

**Borough Green**  
Borough Green And  
Long Mill

**561362 157528 27 May 2009**

**TM/09/01260/FL**

Proposal: Division of existing garden and construction of a detached bungalow (Resubmission of application TM/08/03622/FL)  
Location: 65 Annetts Hall Borough Green Sevenoaks Kent TN15 8DY  
Applicant: Mr John Tyler

---

**1. Description:**

- 1.1 Members will recall this application was brought to Area 2 Planning Committee on 5 August 2009, where it was deferred for a Members Site Inspection (MSI).
- 1.2 The MSI took place on 1 September 2009 at 2pm.
- 1.3 A full description of the proposal can be found within the previous Committee Report and Supplementary Report which are annexed to this report.

**2. The Site:**

- 2.1 See previous report.

**3. Consultees:**

- 3.1 No further representations to report. See previous report for consultee responses.

**4. Determining Issues:**

- 4.1 At the site visit the issue of visibility around the bend of Annetts Hall was discussed. The corner of the road is at the southwest corner of the application site. At present the south and west boundaries of the site have large conifers which have grown to be rather dense and wide and at present the branches overhang the low level brick wall and encroach on the pedestrian footway.
- 4.2 As a result, the overgrown hedge has a seriously detrimental impact on visibility for road users approaching the bend in the road from the north and east.
- 4.3 The application shows all of the trees on the south boundary are to be removed and all but four of the conifers are to be removed on the west boundary. Whilst the removal of the trees shown will greatly improve the visibility on the corner, it will not result in sufficient visibility for cars exiting the application site at the northwest corner. Moreover, whilst most of the existing trees would be removed, there is no restriction, at present, to limit trees or large shrubs being planted in this area which could result in harm to visibility.

- 4.4 Accordingly, in liaison with KCC Highways, a suitable condition is proposed to limit any planting, fencing or development within a visibility splay of 2m x 22m affecting the west and southwest corner of the application site. It is felt that such a condition would sufficiently protect the visibility for vehicle users approaching this corner of Annetts Hall and cars exiting the application site in the northwest corner.
- 4.5 In addition to the above, I recommend a further condition be attached to ensure the parking areas proposed for the new bungalow and to the front of No.65 are constructed from a porous material or, alternatively, that all surface water run off is channelled in to a soakaway on site.

**5. Recommendation:**

- 5.1 **Grant Planning Permission** as detailed by Letter dated 27.05.2009, Design and Access Statement dated 27.05.2009, Drawing 65ANHL/P/4 Amendment dated 29.07.2009, 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 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. 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.

- 4 The use shall not be commenced, nor the premises occupied, until an area of vehicle parking space measuring 5.4m wide x 5m deep has been provided within the northwest corner of the application site, 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.

- 5 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 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 ensuring a sufficient amenity area.

- 6 Prior to the first occupation of the dwellinghouse hereby approved, the parking area to the front of No. 65 Annetts Hall shall be widened on site to 5.4m wide x 5m deep and shall be made of permeable surfacing or drained within the site.

Reason: In the interests of ensuring sufficient parking is available for the existing dwelling.

- 7 Prior to the commencement of development, a scheme shall be submitted to the Local Planning Authority for approval to demonstrate that the development hereby approved will adopt and incorporate sustainable construction standards and techniques. Where practicable and appropriate, the scheme shall include measures to:

- minimise waste generation (including reduction and recycling of construction and demolition waste)
- minimise water consumption (including potential for recycling water)
- minimise energy consumption by the use of natural lighting, heat and ventilation
- use building materials that minimise the depletion of non-renewable resources
- assess potential for 10% of energy consumption requirements to be generated from decentralised and renewable/low-carbon sources

The approved scheme shall be implemented prior to the first occupation of any of the unit(s) hereby approved and retained thereafter.

Reason: In accordance with policy CP1 of the Tonbridge and Malling Borough Core Strategy and Policy CC4 of the South East Plan 2009.

- 8 No development shall take place until details of slab, eaves and ridge levels 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 or the visual amenity of the locality.

- 9 Within the visibility splay hatched black on the plan attached to this permission, no planting, fencing or any other form of obstruction shall exceed 1.05m in height above the level of the nearest part of the carriageway at any time.

Reason: In the interests of highway safety.

- 10 The parking areas required by Conditions 6 and 4 of this permission shall be constructed from a porous material or ensure that all surface water run-off from these areas is diverted to a soakaway on site.

Reason: In the interests of the ensuring the integrity of the public highway.

### **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(es) to the new property/ies. 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](mailto: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 properties are ready for occupation.

Contact: Lucy Stainton