

Trottscliffe
Downs And Mereworth

8 October 2020

TM/20/02255/FL

Proposal: Demolition of existing one storey bungalow to enable erection of a semi-detached five bedroom dwelling
Location: 1 Green Lane Trottscliffe West Malling Kent ME19 5DX
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1. Description:

- 1.1 Planning permission is sought for the demolition of an existing bungalow and construction of a replacement semi-detached dwelling, two storeys in height and with 5 bedrooms.
- 1.2 The design of the dwelling is effectively a re-creation of the neighbouring dwelling, utilising a low catslide-style roof on the front elevation with a more conventional rear gable at the back of the building. Accommodation would also be provided in the roof, with rooflights provided in the rear roof slope. At the rear, small balconies would be contained within the building envelope.
- 1.3 At ground floor a small rear projection, single storey, would extend out 3.7m along the neighbouring boundary to the north. The development would maintain separation of 1m – 1.675m with the southern boundary. Otherwise, the front and rear gardens would remain as existing.
- 1.4 The site is currently accessed via two parking spaces to the side, from Green Lane. The new building would be extended partly over this space, so the parking areas are relocated to the front of the property from further into the cul-de-sac. Two spaces would be provided on the site for the replacement dwelling in accordance with adopted standards, it is understood the property also has access to an additional on street bay which would be retained.

2. Reason for reporting to Committee:

- 2.1 At the request of Cllr Anne Kemp to consider the size of the proposed house and potential issues regarding parking arrangements.

3. The Site:

- 3.1 The site is an existing bungalow within the village boundary of Trottscliffe. It is located on the corner of Green Lane and Downsview, within the Kent Downs AONB but not within the Green Belt.
- 3.2 Downsview comprises of residential dwellings similar in design to the proposed development. Conversely, the existing bungalow is somewhat at odds with the design of its neighbours being much smaller. A white car port is located on one side elevation to provide covered parking.

- 3.3 Surrounding land uses are predominately residential dwellings or open fields, giving the site a village/rural fringe character.

4. Planning History (relevant):

TM/02/01032/FL Grant With Conditions 5 June 2002

Installation of car port canopy and creation of vehicular access

TM/83/10056/OLD Application Withdrawn 12 November 1983

Regulation 4 application by Tonbridge and Malling District Council for erection of 8 replacement dwelling units with ancillary car parking.

TM/84/10956/OLD grant with conditions 23 May 1984

Eight replacement dwellings with access and parking.

TM/05/02703/FL Grant With Conditions 23 March 2006

Installation of Eternit weatherboarding treated with Sikken's Cetol BL21 Rosewood wood stain and white uPVC fascia boards

TM/15/01584/FL Approved 24 August 2015

Single storey extension

TM/20/01764/FL Application Withdrawn 24 September 2020

Demolition of existing one storey bungalow to enable erection of a semi-detached five bedroom dwelling

5. Consultees:

- 5.1 PC: At the Parish Council meeting for Trottiscliffe held on the 5 November 2020 Members resolved to object to the above proposal. In principle we do not object to a sympathetic extension but do object to the current proposal. We feel that the proposed dwelling 5 bedroom dwelling still represents an over development of the site and are concerned that the building takes over the whole plot leaving very little space for a garden and indeed parking. Although we note that the height of the roof has been lowered we still feel that the bulk of this property not only interferes with the general street scene but also with sight lines and the overall visibility. We remain concerned about the increase in traffic movements and access on to this narrow road. We would like to refer you back to the original planning permission for 1-8 Green Lane which stated that the Planning Committee felt that Green Lane, by reason of its restricted width and poor horizontal alignment, is unsuitable to

service any additional dwellings and is also unsuitable for use by heavy and large lorries. We disagree with the statement that the building is in keeping with neighbouring properties the west facing profile in particular is out of keeping. The proposed elevation and window treatments do not match anything in the road which is a combination of Listed and cottage style dwellings. Parking remains a concern and the proposed two spaces are at a dangerous angle to the road in terms of access and visibility. The parking spaces in the area are not allocated parking. We question the accuracy of some of the measurements on the plans in particular those of the front garden and the distance of the house from the road and would like these validated. We still believe that this proposal will affect the residential amenity of the neighbouring property.

5.2 Private Reps: 17 + site notice/0X/11R/6S

Objections summarised as follows:

- Loss of existing home and current tenant will be required to leave;
- Green Lane is too narrow
- Construction traffic cannot be accommodated and safety risks;
- Noise and disturbance arising from construction;
- No off street parking;
- Insufficient parking provision;
- Building would be out of character;
- Development is too large for the plot;
- Insufficient outside space would be provided;
- Views would be impacted;
- Loss of privacy;
- Unsympathetic in a rural area and AONB;
- Overbearing development;
- Would cause encroachment onto adjoining land.

Support summarised as follows:

- Improvement to housing stock;

- No long term inconvenience from construction;
- Improvement on current situation;
- Several extensions and new builds have already occurred with only minimal disruption.

6. Determining Issues:

6.1 The site lies within the settlement boundary of Trottiscliffe and is therefore excluded from the Green Belt. As such, there are no objections in principle to replacement dwellings as set out under policy CP13 of the TMBCS, subject to the proposed development being appropriate to the scale and character of the settlement. There is no policy requirement to demonstrate need for a replacement dwelling, or to demonstrate that the existing property is unsuitable. The key issues are the impact on the character and appearance of the area (including the special landscape character of the AONB), neighbouring amenity, and parking and highways.

Character and Appearance/AONB:

- 6.2 In terms of the policy context, Policy CP24 of the TMBCS requires development to be of a high quality and be well designed to respect the site and its surroundings in terms of its scale, layout, siting, character and appearance. Policy SQ1 of the MDE DPD advises that new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area including its setting in relation to the pattern of the settlement, roads and surrounding landscape.
- 6.3 Policy CP7 of the TMBCS explains that development will not be permitted which would be detrimental to the natural beauty of the AONB. This is consistent with the aims of the NPPF at paragraph 172, which explains that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. The scale and extent of development within these designated areas should be limited.
- 6.4 These policies are broadly in conformity with those contained within the Framework which relate to quality of new developments, in particular paragraph 127 of the NPPF that requires proposals to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Schemes should also be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

- 6.5 As already noted, the existing appearance of the bungalow is somewhat at odds with the form and scale of other properties in the close. As a much smaller property surrounded by larger neighbours, it is the “odd one out” to a degree, although it is accepted that it shares some design features and materials with its neighbours.
- 6.6 The proposed replacement dwelling would instead more effectively replicate the design of its neighbours, with the same “cat slide roof” front projection, and a similar two storey scale, the same as the adjacent semi. It would match the roof height of the neighbour and appear as a better reflection of its counterpart, with matching materials and comparable width.
- 6.7 To the rear the proposed dwelling would utilise a full height projecting rear gable with pitched roof, and a single storey flat roof projection on the side with the neighbouring dwelling. Although the gable is not typical of the immediate site context, it would integrate effectively with the overall design and add definition and interest to the rear elevation. It would not project significantly from the rear building line, and the use of small inset balconies is a relatively common design feature that would not be considered harmful.
- 6.8 Overall, it is therefore considered that the proposed dwelling is contextually appropriate and would integrate effectively with the neighbouring dwellings in the area, reflecting their design more closely than the existing bungalow on the site. Sufficient separation would be retained from the southern boundaries and in the garden to avoid it appearing cramped or overdeveloped. For these reasons it is not considered that the scheme would be harmful to the character and appearance of the area, and would fully accord with policy CP13 and CP24 of the TMBCS and SQ1 of the MDEDPD.
- 6.9 In terms of impact on the special landscape character of the AONB, the development would be viewed in the context of neighbouring properties that would also serve to largely screen it from views from the north and east. In any case, it would be seen as a typical addition to the village and would not be incongruous or of such a scale as to cause any landscape harm to the Kent Downs. Accordingly, it is not considered that any harm to the AONB would result, in compliance with policy CP7 of the TMBCS.

Neighbouring amenity:

- 6.10 Whilst it is accepted that there would inevitably be a change in outlook as the building is larger, it is not considered that this would result in material harm to neighbouring amenity. The rear projection closest to the neighbouring boundary would be single storey and only extend to a depth of 3.7m. The two-storey element is set well behind this part and away from the neighbouring boundary, on the side of the road. All other neighbouring dwellings are too far away to be impacted.

- 6.11 Therefore, due to the modest depth and separation from the neighbouring garden, it is not considered that any harmful overbearing or overshadowing effect would result. No windows would be located on the side elevation, and the inset balconies would not offer any vantage point into neighbouring gardens due to the design of the gable end element, with the side walls preventing views north or south.
- 6.12 Accordingly, it is not considered that any harm would result to neighbouring amenity by reason of loss of privacy, overshadowing or overbearing.
- 6.13 I note that representations received object on grounds that views will be lost but this is not a material planning consideration and this cannot be taken into consideration as part of the determination of the application.

Highway safety and parking provision:

- 6.14 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.15 Policy SQ8 of the MDE DPD sets out that before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure, the need for which arises wholly or substantially from the development, is in place or is certain to be provided. It goes on to state that development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network.
- 6.16 The aims of Policy SQ8 in requiring safe and suitable access to and from the highway are consistent with the aims of the Framework in respect of these matters.
- 6.17 Parking for two dwellings would be provided on the front drive, which is in accordance with the Council's adopted standards for this location and the same as the existing dwelling. Accordingly, objections on the grounds of parking cannot reasonably be sustained as the expectations of adopted policy have been complied with.
- 6.18 In terms of highways impacts, the proposal is not for a net increase in dwellings, but simply one larger dwelling replacing an existing one. In planning terms, there would not be any measurable increase in vehicle movements above the existing use. Furthermore, the site is easily accessed from an established road, at the end of a cul-de-sac where existing traffic would be minimal. For these reasons it is considered to be unarguable to suggest that there would be any unacceptable or severe highways safety impact, which is the specific test provided for at paragraph 109 of the NPPF. As a result, no objections are raised under policy SQ8 of the MDEDPD or paragraph 109 of the NPPF.

Other matters:

- 6.19 Whilst third party comments regarding construction lorries and disruption are noted, some short-term disruption is inevitable with any construction project. However, this is not a material planning consideration sufficient to withhold permission. There is no evidence before the Council that the lane is incapable of accommodating construction traffic and, in any event, this would be a matter for the applicants to ensure compliance with the highway code. Nonetheless, given the village location, one way access, and proximity of neighbouring dwellings, it is considered reasonable and necessary to require a construction management plan to be submitted to minimise disruption to neighbouring properties. This can be secured by condition.
- 6.20 For the avoidance of doubt, the listed buildings in the village are so far away that the site is not considered to have any role in their wider setting, and no harm would occur as a result.
- 6.21 Given the design of the rear projection elements, it is considered reasonable and necessary to restrict permitted development rights for further enlargement to avoid an unacceptable impact on neighbouring amenity and to prevent overdevelopment of the site. For example, if rights were not restricted, further rear extensions could be added largely completely enclosing the neighbour's garden. As such, removal of Class A rights is considered to be justified in the circumstances of this case.

Conclusions:

- 6.22 The development has been designed to reflect the appearance of adjacent properties in the cul-de-sac and would fit comfortably within the street scene, with adequate separation and no harm to the landscape of the AONB. As a result, it would be in accordance with policy CP13 as a development appropriate to the scale and character of the settlement. Furthermore, no harm would arise to neighbouring amenity or the safety and operation of the public highway. The application is therefore recommended for approval.

7. Recommendation:

- 7.1 **Grant planning permission** in accordance with the following submitted details: Site Plan 2001_02 dated , Site Plan 2001_03 REV A Proposed dated , Existing Floor Plans 2001_10 dated , Existing Roof Plan 2001_11 dated 08.10.2020, Proposed Floor Plans 2001_20 REV A dated 08.10.2020, Proposed Floor Plans 2001_21 REV A dated 08.10.2020, Proposed Floor Plans 2001_22 REV A dated 08.10.2020, Proposed Roof Plan 2001_23 REV A dated 08.10.2020, Existing Elevations 2001_30 dated 08.10.2020, Existing Elevations 2001_31 dated 08.10.2020, Section 2001_32 dated 08.10.2020, Section 2001_40 REV A Proposed dated 08.10.2020, Proposed Elevations 2001_41 REV A dated 08.10.2020, Location Plan dated 08.10.2020, Certificate B dated 08.10.2020 subject to the following conditions:

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 above ground works shall take place until details of all 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 The development hereby approved shall not be occupied until the areas shown on the submitted layout for a vehicle parking spaces 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 (other than the erection of a garage or garages) or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure that parking is provided and maintained in accordance with the Council's adopted standards.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class A of Part 1 of Schedule 2 of that Order.

Reason: To preserve neighbouring amenity and prevent overdevelopment of the site.

- 5 Prior to the commencement of the development hereby approved, arrangements for the management of all demolition and construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the demolition and construction works will be limited to and measures to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the demolition and construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those

deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to; and

- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.

The development shall be undertaken in full compliance with the approved details.

Reason: In the interests of local amenity and highway safety.

- 6 The development shall be constructed at the level indicated on the drawing referenced 2001-P-40 Rev A received on 08.10.2020

Reason: To accord with the terms of the application and to protect the visual amenity of the area.

Informatives

- 1 A formal application for connection to the public sewerage system is required in order to service this development. More information is available on Southern Water's website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>. The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding.

- 2 The applicant is strongly encouraged to consider opportunities for incorporating renewable energy technologies into the approved development wherever possible and for measures to support biodiversity within the construction of the buildings.

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