

TM/56/10250/OLD Grant with Conditions 1 May 1956

Dwelling house, garage and vehicular access.

TM/64/10945/OLD Grant with Conditions 16 April 1964

Extension to dwelling

TM/67/10530/OLD Grant with Conditions 20 December 1967

Extension to form sun lounge

TM/76/10442/FUL Grant with Conditions 3 November 1976

Kitchen extension.

5. Consultees:

5.1 PC: Pleased that the hedge is to be retained. Whilst there is adequate parking and turning, they question whether the sightlines are suitable for the location. Grange Road is narrow and there will be a significant increase in traffic when the school playing field is developed. They are concerned about drainage on the drive and hope that provision will be made on site as there is no drainage on Grange Road. They ask that the height and bulk of the building be looked at carefully in relation to the adjoining public house and conservation area. Ask that consideration be given to the visual impact of the property on the street scene and the possibility of setting a precedent for such large houses on small plots as you approach the centre of the village. Also ask that consideration be given to the storage of dustbins as they are unsightly. (The Agents have indicated that refuse storage will be at the rear of the garage).

5.2 KCC (Highways): No objections subject to conditions.

5.3 DHH: No objections subject to conditions.

5.4 Neighbours: 6/1X/0S/0R + site and press notice:

- No objection raised to planning application but ask that the foul water drainage in the area is checked to see whether it can accommodate a further dwelling.

6. Determining Issues:

6.1 The site is within the village confines of Platt and therefore the principle of residential development on this site is acceptable.

- 6.2 PPS3 promotes the provision of housing which makes both effective and efficient use of the land and therefore the scheme, in principle, accords with this aim.
- 6.3 Policy CP1 of the Tonbridge and Malling Borough Core Strategy 2006 (TMBCS) requires all development proposals to be of a high quality and to result in a sustainable environment. Policy CP24 of the TMBCS requires all proposals to be well designed and of high quality and appropriate and respectful to its site and surroundings in terms of scale, density, siting, layout, character, appearance and design.
- 6.4 In response to the Parish Councils' comments the Agents have made the following points:
- Acceptable scale relative to Lympstone and the houses to the rear
 - Sufficient distance from the public house not to impact upon its specific setting.
 - The plot is relatively small but this is not dissimilar from 2 other recent approvals, the Brickmakers Arms site, and adjacent to Maddox Cottages.
 - Not everybody wants a large garden these days.
 - This proposal works well in the street scene because the plot has plenty of space around it and the proposed house stands well away from neighbouring buildings.
 - In relation to the hedge, the intention is to remove as little of the existing bank as possible, with new hedging to be planted on the existing bank, reconstructed and reinforced as necessary. May retain some of the existing hedge plants as well, although these are not all in a good state.
 - The walls at the entrance driveway will contain the growth of vegetation, they have been kept as short and low as possible but will assist in ensuring highway safety.
 - The movement of vehicles onto and off the road actually requires the through traffic to slow down.
- 6.5 With regard to the size and bulk of the proposed house in relation to the site, the overall character of the area is predominated by detached houses, thus a development of this nature is in character. The property provides a rear garden with a depth of between 5 to 9 metres, together with a reasonably sized front garden that provides parking for several cars. There is at least 2m from the proposed house to the northern boundary and at least 1m from the proposed house to the southern boundary. The proposed building itself has two storeys under a pitched roof, and it is of a similar height to the other properties within the

street when viewed on the submitted street scene elevation drawing. It is therefore not considered that this property is too large or bulky for this site and thus it accords with policy CP24 of the Core Strategy.

- 6.6 Turning to the impact of the proposed dwelling on the overall character of the area, this area is characterised by residential properties accessed off a narrow country lane via a mix of hedged or walled frontages. The proposed design of the building is considered to be in keeping with the other properties in the immediate area. The access to the site has been considered carefully by the Agents in order to create a degree of visual coherence to the village lane. The Agents have commented that the entrances to properties within the lane are predominately brick built with softer vegetation in some cases. Thus the design of the proposed entrance to this property has been designed to respect both the rural nature of the location and the existing architectural character of the village lane. The Agent states that if a shared access with Lympstone were to be introduced this would be out of character within the lane and would require additional hard surfacing.
- 6.7 I am of the view that the creation of a new access is acceptable, particularly as the agent has indicated that a replacement hedge will be planted on top of a reconstructed bank and thus the character of the lane will be preserved. There are no objections to the new access from KHS in terms of highway safety.
- 6.8 Concerning the impact of the development on neighbouring properties, the nearest property to the rear is Wolverleigh and this has a back to back distance with the proposed property of 35m which is in excess of the normally acceptable distance of 21m. There is good separation from Lympstone and thus the residential amenities for the residents of this property are not adversely affected. In order to protect the future residents of the proposed property from any noise that may be generated from the public house to the south of the site, DHH has suggested that the windows on the southern elevation of the proposed dwelling be fixed shut. One is a secondary window to a first floor bedroom and so a corresponding condition has been suggested. The other windows/door on the southern elevation do not serve habitable rooms but a kitchen, utility room, WC and shower room, and so would normally expect to benefit from natural ventilation that would be prevented if those windows were to be fixed shut.
- 6.9 It is considered that the scheme will fit well within the site and is keeping with the overall character of the area. The application accords with national and local policy and thus it is recommended for approval.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following: Planning Statement dated 03.04.2009, Photographs 1169/02 dated 03.04.2009, Photographs 1169/01 dated 03.04.2009, Site Plan 1169/10 dated 03.04.2009, Floor Plan 1169/11 dated 03.04.2009, Elevations 1169/12 dated 03.04.2009, Elevations 1169/13 dated 03.04.2009, Section 1169/15 dated 03.04.2009, Elevations 1169/14 dated 03.04.2009, 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 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.

3. 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.

4. The garage(s) shown on the submitted plan shall be kept available at all times for the parking of private motor vehicles.

Reason: Development without the provision of adequate vehicle parking space is likely to lead to hazardous on-street parking.

5. No building shall be occupied until the area shown on the submitted plan as turning area 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 turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A; B; C; D and E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In the interests of the visual amenity of the locality and the adjoining conservation area.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the southern elevation of the building other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity.

8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment which shall include the reinstatement of a hedgerow and bank to the frontage. 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: 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.

9. No development shall be commenced until:
- (a) a site investigation has been undertaken to determine the nature and extent of any contamination, and
 - (b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

10. The bedroom window on the southern elevation shall be non-opening. This work shall be effected before the property is occupied and shall be retained thereafter.

Reason: To minimise the effect of noise potentially generated from the adjoining public house.

Informatives

1. 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 to the new property. To discuss the arrangements, you are invited to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or contact Trevor Bowen, Principal Legal Officer, on 01732 876039 or by e-mail to trevor.bowen@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 property is ready for occupation.
2. Surface water from the private areas is not to discharge onto the public highway
3. With regard to the construction of the vehicular crossing, the applicant is asked to consult The Community Delivery Manager, Kent County Council, Kent Highway Services, Double Day House, St Michaels Close, Aylesford Tel: 08458 247 800.

Contact: Rebecca Jarman