



### **Revised Site Plan**

Whilst this now shows the adjoining land owned by the applicant, the Parish Council still questions the validation date for this application, i.e. 18 February 2010 which is shown on all your paperwork. Surely, this application could not have been validated until the applicant had disclosed the correct information?

We cannot accept your Head of Planning statement in his letter dated 21 September 2010 that *"it is unfortunate that the applicant chose not to identify all the nearby land in his control."* His agent, a former planning officer, must have known this, but this and all the previous applications were validated. The plan also shows 2 entrances to the site despite the fact that the applicant has the right to use only the one furthest from Long Mill Lane. This **must** be corrected before consideration is given to granting planning permission.

### **Application Description**

Platt Parish Council has always understood the meaning of the home office/work unit. The Parish Council recognises that the use of a dwelling house does not need a specific planning permission and does not constitute a material change of use providing that it remains at a level that is ancillary to the house and does not give rise to any fundamental changes to character of the property. However, the Parish Council is extremely and justifiably concerned that, as the intended office is a separate building from the dwelling, the work unit could easily be used independently. This is completely different from the use of a spare bedroom in a house as a home office. We cannot accept your Head of Planning statement in his letter dated 21 September 2010 that *"many people nowadays have a study which allows them to work from home"*. It is clear that these are completely detached units and not within the confines of a "home". Clearly, there is the real possibility that a separate building could later be sublet, rented, possibly personnel employed and its use changed to other than an office. That the applicant has no plans to do this is quite irrelevant, he intends to sell these dwellings, what will the new owners wish to do? Platt Parish Council believe it is very important that, if this application is granted, there should be very precise conditions to prevent this and that any conditions must be watertight and enforceable. Unfortunately, it has been this Council's experience in recent times to discover that conditions are too weak and unenforceable.

### **Car Parking**

Because there is no nearby on street alternative, Platt Parish Council believe that there should be at least 3 parking spaces provided for each of the proposed dwellings. The question of the number of bedrooms should not be the criteria for determining the number of car parking spaces in this situation. There could be only two people living in the house but they could have two cars. So what about their visitors? Furthermore, there needs to be dedicated space for parking/access to the paddock within the curtilage of the site because the double gates to the site are the only legal access. Also there must be provision for deliveries. The Parish Council is not prepared to allow these vehicles to park in the car park. The car park is so busy at peak times that the parish council is having to consider allowing car parking temporarily on the dog exercise area. There is simply no room for

extra vehicles from this development. Whilst we accept your Head of Planning statement in his letter dated 21 September 2010, that this is “*a civil matter within the control of the Parish*”. It may change once the complaints to Environmental Health exacerbate with football, scouting, and general children’s activities complete with cars in and out, motorbikes in and out, day and night creating noise and disturbance. This is an open public area and the Parish is limited as to what it can control, without restricting its use. In any case, it is wrong to burden our council tax payers with further measures to protect our facilities from the consequences of this development.

### **Level and Heights**

The Parish Council is aware that this depends on building regulations but must insist that the heights remain as original and not, when altered, “within normal building tolerance” as reported to us when Eversfield, Long Mill Lane, exceeded its height recently. At the site meeting, the agent stated that there would be no changes to the existing structure and this should be made a condition with regard to height. There is concern, not only from the Parish Council but from residents also, that internal changes cannot be made without taking down the existing stables and if this happens there will no doubt be an increase in the height of the roof. This will then constitute a new dwelling not re-use of an existing agricultural building thus negating planning permission. There will already be significant changes with velux windows in the roof which will impact on the visual scene from across the surrounding green belt land. This is also a big concern of local residents. Should planning permission be granted, we would wish for a condition to be applied retaining existing heights.

### **Refuse Storage and Collection**

The present situation (collection by small service vehicle) makes no allowance for recycling. The Parish Council has already expressed its concern over the use of a normal refuse vehicle using the access road. The residents at the entrance to Stonehouse Field would be greatly inconvenienced. Other residents who do not have a property with road frontage have to make arrangements to take their refuse to the nearest highway point. The Parish Council believes that the Borough Councillors who visited the site will see this is not a real option. Different arrangements could be setting a precedent. Platt Parish Council will not allow access to the refuse vehicles. There will be damage at the entrance to the field, sides of the access road and the weight will give rise to faster deterioration of the access road. Recently repairs to the road cost nearly £11,000 and this is funded by the Parish Council, ultimately the council tax payers. Refuse and recycling containers must be stored on the application site. Platt Parish Council will not permit the bins to be left at any time in the recreational ground car park. Therefore, an area must be set aside for this purpose. Currently every household has two bins plus a plastic box. However, the Parish Council believes that this could be changed in the future if TMBC undertake more home collections and this must be taken into account when determining the area to be set aside on the site.

### **Future Use of Paddock**

Although a photo was shown of flooding in this paddock this does not happen on any kind of regular basis and could readily be alleviated by drainage. It is noted that the applicant has confirmed that there will be no further commercial livery type use on this land. Although we would record here that the Applicant has stated on a previous (granted) application that "*he would be happy to the use of the stable block to private stabling.*" That was only 16 months ago! The agent states that because of its green belt status, the land can only realistically be used for agriculture, grazing or paddock purposes and that stables would require a planning application. The current applicant will possibly not be the long term owner.

There is a need for grazing in the area and the Council would like to remind you that the only access to this land is via the application site. Platt Parish Council therefore urges the Planning Committee, if minded to grant this application, to condition the use of this land.

### **Construction Traffic**

As well as TMBC approving a method statement for entry and egress to the site, Platt Parish Council reserve the right to approve any construction traffic movements over the access road not only to protect members of the public who use this facilities but to minimize damage to the entrance and residential properties there, road, verges, fencing, hedges/trees and car parking area. (New rail fencing along part of the access road was erected in July this year at a cost of £2875.) Concern has already been expressed about the finishing time of work on the site should permission be granted because of the early start of activities at the Scout HQ.

### **Further Information/Clarification Requested**

In the supplementary report dated 4 August 2010 there is a note regarding the outbuilding closest to the existing dwelling which has planning permission. The Parish Council request that details of this be sent to the Parish Council as soon as possible. The Parish Council has repeatedly pointed out that prior to the lifting of an agricultural occupancy condition, evidence must be produced "to show that determined but unsuccessful attempts have been made for a continuous period of at least 12 months to sell or rent the dwelling at a price which takes account of the occupancy condition". We do not accept your Head of Planning statement in his letter dated 21 September 2010 that "*there is no planning requirement for the viability of the stables to be assessed.*" Policy 6/9 of the Borough Local Plan clearly states the need for this. We have repeatedly asked if this evidence has been forthcoming. We have been repeatedly ignored. We do not believe that any such attempts were made. We know that there is a demand for such facilities locally. We appreciate that planning permission once granted cannot be retrospectively withdrawn. When that planning permission was **wrongly** granted, against the express provisions of your Development Plan, it is surely unjust to grant further permissions which could not be considered had the wrongly granted permission not been in place. Two wrongs don't make a right.

At your 4 August 2010 committee meeting your officer stated that your environmental health department had received no complaints regarding noise from activities at Stonehouse Field. This is not surprising. The majority of our residents would not consider doing so. They would, and indeed regularly do, complain to us. We would and do take appropriate action. We are an active parish council. The only instance that we can think of where a resident has complained to your environmental health department, regarding the traveller site at Askew Bridge, has been singularly unproductive and inspires no confidence whatsoever.

We feel your Head of Planning statement in his letter dated 21 September 2010 that *"noise advice has been taken from the Councils Environmental Health Officers .....and they have no objection based on professional judgement, analysis and experience"* is seriously flawed. Ask any parent collecting their children from football or scouts!

The Parish Council is particularly concerned that scouting activities such as night hikes and wide games, sleepovers and the like will generate complaints due to the close proximity of the scout hut to the application site. Two of our members are former Group Scout Leaders, our chairman has long served on the scouts committee. We can confirm that the previous owner of the site frequently complained about noise from scouting activities. We are proud and supportive of our scout group and would regret to see their activities inhibited.

Platt Parish Council is so concerned about the serious and harmful ramifications of granting planning permission to this development that we will be taking the unusual, and for us, expensive step of seeking independent legal advice on the matter.

Stonehouse Field was bought some 30 years ago expressly to preserve a green wedge between Borough Green and Platt. We are grateful for the considerable support that T&MBC gave us at the time. A key condition of the Compulsory Purchase Order was that the land could only be used for recreational purposes. Equestrian activities are recreational. As mentioned elsewhere, no evidence has been provided that they are not needed. Those of you who have visited the site will appreciate what a gem this much used facility now is after many years of hard work. There is no doubt that granting permission to this application will have a hugely negative impact. We strongly feel that there are sufficient reasons to reject this application.

The Parish Council request that these comments be sent in full the Area 2 Planning Committee. We are concerned that a summary will not accurately reflect the depth of our concerns.

- 2.2 A further letter was also received from the Parish Council following the Members' Site Inspection. Its contents are in the Supplementary report to the 4 August 2010 Planning Committee, attached as an annex to this report.
- 2.3 DHH: Having considered the existing permission in respect of the sports facilities and Scout hut which exist around this application site, I do not believe that there would be sufficient grounds to refuse the application in respect of noise from these

activities especially that arising in the evenings. There are no floodlights on the sports pitches and any other activities up to 10pm terminal hour would take place indoors. The Scout hut where most noisy activities would likely occur is a substantial building with no openings facing the application site. In addition we have received no complaints from the residential property which already exists on the site.

I understand that the Parish Council has raised concerns on the impact of noise from children using the play area on the proposed dwellings. The children's play area is sited at least 75 metres from the proposed development, with a substantial building in between. To date no complaints have been received, by Environmental Protection, from the residential property which already exists on the site, or from any other property/local resident, regarding noise from the children's play area. There is no lighting provided to the children's play area which will confine its hours of use to daylight hours, such usage is considered reasonable under Statutory Nuisance legislation. I do not believe that there would be sufficient grounds to refuse the application in respect of noise from the children's play area.

- 2.4 KCC Highways: The site is located on a private access road off Long Mill Lane. Therefore Kent Highway Services comment on the impact that the application has on the publicly maintainable highway. The proposal is replacing stables with residential use therefore reducing the amount of large size vehicles that are associated with Stables. This will increase highway safety.
- 2.5 Private Reps: Those of us that use the Scout HQ are concerned over the close proximity of one of the dwellings in this application, which appears to be about 6 metres away. This recently built facility replaces one that stood on the same location since the 1980's. Much of the finance for the replacement building was from the Parish and TMBC.

The 120 or so boys and girls who use these facilities take part in noisy activities, inside and out. In fact we conduct our activities outdoors as much as possible. One of the reasons for siting at Stonehouse Field is the safe outside access and as such the noise they generate is often not in the HQ and therefore not contained within the building. It would be terrible to find that our use could change if complaints were received about noise or use of the scout HQ. I would add that we have never received any complaints about noise from our old building or the new one. We are also concerned that the new residents could be irritated by the traffic generated by our member's parents delivering and collecting their children.

### **3. Determining Issues:**

- 3.1 During the course of the consideration of this application a large number of issues have been raised. This includes issues raised by Platt Parish Council and Councillors following the Members' Site Inspection on 3 August 2010. Further

information, clarification and revised plans have also been submitted by the applicant in support of the application and to address those issues raised. This report will largely seek to address the issues that have been identified.

- 3.2 In respect of the planning merits of this application, these have been identified and addressed in the two previous reports to Area 2 Planning Committee dated 23 June 2010 and 4 August 2010. These reports conclude that the proposed development complies with planning policies in respect of the conversion of rural buildings and therefore have recommended the application for approval. I do not consider that the issues that have been raised justify reaching a different conclusion on the planning merits of the proposed development. However, I shall discuss each of the topics that have been raised in turn.
- 3.3 **Home Office:** Members will note that the description of the proposal has been amended slightly in this respect. The applicant has clarified, on a number of occasions, that the intention of the home office is to enable the occupiers of the properties to work from home and therefore reduce the need to travel to work, rather than use the buildings for separate businesses with visitors. The proposed small home office is therefore entirely ancillary to the main house and would be no different to a study in any dwelling. The office facilities therefore would be ancillary to the host dwellings and make sustainable use of the detached outbuildings. The Parish Council had previously complained about the traffic attracted to the site by the livery business and the applicant accordingly devised a scheme to help reduce traffic.
- 3.4 I disagree with the Parish Council views that this situation would be any different from other home office units, which are sometimes detached buildings within the residential curtilage. These detached outbuildings are sited within the proposed residential curtilage and the proposal is to bring them into residential use, albeit detached from the main dwelling. Condition 13 of the recommendation has been proposed to ensure there is no potential for the building to be used for an independent commercial purpose in the future and I am satisfied that it is fit for purpose and enforceable.
- 3.5 **Slab Levels and Ceiling Heights:** Details in relation to slab level and ceiling heights have already been submitted with the application. These details, which include detailed statements and plans, show how the construction and conversion works can take place without substantial alteration or reconstruction of the building. The precise floor level can only be set during the construction phase but there is no minimum requirement for ceiling heights under Building Regulations, except for stairways. However it is expected that ceiling heights of between 2.1 and 2.3 metres will be achieved at ground floor and the mezzanine level will have a ceiling height of between 1.8 to 2.0 metres. The details provided by a Structural Engineer include 3 options for dealing with the floor slab level depending on suitability following groundworks. All of these options are satisfactory. The construction details provided are appropriate and it is clear that the building will not

require rebuilding or reconstruction to enable the conversion. I am therefore satisfied the details provided are acceptable and will result in a conversion rather than a rebuild.

- 3.6 In response to the Parish Council concerns I see no planning reason to impose a condition in respect of the height of the converted building or indeed internal slab levels. The construction and structural details submitted are appropriate and have been considered by my Building Control Surveyor who is satisfied with the details provided to date. Internal alterations are controlled by the Building Regulations, and it is therefore outside the scope of a planning permission, for a conversion, to require such details. No further conditions are therefore necessary in my opinion. In respect of the two access points/or gates onto the site, as identified by the Parish Council and shown on the submitted plans, it is clear that only one access point from the public car park is to be used. The proposed drive is clearly only to be served by one set of gates and this is shown on the submitted plans.
- 3.7 **Car Parking:** Following on from comments at the Members' Site Inspection and also Platt Parish Council concerns, two further car parking spaces have been shown on an amended site layout plan. These two additional spaces have been provided to ensure that space is available for visitors to the properties. This brings the total car parking spaces available to 3 spaces per dwelling, which is above KCC car parking standards requirements as set out in documents SPG4 and IGN3, both of which this Council has adopted for Development Control purposes. Nevertheless, as has been previously identified, there is more than sufficient space on site and within each residential curtilage to provide for further car parking if required. With this level of provision there is more than sufficient car parking available on site for any visitors or deliveries to the properties and there should be no need for the adjoining public car park to be used, in association with this application.
- 3.8 **Paddock Land:** The proposed use of the remaining paddocks is to be in association with the existing dwelling (Stone House Farm) and therefore does not form part of the planning application site. This land is identified within the blue line area on the revised site location plan. The applicant has advised that once the conversion has taken place he has no intention to have any livestock or horses on this land. Clearly, the Parish Council is concerned that car parking related to the use of the paddock will continue to take place on use the land adjoining the application site, which is owned by the Parish Council. This Parish Council car parking area is there to serve the recreational uses on the adjoining sports fields. Consequently they have expressed concern that parking on public land, by users of the paddock, could curtail the use of the sport fields due to inadequate car parking provision. However, it has been stated at this stage that there is no intention to use this field for livestock by the current owners/occupiers of Stone House Farm and any new buildings would require formal planning permission. Consequently the use of this land is adequately controlled under Planning legislation.



- 3.9 The applicant has also submitted photographs of the paddock land which, although they do not form part of this application, show the land under water and therefore demonstrate the limited use of the land during the winter months, even for livestock. This is also understood to be one of the reasons why the livery is failing, as there is limited land available for the grazing of horses for a commercial livery, especially when there are other commercial liveries nearby with better on-site facilities and grazing land.
- 3.10 **Noise associated with recreational use of sports fields:** In respect of the adjoining Sports Field uses, as has previously been reported in the last two committee reports, DHH has no objection to the introduction of two further dwellings on this site. Further issues have now been raised in respect of the use of the children's playground and the outside use of the nearby Scout HQ. DHH has again reiterated that there would not be sufficient grounds to refuse the application in respect of noise from the sports grounds and Scout HQ activities, especially those arising in the evenings. There are no floodlights on the sports pitches and most activities in the evenings up to 10.00pm, would be indoors within the Scouts HQ, where there are no openings on the elevations facing the application site. Although there are some outdoor evening activities, associated with the Scout HQ, these are limited and intermittent and therefore are unlikely to result in noise disturbance at a level that would unacceptably harm residential amenity.
- 3.11 In terms of the use of the children's play area, this is sited at least 75 metres from the proposed development. Again there is no lighting provided for the children's play area which confines its hours of use to daylight hours. This level of use is considered reasonable under the Statutory Nuisance legislation. Furthermore no complaints have been received regarding noise from the children's play area. Consequently DHH raises no objection in this respect.
- 3.12 In response to the views expressed by Platt Parish Council, DHH advises the Borough Council (as Local Planning Authority) in respect of noise and enforces the relevant noise nuisance legislation identified in the Environmental Protection Act 1990. The officers of the DHH Service are therefore the relevant and appropriate body to advise on noise in respect of planning applications. In their professional judgement therefore there is unlikely to be a Statutory Noise Nuisance created as a result of this application nor are there justifiable reasons to refuse planning permission.
- 3.13 **Refuse Storage and Collection:** The issue of refuse and recycling collection has been raised, as there is a concern that wheelie bins and recycling containers would need to be placed at the entrance to Long Mill Lane which could cause an obstruction. A condition is now recommended requiring the submission of details in respect of refuse and recycling storage and collection arrangements from the proposed new dwellings. However, at present the Borough Council collects waste/refuse from the existing dwelling at Stone House Farm via a small vehicle

service that also empties the local bins for the neighbouring playing field. It is envisaged that this service will be extended to the new dwellings, but if this agreement cannot be extended to the new dwellings a private company will be employed. This removes the need to place wheelie or recycling bins at the entrance to Stone House playing fields. The imposition of a condition in respect of refuse and recycling storage and collection will therefore clarify the method of refuse disposal for the new dwellings and ensure one of the two methods identified above is implemented.

- 3.14 Larger refuse vehicles are not, therefore, likely to be accessing Stone House Field as a result of this development and the existing arrangements may be continued. This will also be controlled by the imposition of the above condition, as will the storage of refuse and recycling on site.
- 3.15 **Construction traffic:** In terms of the control of construction traffic and the use of the existing access road by construction vehicles, Members will be aware this is not normally a planning matter. However, due to the issues raised by this proposal and the nature of the access to the site, a condition is recommended to require submission of details of arrangements for the management of construction traffic to and from the site, which includes hours of operation. In addition, an informative has also been added advising the applicant of the need for all deliveries, construction traffic and building materials to be stored or parked within the application site, as there is no right to use the adjoining public car park. I am satisfied therefore that the issue of construction vehicles and access to the site is adequately controlled by this condition. Any private arrangements that Platt Parish Council wishes to enter into separately would be a civil matter to be determined between the relevant parties involved.
- 3.16 **Other Issues:** The previous two Committee reports have explained in great detail the situation in respect of the existing occupancy condition on the existing Stone House Farm dwelling, that states:

*“The occupation of the dwelling shall be limited to a person solely or mainly employed in the operation of the commercial livery operating from the site permitted by TM/91/01004/FL or a dependant of such a person residing with him or her.*

*Reason: The dwelling is in extreme proximity to a commercial livery and planning permission would not be granted for an independent dwelling in the interests of amenity.”*

This condition is not an agricultural occupancy condition, nor is a livery use defined as agriculture. Therefore the current application does not involve the lifting of an agricultural occupancy condition, nor have any previous applications on this site. The condition was imposed to ensure noise from a commercial use did not acceptably affect a residential use on the same site and for no other reason. I refer again to detailed discussion on this issue in the two previous Committee Reports.

- 3.17 Reference has also been made to PPS 7: Sustainable Development in Rural Areas, in particular paragraph 30, which relates to Farm Diversification. However this site is not a farm and cannot be treated as such in this case. The existing commercial livery use was allowed in order to enable the reuse of a rural building and that was acceptable in planning policy terms; it was not for the diversification of an existing farm business.
- 3.18 The application is still therefore recommended for approval, subject to revised and amended conditions, which satisfy all the planning issues raised during the course of the consideration of this application.

#### **4. Recommendation:**

- 4.1 **Grant Planning Permission** in accordance with the following submitted details: Email dated 18.02.2010, Letter dated 18.02.2010, Certificate B dated 18.02.2010, Notice dated 18.02.2010, Location Plan dated 18.02.2010, Email dated 24.03.2010, Letter dated 24.03.2010, Contaminated Land Assessment dated 24.03.2010, Details 01 dated 24.03.2010, Section 02 dated 15.04.2010, Letter dated 16.12.2009, Validation Checklist dated 17.12.2009, Survey Bat Survey Report dated 17.12.2009, Survey structural report dated 17.12.2009, Design and Access Statement dated 16.12.2009, Planning Statement dated 16.12.2009, Photograph dated 16.12.2009, Existing Plans and Elevations 1532-GA-100 dated 17.12.2009, Proposed Plans and Elevations 1532-GA-200 B dated 17.12.2009, Site Plan 1531-GA-300 D dated 02.09.2010, Elevations 1531-GA-400 dated 17.12.2009, Location dated 02.09.2010, Photographs dated 04.08.2010, E-mail dated 04.08.2010, Letter dated 02.09.2010 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. All materials used externally shall match those of the existing building.  
  
Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.
3. No development shall take place until details of any joinery to be used, including conservation rooflights, have been submitted to and approved in writing 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 visual amenity of the locality.

4. No development shall take place until details of the Home Office/Study buildings roof 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.

5. 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 any of the elevations of the buildings 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 visual amenity and to retain the original character of the buildings.

6. 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 other than those shown on the approved plans shall be constructed in the roof of any of the buildings 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 the visual amenity and to retain the character of the original buildings.

7. 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 site and locality and to ensure the retention of the original character of the buildings.

8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft 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.

9. The existing trees and shrubs shown on the approved plan, other than any specifically shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed with or without such consent shall be replaced within 12 months with suitable stock, adequately staked and tied and shall thereafter be maintained for a period of ten years.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

10. 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.

11. 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.

12. If during development work, site significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease immediately, and an investigation/remediation strategy shall be agreed in writing with the Local Planning Authority and implemented by the developer. Any Soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use. A closure report shall also be submitted by the developer to address the above and any other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

13. The use of the Home Office/Study hereby permitted shall not result in visits by non-resident staff or customers and shall be ancillary to the main dwelling and these facilities shall only be occupied in association with that dwelling.

Reason: The protection of the character and amenity of the locality and to control sub-division of the residential curtilage.

14. 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 practicable and appropriate sustainable construction standards and techniques. The scheme shall take account of the need to minimise: waste generation; water and energy consumption; and the depletion of non-renewable resources. The scheme shall also have regard to the target for at least 10% of the 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 the building hereby approved, and retained thereafter.

Reason: To reduce the energy consumption and impact of new dwellings on the environment in accordance with sustainable development principles.

15. Before any works commence on site, arrangements for the management of construction traffic to and from the site (including hours of operation) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme unless any variation has been agreed by the Local Planning Authority in writing beforehand.

Reason: In the interests of safety of users of the recreational facilities adjoining.

16. No development shall take place until details of refuse and recycling storage and collection arrangements 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.

**Informatives:**

1. The proposed development is within a road which does not have a formal street numbering and, if built, the new property/ies will require new name(s), which are required to be approved by the Borough Council, and post codes. To discuss suitable house names you are asked to write to the Legal Services Partnership Manager, 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.
2. The Local Planning Authority supports the Kent Fire Brigade's wish to reduce the severity of property fires and the number of resulting injuries by the use of sprinkler systems in all new buildings and extensions.

3. You are advised that, in undertaking the works hereby approved, due regard should be had to the protection afforded to species under UK and EU legislation irrespective of the planning system and the developer should ensure that any activity they undertake on the application site must comply with the appropriate wildlife legislation. Failure to do so may result in fines and, potentially, a custodial sentence. The applicant is recommended to seek further advice from Natural England, The Countryside Management Centre, Coldharbour Farm, Wye, Ashford, Kent, TN25 5DB.
4. It is noted that the Applicant has no rights for vehicles to park on the adjacent car park area nor to store building materials on the Parish Council car park. All deliveries, construction vehicles, ancillary equipment, materials and cars therefore need to be parked or stored on the application site.

Contact: Lucinda Green