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**Report of 19 March 2015**

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**East Malling &  
Larkfield**  
Larkfield South

**569930 158412 23 December 2014 TM/14/04275/FL**

Proposal: Erection of a two storey attached dwelling  
Location: 22 Heron Road Larkfield Aylesford Kent ME20 6JF  
Applicant: Mr & Mrs F Price

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**1. Description:**

- 1.1 Planning permission is sought for the erection of a two storey dwelling to be attached to the side elevation of 22 Heron Road. The proposed dwelling would sit perpendicular to the public highway in line with the row of terraces to which it would be joined. The dwelling would be served by one off road car parking space to the front which would be located on the proposed driveway. This new driveway would also provide a parking space for the existing dwelling at 22 Heron Road.

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

- 2.1 At the request of Councillor Oakley due to the high level of local public interest.

**3. The Site:**

- 3.1 22 Heron Road is a two storey dwelling sitting in a row of terraces that run perpendicular to the public highway which is located to the east of the site. The proposed dwelling would be situated on an area of garden which is located to the east of the existing dwelling, positioned between the dwelling and the highway. This land is currently fenced off from the road by 1.8 metre high closed board fencing which runs along the footpath edge. The front of the site has a dropped kerb providing access to the front garden area which is mainly laid to grass and surrounded by a hedgerow. The only car parking to serve the existing dwelling is in an on-block garage situated 57 metres walking distance to the north west.
- 3.2 The application site is located within the urban confines of Larkfield; the local landscape is of no special designations.

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

TM/61/10760/OLD grant with conditions 19 July 1961

Outline application for residential development.

TM/63/10754/OLD grant with conditions 10 December 1963

Erection of 203 dwellings, garages and estate road, as amended by letter dated the 6th March, 1963.

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TM/65/10721/OLD grant with conditions 15 February 1965

203 Dwellings with garages and estate roads.

TM/74/11491/OLD Application Withdrawn 7 April 1953

Development for Housing Purposes. Superseded by MK/4/52/294.

TM/80/11273/FUL grant with conditions 25 June 1980

Garage to side and conservatory to rear.

TM/06/01621/FL Refuse 18 August 2006

Single storey extension to side

TM/06/03169/FL Grant With Conditions 15 November 2006

Single storey side extension

## 5. Consultees:

### 5.1 PC: Raise objection for the following reasons:

- It would worsen the on-street parking in Heron Road which is already single lane when cars are parked there.
- A new separate end of terrace dwelling would be detrimental to the street scene.
- The development would be detrimental to the residential amenity of existing properties.
- The proposed parking in the garage may not be used as this is distant from the application site and many people use the garages for storage.
- The hedgerow which runs along the edge of the footpath adjacent to the square should be retained to prevent the path or square being used for parking.
- Previous applications to extend number 22 have been refused due to the impact upon the openness of the square, and the impact upon the terrace. The estate was designed with these areas not having direct road frontages, trying to provide a sense of spaciousness. The new house would erode the layout.

- If officers feel the application should be approved, a site inspection is needed to appreciate the position on the ground.

5.2 KCC (Highways): Raise no objection subject to conditions.

5.3 Private Reps: 8/0X/7R/0S. The reasons for objections are as follows:

- The development would allow for a new family to move into the local area which would increase parking pressure on the local roads which is already reduced to a single track.
- The road sweeper can already only operate up the centre of the road.
- An application was previously refused for an extension to the dwelling for highway safety reasons due to the extension blocking visibility.
- There have already been crashes outside of the property due to parked cars.
- Disbelief that the trees and hedging would be retained.
- Impact upon the neighbours during construction periods - concern where materials would be stored and construction traffic impacts.
- Concern that not enough neighbours were consulted on the application, in particular on lower Heron Road.
- Parking adjacent to the existing garage should not be allowed.
- Neighbouring dwellings have previously had issues of sewage backing up, the proposed development would add to these problems.
- There is not enough space on the site for the new dwelling and parking.

## **6. Determining Issues:**

6.1 The NPPF has a presumption in favour of sustainable development which is described as the golden thread running through the decision making process. Sustainable development is three pronged: it ensures that development contributes to building a strong, responsive and competitive economy; supports strong, vibrant and healthy communities; and contributes to protecting and enhancing the natural, built and historic environment. Housing applications should be considered in the context of the presumption in favour of sustainable development with good design featuring as a key aspect, indivisible from good planning, allowing development to positively contribute to making places better for people.

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- 6.2 Following on from this, policy CP1 of the TMBCS requires that all proposals for new development must result in a high quality sustainable environment. The quality of the natural and historic environment, the countryside, residential amenity and land, air and water quality will be preserved and where possible enhanced.
- 6.3 Policy CP11 of the TMBCS seeks new development to be concentrated within the urban confines where there is the greatest potential re-use of previously developed land as this offers the greatest opportunity to minimise need to travel by being located close to services, jobs and public transport. The application site is located within the urban confines of Larkfield and is in close proximity to public transport and pedestrian links. The site is therefore located in a sustainable location where there is no objection to the principle of the proposed development.
- 6.4 Policies CP24 of the TMBCS and SQ1 of the MDE DPD seek to ensure that all development is of a high quality design, and to protect, conserve and where possible enhance the character and distinctiveness of the local area. This includes the distinctive setting of and relationship between the pattern of the settlement, roads and the landscape, urban form and important views.
- 6.5 The application site is currently an area of garden land which sits between the side elevation of 22 Heron Road and the public highway. This land is currently fenced off by 1.8 metre high closed board fencing and, as such, whilst there is a visual openness above the fence line, there is a sense of enclosure to the land at a pedestrian level. The land itself, as it is located behind a wooden fence, adds little to the visual appearance of the street scene. In general terms, there is spaciousness to the street scene which is brought about by the fact that dwellings are not built up to the edge of the public highway. This is highlighted in the Medway Gap Character Area Appraisal. Section F3, which refers to the Birds Estate, details the local housing as being generally set behind landscaped front gardens, with the majority of front gardens remaining open plan. In some areas of the development forms of enclosure are more prevalent than others; however the majority of the area retains its open plan character. There are examples in the locality where some limited infill has already occurred such as at 54A Heron Road. This has generally retained the character of the street scene outlined above and crucially was present at the time of the CAA which was adopted in February 2012.
- 6.6 The development proposes the construction of a two storey dwelling to be attached to the side of 22 Heron Road, continuing the line of the existing terrace. The dwelling has been designed to appear as an extension to the existing dwelling, with a lower ridge line and set back from the front elevation. This would allow it to appear more subservient to the terrace as a whole and reduce the cumulative massing of the built development in the row of dwellings. The proposed dwelling would match in materials to the existing property allowing for a visual cohesion between the older and modern development and preventing the dwelling from appearing visually incongruous within the street scene. As such, the property has been well designed to integrate into the terrace.

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- 6.7 The spaciousness of the street scene is an important factor in determining the character of the local area. Several of the objection letters have raised the issue that a single storey extension has previously been refused on the site due to the impact upon the character of the local area. The extension which was the subject of refusal was of a substantial scale, significantly greater than the width of the existing property and extending deeper into the garden area. A subsequent application was granted for the erection of a side extension with a similar footprint area to that of the proposed dwelling. This was considered to be situated sufficiently far from the highway to prevent harm being caused to the character of the street scene.
- 6.8 The proposed dwelling would have a two storey form which would have some impact upon the perceived spaciousness at first floor level. However, the dwelling would be set away from the boundary with the public highway, 2 metres from the footpath and 4 metres from the road. The general spacing between dwellings and the highway along Heron Road is not uniform; the partial erosion of this spaciousness would therefore not undermine the overriding rhythm to the street scene. The spaciousness would be retained by the fact that the dwelling would not be built to the edge of the highway. An adverse impact would not be caused to the character and appearance of the street scene as a result of the proposed development.
- 6.9 The proposed landscaping shown on the submitted site plans and floor plans seeks to relocate the existing boundary fence further from the public highway, with a landscaping strip between the fence and the footpath. It is also proposed to plant hedging to the front of the dwelling to break up the hardstanding and demarcate the proposed parking bays. These elements would soften the appearance of the development in the street scene. A condition requiring landscaping details to be submitted prior to the occupation of the development would secure provision and retention of these features in the longer term.
- 6.10 The closest neighbour to be impacted by the proposed development is 22 Heron Road itself. This neighbour would have no windows which would look directly onto the application site and, as the proposed dwelling would largely sit in line with the existing dwelling, it would not be overbearing to the adjoining neighbour. The proposed and existing dwellings would overlook one another's gardens at an oblique angle; this relationship is common for residential areas and would not be detrimental to the residential amenity of the occupants of either dwelling.
- 6.11 Paragraph 32 of the NPPF requires decision making to take account of a safe and suitable access to the site being achieved for all people; and improvements that can be taken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 32 clearly states that development should only be prevented where the residual cumulative impacts of development are severe. Policy SQ8 of the MDE DPD states that development proposals will only

be permitted where they would not significantly harm highway safety and where the traffic generated by the development can adequately be served by the highway network.

- 6.12 22 Heron Road currently only has parking provision in an on-block garage. The proposal seeks to retain this existing garage and install a new blocked paved hardstanding area to the front of the dwelling to provide one parking space to serve the existing house at 22 Heron Road and one space to serve the new dwelling, indicatively detailed as 22a Heron Road.
- 6.13 Interim Guidance Note 3 (IGN3) is the Council's adopted parking standard and requires two bedroom dwellings in suburban areas such as this to be provided with 1 off road car parking space. The proposed development would provide one parking space on the driveway for the new dwelling which would comply with the requirements of IGN3. In addition, the proposal would improve the parking situation for 22 Heron Road by installing an additional parking space on the driveway for this property, plus retaining their existing garage parking space, meaning that there would in fact be an increase in the parking provision to serve the existing dwelling.
- 6.14 Letters of objection raise concern with regard to highway safety through both additional parking on the highway and blocking of visibility. It is acknowledged that due to the general lack of parking provision locally parking on the road can be problematic. However, as outlined previously the development would comply with the Council's adopted parking standards and therefore would not result in additional pressure to park on the public highway. No detriment would therefore be caused to highway safety over and above the existing situation.
- 6.15 In terms of highway visibility, the proposed dwelling would be situated on an area of garden but this land is already fenced off from the road by 1.8 metre high fencing. As such, from within a car there is no visibility around the corner or over the brow of the hill due to the height of the fence. The proposed dwelling would be situated inside the fence line and slightly away from the boundary with the highway. The proposed dwelling would therefore not result in any additional blocking of visibility from vehicles using the public highway.
- 6.16 In light of the above assessment, I conclude that the proposal is acceptable in light of the requirements of the NPPF in terms of the principle of the proposed development given its location within the urban confines. It also accords with policies CP1, CP11 and CP24 of the TMBCS and policies SQ1 and SQ8 of the MDE DPD. 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 23.12.2014, Location Plan 1140.01 dated 23.12.2014, Existing Site Plan 1140.10 and roof plan dated 23.12.2014, Existing

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Plans and Elevations 1140.11 and sections dated 23.12.2014, Proposed Plans and Elevations 1140.12 and sections dated 23.12.2014, Site Plan 1140.13 proposed and roof plan dated 23.12.2014 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. No development shall take place until written details and samples of all materials to be used externally in the construction of the dwelling have been submitted to and approved by the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building and wider locality.

3. The use shall not be commenced, nor the premises occupied, until the area shown on drawing number 1140.12 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 1995 (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 parking space.

Reason: To ensure no adverse impact upon highway safety resulting from potentially hazardous on-street parking.

4. Prior to the first occupation of the development hereby permitted a scheme of landscaping and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. 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: To ensure that the development does not harm the character of the locality.

**Informatives**

- 1 It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained.
- 2 During the demolition and construction phases, the hours of noisy working likely to affect nearby properties (including deliveries) should be restricted to Monday to Friday 07:30 hours- 18:30 hours; Saturday 08:00- 13:00 hours; with no such work on Sundays or Public Holidays.
- 3 The disposal of demolition waste by incineration is contrary to Waste Management Legislation and is likely to lead to justified complaints from local residents. I would thus recommend that bonfires not be had on the site.
- 4 The Local Planning Authority supports the Kent Fire Brigade's wish to reduce the severity of property fires and the number of resulting injuries by the use of sprinkler systems in all new buildings and extensions.
- 5 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited 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.

Contact: Kathryn Holland



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**SUPPLEMENTARY REPORTS**

AREA 3 PLANNING COMMITTEE

DATED 19 March 2015

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**East Malling & Larkfield TM/14/04275/FL  
Larkfield South****Erection of a two storey attached dwelling at 22 Heron Road Larkfield Aylesford  
Kent ME20 6JF for Mr & Mrs F Price**

An amended site plan has been received to show the retention of a mature tree in the rear garden area of the proposed dwelling. In addition, supplementary information has been received to demonstrate that the area to the side of the on block garage is in the ownership of the applicants. The existing site therefore has a garage parking space along with a space to the side of the garage. The proposed development would retain these existing spaces and create two additional spaces on the proposed driveway area.

PC: Consider a site inspection is needed so that Members can see on the ground how the house would fit into the street scene. They feel that paragraph 6.5 of the report onwards and what is said about the general layout of this estate with its open plan character is relevant and can really only be seen on the ground.

Private Reps: 3 additional letters received supporting the PC's request that a site inspection be carried out, with one letter suggesting the applicants should be there as they do not appear to live in Larkfield.

DPHEH: The issue of openness has been fully considered in the committee report.

The additional details clarifying the parking situation further improve the proposed off road car parking provision which was previously considered to be acceptable.

Drawing number 1140.12 received 23.12.14 has been superseded by amended drawing number 1140.12A.

**RECOMMENDATION REMAINS UNCHANGED subject to amending the above  
drawing numbers and the addition of a condition requiring the retention of the  
tree in the rear garden as follows**

The approved development shall be carried out in such a manner as to avoid damage to the existing trees as shown on drawing number 1140.12A, including their root systems, and other planting to be retained by observing the following:

- (a) All trees to be preserved shall be protected during any operation on site by temporary fencing. Such tree protection measures shall remain throughout the period of construction

- (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
- (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
- (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
- (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the appearance and character of the site and locality.