
Borough Green Borough Green And Long Mill	561056 157583	13.03.2006	TM/05/03570/OA
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Proposal:	Outline Application: Demolition of existing dwellings and construction of 6 no. 1 bed apartments, 12 no. 2 bed houses and 4 no. 3 bed houses
Location:	Land At And Including 20 And 22 Wrotham Road Borough Green Sevenoaks Kent TN15 8DB
Applicant:	SE Living, Mr P Martin And Mr P Smith

1. Description:

- 1.1 The application is in outline form with all matters other than means of access and siting reserved for future consideration. The submitted plans show that the 6 apartments would be located within a two-storey building towards the front of the site, just forward of the front elevation of 20 Wrotham Road (one of the existing dwellings within this site). The terraced housing would be arranged in three blocks of four houses, one would be to the rear of the apartment block and the other two would be located at the eastern end of the site broadly aligned with the existing houses at 20 and 22 The Avenue. Two pairs of semi detached houses would be located within the central part of the site facing towards the rear garden of 18 Wrotham Road and units 1 and 2 within the Bourne Enterprise Centre.
- 1.2 The application includes the provision of a replacement vehicular access to Wrotham Road that would incorporate improvements to the existing footway on this side of the road. The existing access to the site would be closed off under this proposal. 25 dedicated car parking spaces would be provided to serve this development.
- 1.3 The application has been amended since it was first received. Initially it proposed the erection of 4 apartments and 16 houses. The layout has also been adjusted accordingly.
- 1.4 The site area measures 0.45 ha and 22 units are proposed. The net density of the proposed development is therefore 48 units per ha.
- 1.5 Elevation drawings have been submitted with the application. However, as it is in outline form with all matters other than access and layout reserved for future consideration, the elevation details are illustrative only and should not be considered as part of the application.

2. The Site:

- 2.1 The site lies within the settlement confines of Borough Green, on the east side of Wrotham Road. The site is long and narrow, measuring between 23-30m in width and approx. 160m in length.

- 2.2 Residential development in The Avenue and The Crescent adjoins the site to the north and east. The front half of the site is bound to the south by the dwelling at 18 Wrotham Road, which is a 16th Century Grade II Listed Building. The rear half of the site is bound to the south by the Bourne Enterprise Centre.
- 2.3 A mature cypress hedge is located along parts of the northern boundary of the site. Another mature cypress hedge is located along the northern boundary of 18 Wrotham Road. A row of mature laurel trees is located along the northern boundary of the Bourne Enterprise Centre where it adjoins the application site and is the subject of a TPO, which is currently the subject of an appeal. A number of trees of various sizes and types that include mainly Hawthorn, Hazel, pine and fruit trees are located within the rear half of the site, which would be removed under this proposal.

3. Planning History (most relevant):

- 3.1 TM/05/01796/OA Withdrawn 12.07.2005
Outline application for demolition of existing houses and construction of 16 no. 3 bedroom houses, including altered pedestrian/vehicular access.
- 3.2 TM/04/00801/OA Refused 07.06.2004
Outline application: Demolition of existing houses and construction of 6 no. 2 bedroom flats and 16 no. 3 bedroom houses, including altered pedestrian/vehicular access.

4. Consultees:

- 4.1 PC: Objections: It is strongly considered that the additional traffic movements onto the extremely busy A227 will be dangerous for the many pedestrians walking past the entrance to this site - mainly junior and senior school children. The footway is narrow at this point and on one side of the A227 only.

Concern about massing of the development and close proximity to adjacent dwellings which would result in loss of privacy.

It is strongly felt that the application is premature and should not be considered until the Borough Green By pass has been constructed.

The elevation details and the floor plans show different details.

The amended plans for the unit fronting Wrotham Road show a reduction in the number of habitable rooms, which is welcomed as they would reduce the traffic and need for on site parking. However, the reductions of overall numbers is minimal in traffic terms.

The whole site scheme remains short of the Government target of 1.5 spaces per dwelling. Any mitigating circumstances must bear in mind that cars cannot be parked other than on the site itself (there is no other off road parking available).

It would appear that the submission has failed to take into account the physical proximity of locations and the combined effects of any junctions of Fairfield Road/A227; Bourne Industrial estate/A227 together with the proposed entry/egress of the new development/A227 and the relatively recent pedestrian crossing near the station, all within 200m. There is also a school crossing patrol in very close proximity to the Fairfield Road and Bourne Industrial Estate junctions. The A227 is currently brought to a temporary halt several times a day by vehicles using these junctions and by the school crossing patrol.

It is considered that the applicant has failed to demonstrate that the impact on both the local and strategic road network will be no worse than at present.

4.2 KCC (Highways):

Comments on scheme as originally submitted

Parking

The 20 dwellings are to be served by a total of 24 car parking spaces. In general each dwelling has 1 in curtilage parking space with the 4 visitor spaces spread through the site. Should additional casual parking be required then I am satisfied that it can be accommodated on road. I am satisfied that with the sites proximity to the centre of Borough Green that this level of parking is suitable. Bays to be a minimum of 2.4m x 4.8m, 5.5m preferred with end bays or bays in confined spaces widened to 2.7m. 2m x 2m x 45deg pedestrian vision splays required to each side of a drive. Bays 14 and 15 are in a confined space and surrounded by planting. In order to make this parking usable at all times the planting must be low growth, not bushy or spiky and be regularly maintained to prevent spread over the parking bays. This area will not be public highway and therefore who will be responsible for maintaining this area? Bays 1 to 5 abut directly onto the road. I require that there be a minimum of a 0.500m safety margin between the kerb line and the start of the parking bay. This is to provide a margin should a vehicle, particularly a lorry, overrun the kerb line in negotiating the bend.

Access

Access is to be by way of a new access relocating the existing one along the frontage. I am satisfied that the access arrangements and forward visibility splays shown are suitable to serve this development in this location. This is to be the sole access to the development with the existing vehicle access to be severed.

Access road

The access road is shown to be 4.8m wide and is acceptable. Junction radii are to be 6.0m. It is noted that the access road runs very close to the southern boundary of the site in certain areas. I would also require that there be a minimum margin of 0.500m along this boundary. There will need to be some visible demarcation between the adopted and un-adopted section of road.

Traffic generation

Each dwelling is likely to generate in the order of 8 to 10 two-way (arrival and departure) traffic movements per day. Allowing for the traffic generation from the existing dwellings, the proposal is likely to result in a net increase of between 11 and 14 two-way (arrival and departure) movements during the peak times. I am of the opinion that these movements can be accommodated on the adjacent highway network.

Other matters

The applicant is offering to improve the public footway facilities in the vicinity of the site by widening the existing footway along the frontage. This will marry into the existing network leading to the centre of Borough Green. These works will be subject to a legal agreement and down to the specification and satisfaction of the Highway Manager.

All works to be in accordance with Kent Design and those put forward for adoption subject to a legal agreement and safety audit procedures.

All works affecting the existing public highway will be subject to a legal agreement and be carried out to the Highway Manager's specification and satisfaction.

Street lighting details to be submitted for consideration.

Surface water from private areas is not to discharge onto the public highway.

A turning head is shown to accommodate refuse vehicles. The applicant is advised to liaise with the local authority regarding refuse storage and collection.

The above comments are based on the submitted outline scheme. Should amendments arise at the full submission then I reserve the right to make additional comments.

I would support this outline application.

Further comments:

The reduction in the size of the flats from 2 to 1-bedroom units does not alter my previous comments.

It is noted that the amendments alter the mix of dwellings on the development. It reduces the number of 3-bedroom units and increases the number of 1 and 2-bedroom units. This results in 2 additional units, which I find acceptable.

4.3 DHH:

Pollution Control

The environmental health issue raised by this application is noise.

My interpretation of the acoustic appraisal supplied by STATS Ltd is that the front third of the site facing the A227 falls into NEC C for both day and night time due to road traffic noise. In accordance with Local Plan Policy P3/17, planning permission should not normally be granted, especially as most/all of the proposed block of flats would fall into this front third of the site.

However, if in balancing the various planning issues you are minded to support the grant of planning permission, I recommend that a suitable worded condition be used to minimise the degree of detriment to aural amenity.

4.4 DL: As the development exceeds the 0.4ha threshold, provision should be made for Open Playing Space (OPS), under Policy P8/2 of the Local Plan.

The level of on-site OPS provision should be 60 m² per dwelling and, therefore, for a development of 18 units this would equate to 1,080 m².

It appears at present that the layout currently shows only one area of amenity space, surrounding the flats to the front of the development. Due to the nature of this it is considered inappropriate to qualify as OPS as it is not conducive to children's play or organised outdoor sport. The issue of OPS will, therefore, need to be addressed by the applicant.

As referred to in Policy P8/2, if it is impractical/inappropriate to provide OPS on the development itself then alternative means of provision will be considered to offer the equivalent benefit. This should be in the form of a contribution toward the provision/improvement to off-site facilities. Based on the provision of 18 dwellings, a contribution of £76,500 should be sought.

The following comments provide further detail on the allocation of off-site contributions:

Policy P8/2 highlights a requirement of provision of 60m² per dwelling. This is subsequently sub-divided to provide for 'Outdoor Sport' and 'Children's Playing Space'. To identify local need, initial informal consultation has been carried out with Borough Green Parish Council. Specific projects have been identified to improve local recreational facilities, and include improvements to Potters Meade Pavilion and the potential re-construction of the public facilities at Borough Green Recreation Ground.

The proposed development will potentially place additional pressure on all of these facilities and it is considered appropriate that a contribution towards their implementation should be sought. In specific reference to the improvements at Potters Meade, this issue has also been identified in the draft Playing Pitch Strategy that is currently being adopted by the Council. The strategy specifically identifies this issue within its proposed action plan.

Taking the above into consideration, and based on the provision of 18 units, £76,500 should be sought from the developer to assist in the implementation of enhanced/improved public recreational facilities at Borough Green Recreation Ground and/or Potters Meade Recreation Ground.

If the development exceeds/falls short of 18 units, the above figure will need to be amended based on a cost of £4,250 per dwelling.

- 4.5 KCC (Archaeology): The site lies c.35m north-east of a Roman burial site (SMR No: TQ 65 NW17) which was discovered during road widening in 1953. Quarrying opposite the site has produced Roman pottery since the nineteenth century. Around 60m to the south is a post medieval tile kiln (SMR No: TQ 65 NW 66), discovered in 1940 during the erection of an air raid shelter. From a brief examination of superseded Ordnance Survey Maps, it appears that the site has remained undeveloped in the modern era aside from the two existing houses and its archaeological potential is likely to remain intact. As the proposals will involve considerable ground works in an area of archaeological potential, I recommend that an archaeological programme be required by condition should permission be granted.

- 4.6 KCC (Education and Community Facilities Contributions):

The development as proposed would create the demand for extra primary and secondary school places. At present, the additional requirement for the primary places can be accommodated within local schools, however, the secondary places cannot.

A need has been identified for contribution towards Libraries and Youth & Community.

4.7 Private Reps (including Art 8 Press and Site Notices): 35/0X/0S/7R. The grounds for objecting to this application are:

- The proposal would generate additional traffic movements on the Wrotham Road, which is already very busy and would, therefore, be hazardous to highway and pedestrian safety.
- The applicant fails to recognise the significance of a double junction within 100m of the site and that twice a day a significant number of children pass the frontage of the site as they walk to both primary and secondary schools.
- Precisely because of the proximity of the [railway] station, foot fall along the pavement across the front of the site is very high and the A227 at this point only has one footpath on one side of the road.
- In recent years Borough Green has seen a significant increase in housing density with a number of housing schemes being approved. Such incremental increases slowly put a strain on the infrastructure of the village, both physical and social.
- There will be privacy issues that need to be considered.
- The proposed use of the site lacks imagination with no benefit to the community as a whole.
- The application suggests that parking for the flats would be accessible via the existing access.

5. Determining Issues:

5.1 The main issues associated with this application are the principle of the development and the impact upon highway and pedestrian safety.

5.2 Turning first to the issue of principle, the site lies towards the centre of Borough Green village, which has been identified under planning policies RS 2 of the Kent Structure Plan 1996 (KSP) and P6/2 of the Tonbridge and Malling Borough Local Plan 1998 (TMBLP) as being suitable for minor residential development. The preamble to policy P6/2 suggests that up to 10 dwellings could fall within the definition of 'minor development'. Whilst the proposal is for twice that amount, other factors need to be taken into consideration. Current Government guidance

contained within PPG 3 post dates the local plan and is a material consideration. The Government's objectives towards housing are contained within paragraph 2 of PPG 3. These include:

- Provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available.
- Provide sufficient housing land but give priority to re-using previously developed land within urban areas, in preference to the development of green field sites.
- Create more sustainable patterns of development by building in ways which exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services.
- Make more efficient use of land.

The site is located close to the centre of Borough Green, within a 5 minute walk of the mainline railway station serving London and the Kent coast, bus routes to local towns, local shops and services within Borough Green, as well as the local primary and secondary schools. The site is surrounded by development and the proposal would have a density of 48 dwellings to the hectare. This is within the density range encouraged by the Government (paragraph 58 of PPG 3). The proposal, whilst in outline form, is for a mixture of 1 bedroom flats, 2 and 3 bedroom houses. In light of this, I consider that the proposed development meets the Government's objectives concerning housing provision and is therefore acceptable in principle.

5.3 The major concern of the Parish Council and local residents regarding this development relates to highway and pedestrian safety. The A227 is a busy local distributor road and several road junctions are located in close proximity to the site. The footway on the east side of the road that passes in front of the site is a major thoroughfare for local residents to access the village centre and the local primary and secondary schools.

5.4 The highway safety reasons cited for the refusal of the previous application (TM/04/00801/OA) to develop this site for 22 residential units were to do with the traffic generation of the proposed development coupled with the sub-standard visibility splays afforded by the access to the site. The current proposal has sought to address this matter by extending the application site north to encompass part of the garden area of 1 The Close and by widening the public footway next to Wrotham Road in order to provide adequate visibility splay on either side of the proposed access serving the proposed development. Kent Highways considers that the proposed new junction with Wrotham Road would provide acceptable visibility splays and that the increased traffic movements generated by this proposal can be accommodated on the adjacent highway network.

- 5.5 I note the comments of the PC and local residents that the only footpath that runs along side of this part of Wrotham Road is located on the same side of the road as the application site and that it is a heavily used thoroughfare due to the location of the local schools, shops, services and housing in Borough Green. Whilst the proposed development would increase the number of vehicle movements to and from this site, the proposed access has been designed with acceptable visibility splays. Due to this, the drivers exiting onto Wrotham Road from the site would have good visibility in either direction to see pedestrians close to or crossing the proposed access.
- 5.6 With regard to car parking, I note the comments of the PC that the development has insufficient car parking provision. However, under PPG 3, the standard of 1.5 car parking spaces per dwelling is the **maximum** number that should be provided, not the minimum. In this instance, the 22 dwellings would be served by 25 car parking spaces, in accordance with current Government advice. The site is located close to the village centre, local schools and the main line railway station and as such local shops and other amenities are accessible by modes of transport other than the private motor car. In light of these factors and that Kent Highways has not objected to the proposed car parking provision in this instance, I consider the parking arrangements to be acceptable.
- 5.7 Turning to other issues, the site is subject to road traffic noise. From the survey undertaken by the applicant it appears that the site, due to its shape and length, falls within 3 NECs. The front of the site (including the apartments) would fall within NEC C, the centre part within NEC B and the rear containing the 8 terraced, two-bedroom houses, within NEC A. In accordance with local plan policy P3/17 and PPG 24, locating residential dwellings in areas that fall within NECs A & B is acceptable, subject to noise mitigation for those dwellings within NEC B. With regard to areas subject to NEC C, policy P3/17 and PPG 24 both state that planning permission will not normally be granted for residential development. However, PPG 24 also states at paragraph 8 that NECs B & C deal with situations where noise mitigation measures may make development acceptable. Hence, circumstances may exist whereby, subject to adequate mitigation, residential development that would be located within NEC C may be granted planning permission. In this case, the dwellings that would fall within NEC C are the 1 bedroom apartments that would not have associated garden areas. As such these dwellings would not have external amenity areas that would be subject to excessive noise levels. Whilst the application is in outline form, it would be possible to design the internal layout of the apartment building and incorporate external measures such as mechanical ventilation that would provide a satisfactory internal noise level. The development would fall within the exception provided by policy P3/17 and PPG 24.
- 5.8 As the layout of the development is to be dealt with at this stage, the siting and density of the proposed 22 dwellings have to be assessed in terms of their impact upon the character of the development in the locality. The density of the proposed

development is 48 units to the ha, which is a higher density than the houses in the Avenue and The Close, immediately to the north of the application site. However, this is not an excessively high density and as such would not look out of place in this part of Borough Green. The development would still provide reasonably sized private garden areas for the 16 houses within the site. There is no uniform character of built form in the locality - the Grade II Listed Building at 18 Wrotham Road sits within an expansive curtilage adjoining the site, and the light industrial buildings within the Bourne Enterprise Centre are of a scale, form and character that is altogether different to the residential development in the area.

- 5.9 From the main road, only the apartment building would be readily visible and this would sit in a similar position to the existing dwelling at 20 Wrotham Road. Whilst it would occupy a larger footprint than the existing dwelling, it would stand two conventional storeys high and is likely to appear as a large two storey detached dwelling. The front building line of this building would be broadly in line with the flank wall of 1 The Close and nos. 10-14 Wrotham Road, to the south of the site. There is no single conventional building line or dominant pattern of development in the locality. As a result, I do not consider that the proposed development in terms of its layout and density would detract from the character of the street scene or the wider locality.
- 5.10 The impact of the proposed development upon the neighbouring Grade II Listed Building needs to be considered. This dwelling is set 40m back from Wrotham Road and 10m south of the boundary with the application site. The layout of the proposed development has been amended in order to reduce the impact of it upon this neighbouring Listed Building. The houses within plots 7-10 have been re-orientated by 90° so that it is the flank wall of this row of buildings that would face towards the adjacent listed building, (rather than their front elevations) and would have a similar building line to this dwelling. This has resulted in the development being broken up within this site, which has produced distinct gaps between the groups of buildings within the site. The current layout of the proposed development is such that it would not, in my opinion, appear to impose itself upon the adjacent Grade II Listed Building at 18 Wrotham Road and as such would not detract from its setting within the street scene.
- 5.11 Due to the size of the site (0.45ha) it is subject to local plan policy P8/2, which relates to the provision of open play space within residential developments. Normally, the open play space would be provided within the confines of the site area. However, the policy also states that where this would be impracticable or inappropriate due to site characteristics or the nature of the development, the Borough Council will consider alternative means of provision by the developer where this is of equivalent benefit to the provision of open playing space within the site. In this particular case, the site area is only marginally larger than the 0.4 ha threshold and as has been stated above. Is very long and narrow in shape. As such, I consider that due to the particular characteristics of this site, it would not be practical to require the physical provision of open play space within this site.

- 5.12 The DL has stated that, if minded to seek an off site contribution, a sum of £4,250 per dwelling should be sought, which equates to £85,000 for the 20 additional dwellings within this site. This figure contains a sum of money for both outdoor sport provision and the provision of children's play areas. The sum of money sought for outdoor sport provision equates to £1,783 per dwelling and the sum for children's play areas equates to £2467 per dwelling. The DL considers that the proposed development would put added pressure on the existing outdoor sport facilities at Potters Meade and Borough Green recreation ground and that improvements to the Potters Meade pavilion have been identified in the draft Playing Pitch Strategy. As such, I consider it entirely reasonable that the applicant be required to pay a contribution towards the improvement of this local recreation facility. However, the DL has not indicated that the proposed development would place such a burden on existing facilities that would warrant a requirement for the developer to contribute towards the cost of improving existing facilities or providing new equipped play areas within the village. As such, I believe it would be reasonable to seek a contribution from the developer for the sum of £1,783 per dwelling, which would be put towards the cost of enhancing the existing outdoor sport facilities within the village. This contribution would equate to £35,660 for the 20 net dwellings within this site.
- 5.13 With regard to the impact of the proposed development upon the residential amenity of neighbouring properties, I am satisfied that proposed buildings would be located sufficiently far enough away from the neighbouring houses in The Avenue and at 18 Wrotham Road not to cause them an unacceptable loss of light or outlook. The rear elevations of the proposed dwellings situated within plots 11-14 would face towards the rear elevation of 16 The Avenue. However, the proposed houses would all be in excess of 20 m away from the rear elevation of this property and as such comply with local plan policy P4/12 regarding privacy distances. The front elevations of the dwellings within plots 11-12 would look towards the rear garden on 18 Wrotham Road. However, the majority of the garden within this property would be over 20 m away from the front elevation of the proposed dwellings within these plots and, due to the location of the house within 18 Wrotham Road and the existing mature conifer hedge along its northern boundary, I am satisfied that the proposed development would not result in an unacceptable loss of privacy to this property.
- 5.14 In light of the above, I believe this scheme to be acceptable in planning terms subject to the applicant entering into a legal agreement concerning the proposed alterations to the public highway and a financial contribution towards improving local leisure facilities.

6. Recommendation:

6.1 **Grant Planning Permission** as detailed in noise assessment report dated 08.05.2006, report by Risk Management Limited dated February 2006, and plan nos. 05/0953/01C, 02, 03B, 04, 05, 06, 07 and survey drawing ref. S02/592/01, subject to

- The applicant entering into an agreement under section 106 of the Town and Country Planning Act 1990 ensuring that the improvements to the public highway shown on plan no. 05/0953/01 Rev C are undertaken and that a financial contribution is made pursuant to policy P8/2 of the Tonbridge and Malling Borough Local Plan 1998, towards the maintenance/improvement to existing public recreation facilities in Borough Green, and;

- The following conditions:

1 Approval of details of the design and external appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

4 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.

5 No development shall take place until details of refuse storage facilities have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

- 6 The details submitted in pursuance of condition 1 shall be accompanied by a scheme of landscaping and boundary treatment which shall include a tree survey specifying the position, height, spread and species of all trees on the site, provision for the retention and protection of existing trees and shrubs and a date for completion of any new planting and boundary treatment. The scheme as approved by the Authority shall be implemented by the approved date or such other date as may be agreed in writing by the Authority. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Authority gives written consent to any variation.

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.

- 7 No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (including a timetable for such investigation) which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: In the interests of archaeological research.

- 8 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 1.05 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.

- 9 The premises shall not be occupied until the existing vehicular access to Wrotham Road has been closed permanently.

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

- 10 No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

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

- 11 The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part.

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

- 12 The use of the access shall not be commenced until turning facilities have been provided within the curtilage of the site and these facilities shall be retained thereafter free from any obstruction.

Reason: In order that a vehicle may enter and leave the site in a forward direction to ensure the safe and free flow of traffic.

- 13 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.

- 14 The access shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 15 No development shall take place until details of the size and position of the parking bays numbered 1-6 inclusive and the size of the other parking bays have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: In the interests of highway safety.

- 16 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 1995 (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.

- 17 No development shall take place until details of the slab levels for the buildings within plots 1-10 inclusive have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the visual amenity of the locality.

- 18 No development shall be commenced until full details of a scheme of acoustic protection of habitable rooms having windows that will be exposed to a level of road traffic noise in Noise Exposure Category B or C as set out in Policy P3/17 of the Tonbridge and Malling Borough Local Plan have been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 30 LAeq dB in bedrooms and 40 LAeq dB in living rooms with windows closed. Additionally, where the internal noise level will exceed 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open the scheme for acoustic protection should incorporate appropriate acoustically screened mechanical ventilation.

The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates.

Reason: To safeguard the aural amenity of the occupiers of the dwelling hereby approved

- 6.2 In the event that the S106 Agreement is not completed within six months of the applicant being so requested, **Refuse Planning Permission** for the following reasons:

- 1 The proposed development would involve the construction of a new vehicular access onto the secondary highway network and would significantly increase the level of traffic entering and leaving the site. Due to this and that the proposed development would incorporate substandard visibility splays at the junction with the Wrotham Road, the proposal is likely to cause significant detriment to the safe and free flow of traffic, contrary to policy T19 of the Kent Structure Plan 1996.
- 2 The development does make adequate provision for open play space and is therefore contrary to policy P8/2 of the Tonbridge and Malling Borough Local Plan 1998.

Contact: Matthew Broome