

Comments for Planning Application 21/504571/FULL

Application Summary

Application Number: 21/504571/FULL

Address: Greystone Bannister Hill Borden ME9 8HU

Proposal: Demolition of existing property and erection of 2no. five bedroom dwellings with associated parking and private amenity space as amended by drawing no's. 21.29_PL_11 Rev A; 21.29_PL_12 Rev B; 21.29_PL13 Rev B; 21.29_PL14 Rev A and 21.29_PL_20.

Case Officer: Claire Attaway

Customer Details

Name: Miss Victoria Meadows

Address: Wykeham, Hearts Delight, Borden Sittingbourne, Kent ME9 8HX

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

We strongly object to 21/504571/FULL on the grounds that it is an unnecessary overdevelopment of the site, it would massively damage the amenity of neighbouring properties including the significant overshadowing and loss of light to Wykeham, it would increase the risk of a traffic accident on Bannister Hill and that it will create a significant precedent for the density of future development applications in the village.

We would like to take the opportunity to thank the Committee members who attended the site visit. Additionally, we are very grateful to those who took the time to view the development from Wykeham to get a fuller perspective of how impactful the proposed development would be on our home.

Executive Summary

1. Overdevelopment - During the site visit when the applicant was asked why they were trying to build such a vast property so close to Wykeham rather than a smaller property that was more suited to the size of the plot that would seek to mitigate the objections raised by local residents they simply answered "because it fits on the plan". Clearly, that doesn't mean it's appropriate for the site or the village and shows the applicant is maximising the site and overdeveloping it. It also highlights the complete lack of consideration of existing residents views and objections that has gone into this plan regarding the local area, neighbouring properties and residents. This blatant disregard of the genuine concerns and views of residents should be of a deep concern to Swale Borough Council and Borden Parish Council over the significant precedent this application if approved will be setting .

2. Overshadowing - It is indisputable that the proposed property would cause overshadowing to Wykeham. The proposal would block the afternoon and evening sun from reaching Wykeham's rear living space. The site visit couldn't have made this any clearer and the markings showing the proposed scale and positioning of the property only served to further amplify this.

3. Loss of light - The loss of light to Wykeham's lounge is clearly illustrated by the applicant's diagrams and our surveyors who specialise in loss of light have already advised us, a breach is a breach, it doesn't matter if it touches the house or a sloped part of the roof, it is still blocking light. In combination with the overshadowing it is in direct conflict with the local plan policy DM14 which advises that developments should respect the amenities of occupiers of neighbouring properties by ensuring that developments do not create loss of sunlight, overshadowing, overlooking, result in excessive noise, activity or vehicular movements or visual intrusion. It is our understanding that this policy is part of the Local Plan to protect neighbouring properties from being damaged by developments like the one proposed where so little consideration and care has been given to any surrounding property.

4. Inaccuracies and Proximity - Despite the acceptance of the inaccuracies in the previously submitted plans it is important to highlight a further inaccuracy with the latest plans. The rear garden of Wykeham is incorrectly shown as flat when there is actually an incline from the rear of the property to the boundary of approximately 200mm. The difference in levels was acknowledged by the councillors when standing in the rear garden of Wykeham as part of the site visit. This means the total elevation from the proposed property to Wykeham the house is approximately 1m. This was why we were concerned and questioned when 650mm was quoted incorrectly at the recent site meeting as this does not correlate with the plans or with actual reality in respect of the property of Wykeham.

The current Greystone property which [at its nearest point, due to it being angled] is actually 14m away from the boundary as shown in 21.29_PL11. The proposed development, in comparison, is 11.72m closer with only 0.5m decrease in elevation. Again this highlights the property is too close to the boundary with Wykeham and as a result adversely affects neighbouring properties.

5. Out of Character with the Surrounding Area - From an aerial view of the surrounding area there is not a single example of a development in the village having such a close proximity to a facing property as that being proposed. The development would set a new significant precedent for density of housing in the surrounding area. The properties in Hearts Delight are well spread out with no property having a dwelling 13 metres from the rear of their property, overbearing and blocking light in the way that this proposed development would to Wykeham.

6. Traffic - There will be a significant increase in vehicle movements in and out of Greystone, as clearly highlighted by the amount of parking provided for the size of the properties. Local residents were very vocal about Bannister Hill as a danger point and whilst we appreciate the need for expert guidance from Highways, local residents are the ones rebuilding their walls and dealing with near misses on a frequent basis. The location of the access point is a crux point on Bannister Hill and simply is not suitable for the proposed number of vehicles coming in and out of it onto the hill.

7. The plans are in direct conflict with CP3, CP4, DM14, DM33 and DM26.

DETAILS:

Overdevelopment

During the site visit, when the applicant was asked why they were trying to build such a vast property so close to Wykeham, rather than a more proportionate sized property that would mitigate the objections raised by local residents, they simply answered "because it fits". Clearly, maximising and overdeveloping the site was the main intention of the proposal with no room afforded for whether it is appropriate for the site or considerate of the existing residents.

The proposed development on Greystone is in direct conflict with the Local Plan's Core Planning Policies which states the following:

"5.3.3 In suburban, village and other sensitive locations, a lower density may be more suitable where the conservation and enhancement of the character of the site, or its biodiversity or local context may be a priority. These considerations frequently arise in respect of proposals for development in the gaps between properties or in their gardens, or as a result of the redevelopment of the entire site. This type of development has been emotively referred to as 'garden-grabbing' and whilst not precluding the appropriate development of such sites, proposals leading to a detrimental change in the character of existing neighbourhoods will not be permitted."

If anyone were to look at an aerial view of the surrounding area there is not a single example of a development having such a close proximity to a facing property as that being proposed. The development would set a new precedent for density of housing in the surrounding area. The properties in Hearts Delight are well spread out with no property having a dwelling 13 metres from their rear of their property, overbearing and blocking light in the way that this development would to Wykeham.

The applicant incredulously states that Policy CP3 from the Local Plan is relevant "delivering a wide choice of high-quality homes". Not only does the policy require that residential densities are determined by the context and the defining characteristics of an area but the 'wide choice' is four 5 bedroom houses. Only if the proposal was scaled down to be more proportionate to the site it would it befit the policy.

Whilst Greystone is a large plot, proposing to squeeze 4 five bedroom houses within it, increasing the development footprint to approximately 335% of the original Greystone dwelling, clearly demonstrates an overdevelopment of the site.

Proximity & Overshadowing

"Buildings should be designed to avoid overshadowing and minimise shading from obstructions to sunlight" The Kent Design Guide

It is indisputable that the proposed property would cause overshadowing to Wykeham. The proposal would block the afternoon and evening sun from reaching Wykeham's rear living space. The site visit couldn't have made this any clearer and the markings showing the proposed scale and positioning of the property only served to further amplify this.

As stated in the planning officer's delegated report the previous plans showed a distance of 16.5m from the rear of Wykeham's living space. The updated plans confirm that this was incorrect and that the proposed development is, as we feared, only 13m from the rear living space of Wykeham. We do not consider that this is a reasonable distance as it is standard for the minimum distance of a development to be increased in line with elevation and / or additional height. The proposed development will be elevated approximately 1m* higher than Wykeham and has a roof pitch of approximately 3.8m. The additional 4.8m (equivalent to 2 storeys) warrants the development to be at a greater distance from Wykeham.

*The updated plans, when taken into design software show that the proposed development will be elevated by 780mm. The rear garden of Wykeham is incorrectly shown as flat when there is actually an incline from the rear of the property to the boundary of approximately 200mm. The difference in levels was acknowledged by the councillors when standing in the rear garden of Wykeham as part of the site visit. We therefore conclude that the proposed development will be elevated approximately 1m from the ground of the rear of Wykeham's property. Where the planning officers 650mm figure for the elevation has come from we cannot ascertain as the applicants plans do not show this.

The Kent Design Guide states: "Most modern suburban developments fail to overcome perceptions of overlooking and visual intrusion, demonstrating that distance alone through use of minimum standards is an inadequate measure..." Unfortunately, we believe that this proposal has been working towards the informal 11m minimum distance rather than being guided towards solutions that are more proportionate and considerate in line with The Kent Design Guide.

Loss of light

The updated plans clearly highlight that the proposed development is still in breach of the Building Research Establishments (BRE) 25 degree test to determine loss of daylight and sunlight for Wykeham's Living Room patio doors and full length windows. Clearly this is not acceptable and would most definitely result in an unreasonable loss of light to Wykeham. Our surveyors who specialise in loss of light have already advised us that a breach is a breach, it doesn't matter if it touches the house or a sloped part of the roof, it is still blocking light. In combination with the overshadowing it is in direct conflict with the local plan policy DM 14 which advises that developments should respect the amenities of occupiers of neighbouring properties by ensuring that developments do not create loss of sunlight, overshadowing, overlooking, result in excessive noise, activity or vehicular movements or visual intrusion. It is our understanding that this policy is part of the Local Plan to protect neighbouring properties from being damaged by developments

like the one proposed where so little consideration and care has been given to any surrounding property.

Traffic

There will be a significant increase in vehicle movements in and out of Greystone, as clearly highlighted by the amount of parking provided for the size of the properties. Local residents were very vocal about Bannister Hill as a danger point and whilst we appreciate the need for expert guidance from Highways, local residents are the ones rebuilding their walls and dealing with near misses on a frequent basis. The location of the access point is a crux point on Bannister Hill and simply is not suitable for the proposed number of vehicles coming in and out of it onto the hill.

This overdevelopment of the site will also amplify the traffic issues on Bannister Hill and Hearts Delight. The access point for the property is nearly at the bottom of Bannister Hill where cars are travelling at the highest speed as they come down. The road already struggles at rush hour with the amount of traffic heading to and from the motorway as Hearts Delight is being used as a cut through. This is in addition to a large number of agricultural vehicles that can make passing impossible in parts of Bannister Hill and Hearts Delight with vehicles having to pull onto properties driveways purely to allow larger vehicles through.

In July 2017 Kent Police said the following as a result of residents requesting a traffic assessment of the Hearts Delight/ Bannister Hill area:

"Myself and a colleague went out and assessed the road with view to completing speed checks on vehicles. However the risk to officers and members of the public is too great. The reasons behind this are that there isn't a long enough straight piece of road for us to conduct the checks this greatly increases the risk of an accident. Also there isn't a safe enough location for officers to stand to conduct these checks."

Bannister Hill and Hearts Delight are not wide roads, they are rural country roads.

Properties on Bannister Hill do not all have driveways or garages so they are often parked (as is their right) on the road, reducing it to single file. This combined with the blind corners, the elevation change and the speed in which drivers often pass through the area makes it often a treacherous piece of road. Adding into the mix multiple cars, that the proposed large development will inevitably have, will only increase the risk of accidents. As per the 1981 rejection which was from a time of dramatically less levels of traffic compared to today.

In the Local Plan, 7.8.4 of DM 33 'Development affecting a conservation area' states the following:

"...The character of conservation areas can be fragile, and their distinctive quality and character can be damaged by new development, or by other more subtle means such as increased traffic..."

This is extremely relevant given that the access point for Greystones site is within Harman's Corner.

Further to this, with Greystone's proximity to Hearts Delight which the Council classifies as rural lane, the Local Plan's Policy DM 26 states the following: "Planning permission will not be granted

for development that would either physically, or as a result of traffic levels, significantly harm the character of rural lanes."

Traffic levels are accumulative and it needs to be considered that other developments in the area, such as 21/505544/FULL, collectively place a burden on the roads and will result in an increased traffic levels and a higher risk of accidents.

Site visit

Following the site visit on 29th November 2021 our fears were compounded when we saw the proximity of the markers to Wykeham's rear wall that were there to illustrate where the proposed property would be situated. We were horrified as they were far worse than we had even imagined when able to view the proposed development from the other side of our boundary. We were astounded to hear that the planning officer is still recommending approval given that the view from Greystone to Wykeham quite clearly showed the adverse impact this application would have on Wykeham. If that wasn't clear enough, a visit to Wykeham would have cleared this up. You don't need to be a planning expert to visualise the detrimental impact the proposed property will have on surrounding properties. If Wykeham was your house, would you think that is acceptable to build a property of that scale, both width and height, elevated, positioned in parallel to your house and at such close proximity to your boundary and completely dismiss all of the genuine concerns expressed by local residents?

Whilst the plans were amended the elevation levels of Wykeham are still incorrect, as the Committee Members could see when standing in our garden, the garden slopes up to the boundary so if you have an elevation of 0.78m at the boundary as per the plans, in relation to the house of Wykeham it's actually 0.98m. This inaccuracy is important due to the proposed property being so close to an existing property and this level of detail that needs to be considered so that plans can be accurately and properly scrutinised.

The answer provided by the applicant regarding the fence was unsatisfactory and not reassuring leaving surrounding properties unclear on what will be provided. The drawings show a gap so if the plans are accurate and followed the occupants of the property would be responsible for maintaining it as it will be within their boundary. However, fencing is not subject to planning consent so the occupant could simply remove it at some future date.

As mentioned at the visit, Wykeham, Brookwell and Bellami all have significantly shallower rear gardens than other surrounding properties due to the importance of maintaining sight lines for the 90 degree corner leading up to Bannister Hill as a condition of the planning approval at that time. It is not unreasonable to therefore expect that the rear gardens of these properties would at least be subject to additional protections from any proposed development directly behind the boundary wall rather than simply apply minimum requirements.

In conclusion I would strongly urge the planning committee to reject the Greystone proposal

21/504571/FULL on the detailed and comprehensive grounds set out above.