

Borough Green
Borough Green And
Long Mill

561026 157589 26 May 2009

TM/09/01246/FL

Proposal: Creation of one additional two-bedroom flat within the roof void together with associated external alterations to the apartment building. Revisions to site layout to show alternative parking arrangements.

Location: 17 Stone Court Borough Green Sevenoaks Kent TN15 8FE

Applicant: Mr Stuart Allington

1. Description:

- 1.1 Members will recall that this item was deferred from the last meeting of the Area 2 Planning Committee for the Chief Solicitor to submit a report under Part 2 of this agenda to inform Members of the potential implications of refusing planning permission for this development. A copy of my previous main and supplementary reports are attached as an Annex to this report.
- 1.2 I have noticed an error in paragraph 3.1 of my previous report. The site currently contains 22 dwellings, not 23 as is stated in that paragraph. The proposed development would increase the total number of dwellings within Stone Court to 23.
- 1.3 The planning merits of the application have not changed since it was last reported to the Area 2 Planning Committee and no further issues have been raised since that time either. Consequently, my recommendation remains that planning permission be granted as set out in section 2 of this report.

2. Recommendation:

- 2.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 26.05.2009, Design and Access Statement dated 26.05.2009, Email dated 26.05.2009, Location Plan dated 26.05.2009, Floor Plans And Elevations HTS.812.43 dated 26.05.2009, Supporting Statement dated 24.07.2009, Site Plan HTS:812:01 L dated 04.11.2009, Letter dated 04.11.2009, Details CELL WEB dated 06.10.2009, subject to:

Conditions

- 1 All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

- 2 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 saved 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. Mechanical ventilation should also be provided to bedrooms having openings onto facades that will be exposed to a level of road traffic noise in excess of 78 LAmax (slow) time weighting.

The approved scheme shall be implemented prior to the first occupation of the dwelling and maintained at all times thereafter.

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

- 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 Cell Web root protection system shall be installed in the visitor parking area shown in plan no. HTS.812.01 Rev L within 2 calendar months of the date of this permission and shall be maintained as such at all times thereafter.

Reason: In order to minimise damage to the roots of the adjacent hedge.

- 5 The unauthorised area of hard standing located immediately to the west of the refuse enclosure shall be replaced with the approved soft landscaping as shown on plan number HTS 812.01 Revision L within 2 calendar months of the date of this permission. 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.

Reason: In order that the development complies with the approved plans and in the interests of visual amenity.

Contact: Matthew Broome