodating the particular mobility scooter, there would be no need to locate it within the front garden. There are therefore particular circumstances that apply to this proposal and I consider a condition would be reasonable. Any other proposal for such development in a front garden in this area would have to be judged on its individual merits.

6.6 In light of the above assessment, I consider that the proposal is acceptable in terms of the policies within the TMBCS bearing in mind the particular justification and as such the following recommendation is put forward:

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 14.02.2014, Notice dated 14.02.2014, Elevations dated 14.02.2014, Site Plan dated 14.02.2014, Supporting Information dated 25.05.2014, subject to the following:

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 All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

3 The shed shall be kept available at all times for the parking of the mobility scooter and no other purpose.

Reason: To safeguard the amenities and interests of the occupants of other property in this residential area.

4 If at any time the shed is no longer required for the parking of the mobility scooter it shall be removed as soon as is reasonably practical and the land restored to its former condition.

Reason: In the interests of the visual amenities of the area.

Contact: Rebecca Jarman