

**Ryarsh**                      **TM/12/02341/FL**  
**Downs**

**Ground floor extension to form enlarged dining and hall amendments to existing car parking and front boundary at Stoned Lodge The Street Ryarsh West Malling Kent ME19 5LL for Mr P Cheeseman**

DPTL: Following the Members Site Inspection (MSI) on 4<sup>th</sup> December 2012 the agent has submitted for discussion an amendment that the flank wall adjacent to the boundary with 1Rose Cottage is removed and a simple pillar should be utilised. The roof would remain. This would reduce the impact on the adjoining flank elevation window. If Members find this change acceptable in principle, I would suggest that it would be appropriate to invite the submission of formal amended plans, which would be the subject of a 14 day consultation period, and that I be given delegated authority to grant planning permission if no new issues are raised as a result of that additional consultation.

**AMENDED RECOMMENDATION:**

**Delegated Authority be given to the DPTL to grant planning permission, subject to the submission of formal amended plans to change the flank wall to a single pillar and a 14 day consultation period with neighbouring residential properties that raises no additional or new issues.**

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**West Malling**            (A) **TM/12/01302/FL**  
**West Malling And**        (B) **TM/12/01303/LB**  
**Leybourne**

**(A) Demolition of existing garage, erection of two storey side extension and single storey rear extension, lightwells to basement, formation of new vehicular access (including alterations to railings and demolition and rebuild of front wall), and erection of double garage; (B) Listed Building Application: Demolition of existing garage, erection of two storey side extension and single storey rear extension, lightwells to basement, formation of new vehicular access (including alterations to railings and demolition and rebuild of front wall) at 55 Swan Street West Malling Kent ME19 6LW for Mr John Ariel**

Applicant: A number of concerns were raised by Members at the MSI held on 4<sup>th</sup> December 2012. The applicant was advised of these concerns and has submitted an

email response addressing each issue. This email has been added to the application details.

The applicant has responded with the following:

- The side extension has already been set back further to allow the first floor window to be fully opened and is willing to fit the first floor front facing window associated with the bathroom with obscured glass.
- The gate width is to standard.
- The stone wall to be demolished is not historic and was rebuilt in the 1970s as it was in danger of collapsing.
- Access to the neighbours' gutter would be improved as the extension will be set further back than the existing garage.
- No intention of landscaping the existing driveway area with large shrubs that would block the neighbour's ground floor window.

DPTL: The concerns and questions raised by Members included the following:

- Preferred that the side extension be set back a further 500mm
- The access opening between the rebuilt wall and the dwelling appears too small and it was unclear as to the height of the gates
- The status of the existing wall was questioned
- When was the side garage built?
- How are the gutters to No.53 to be accessed?
- The existing driveway area is to be landscaped – concern with landscaping possible blocking light to ground floor window of No.53

No record has been found of any permission for the existing garage. This structure has clearly been present for many years and I am of the opinion that its status has little bearing on the merits of this proposal.

In respect of the side extension, the applicant, via amended plans, has already agreed to set the extension back a further 300mm to allow the first floor window of No.53 to fully open and swing 180°.

The width of the new access I consider would comfortably allow appropriate vehicular access.

Members are advised that the wall to be rebuilt is not listed in its own right and it cannot be confirmed that the wall was rebuilt in the 1970s as claimed. Members are reminded that from a Conservation point of view, the rebuilding of this wall is proposed, slightly further back from the street.

The applicant has stated that he is willing to install obscured glass within the front first floor bathroom window of this side extension. Given the nature of the bathroom whereby some form of obscured glazing is normally applied to provide privacy for the users of the

bathroom, and that this window faces perpendicular to the neighbour's windows thus not directly overlooking, I do not consider that a condition requiring this window to be fixed and obscured is necessary or reasonable, in this case. Members are reminded that frosted glass is not normally encouraged to listed buildings of this era.

A landscaped front garden area will replace the existing tarmac. The applicant has agreed that there would not be any large shrubs planted near the neighbour's ground floor window.

### **RECOMMENDATION REMAINS UNCHANGED**

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**East Peckham                      TM/12/02594/FL**  
**East Peckham And**  
**Golden Green**

**Proposed redevelopment of existing sheltered housing site for 4 flats, 12 houses and associated works at Marvillion Court The Freehold East Peckham Tonbridge Kent TN12 5AW for Circle Housing Group**

No supplementary matters to report.

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**Stansted                              TM/12/01290/FL**  
**Downs**

**Diverted access road to permitted hotel on land to the west of South Ash Road. The relocation of the existing driving range on land to the east of South Ash Road. A European Tour Performance Institute (ETPI) driving range building. A 9 hole golf course created utilising the cut from the hotel development. Chipping area and putting green. An underpass under South Ash Road. Areas of hard standing including car parking and access road. Diverted public rights of way. Associated reservoir and landscaping at The London Golf Club South Ash Manor South Ash Road Ash Sevenoaks Kent TN15 7EN for London Golf Club**

Applicant: A further revision of the cross-section topographical plan showing how the proposed development will sit in the landscape has been submitted (Dwg No.DHA/9113/01) received on 10 December 2012. This plan is the same as that shown in Dwg No.1239.411.02 but now shows the two storey dwelling of Parsonage Farm. This plan is for information only.

Private Representations: A further 5 letters of objection have been received since the report for this Committee has been published. The following concerns have been raised:

- Ash Lane is already inadequate and the proposal will increase the traffic causing further congestion
- The scale of the buildings, the underpass, road and car park will harm the green belt
- There will be little benefit to the wider community
- Inadequate protection for horses, riders and walkers
- Light pollution would make the area appear suburban
- External lighting should be restricted
- The underpass will cause disruption during construction
- Views across the countryside will be lost
- Ash village will be affected by the increase in traffic, noise and pollution
- This countryside asset should be protected
- Re-siting of the driving range and underpass would not enhance the Area of Outstanding Natural Beauty

PC: The Stansted Parish Council's position has not changed. However should the Members be minded to grant permission it is requested that while negotiating the s.106 agreement that funding be dedicated to the Stansted playpark project as amelioration for the loss of amenity that would be experienced by some residents of Stansted.

DPTL: A cross-section topographic plan has been submitted for information to include the dwelling of Parsonage Farm in order to provide a more representative account of the expected sightlines looking north towards the proposed driving-range building from the dwellings that lie to the south of the site.

Further comments made by local residents in their representations are consistent with those previously expressed in earlier representations and have therefore been thoroughly considered within the main report to this Area Committee and the annexed original report presented at the 31 October Area Committee meeting. I do not consider there to be any new issues that would require further examination.

Following on from the MSI, I have been asked to respond to a number of further questions relating to the site and development by Members and others. These include:

- Whether there has been a previous refusal for a golf course on the application land?
- By what means is the reservoir to be filled?
- Can the selling off of the application site as a separate identity be restricted?
- Is it possible to restrict access onto Ash Road during events by imposing a condition?
- Can any further development of the site be restricted?

On reviewing the history of the site, it is apparent that in 1995 an application for a proposed 18 hole pay and play golf course, club house, access road, car parking and landscaping was submitted which related to the same piece of land that forms the current application site. This application was withdrawn by the applicant in March 1996 and

therefore does not add materially to the matters to be considered in determining the current application.

With respect to the filling of the reservoir, I understand that a below-ground network of perforated drainage pipes will collect water that naturally percolates through the fairways, greens, tees and bunkers which will fill the reservoir. The surface water from the new building and hard standing is also to be collected. The water is then pumped, by a small water pump below ground level, to the main (existing) reservoir to the north via a piped link. Water can be transferred between the two reservoirs. The system aims to capture and recycle as much rainfall as possible for watering the course, providing a sustainable process at the same time.

In order to ensure the storing and transfer of water to and from the reservoir is undertaken in a sustainable manner I consider it reasonable to add a condition requiring details of a management plan in respect to the reservoir to be submitted to and approved by the LPA.

In respect to restricting the selling off of the land, any future development of the land and the use of the existing or approved accesses to Ash Road, it should be noted that any conditions imposed need to satisfy the six tests outlined in *Circular 11/95: Use of conditions in planning permission*. Any condition needs to be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. I do not consider that any such condition placing restrictions on the future ownership of the land would satisfy these tests, and it is well-established that LPAs cannot restrict the right of landowners to submit further planning applications. The question relating to the use of existing access to Ash Road is less clear-cut. It is clear that the provision of the underpass is intended to avoid (indeed prevent) the accessing of the site directly from Ash Road in connection with the uses now proposed. I consider that an appropriately worded condition to control the future use of existing access points could be acceptable, if Members consider this to be necessary.

**AMENDED RECOMMENDATION:**

**ADDITIONAL CONDITION:**

**18 No development shall take place until details of a sustainable water management plan 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 water conservation in accordance with paragraph 94 of the National Planning Policy Framework 2012**

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**Change of use from dwelling to 16 bedroom hotel with on-suite facilities, including single storey extension to main building and conversions and extensions to existing out buildings to provide additional accommodation, plus the provision of 4 on site staff bedrooms (resubmission of TM/10/01491/FL) at Hatcham Place The Hurst Plaxtol Kent TN15 8QA for Mr Paul Scally**

Private Representations: Two further letters of representation have been received reiterating objections previously expressed.

DPTL: Condition 2 has been amended to clarify the concerns over use of the hotel for events which would involve attendance by non-residents and hence more likely to cause noise and disturbance. The plans list in the agenda report is incorrect – the Design and Access Statement was amended on 18 October 2012.

**AMENDED RECOMMENDATION:**

**Grant planning permission** as detailed by Photographs dated 03.05.2012, Floor Plan 001 rev E dated 08.10.2012, Proposed Plans and Elevations 002 rev C dated 08.10.2012, Existing + Proposed Plans and Elevations 004 rev B dated 08.10.2012, Site Plan 006 rev E dated 08.10.2012, Proposed Floor Plans 009 rev A dated 08.10.2012, Proposed Floor Plans 010 dated 08.10.2012, Roof Plan 011 dated 08.10.2012, Proposed Layout 012 dated 08.10.2012, Details 013 dated 08.10.2012, Letter dated 18.10.2012, Planning Statement dated 18.10.2012, Letter dated 08.05.2012, Location Plan dated 08.05.2012, Location Plan dated 08.05.2012, Site Survey dated 08.05.2012, Transport Statement dated 03.05.2012, Sustainability Report dated 03.05.2012, Existing + Proposed Plans and Elevations 005 dated 03.05.2012, Drainage Layout 007 rev A dated 03.05.2012, Street Scenes 008 dated 03.05.2012, Email dated 09.11.2012, Design and Access Statement dated 18.10.2012, /subject to the following:

**AMEND CONDITION 2:**

**2 No parties, performances, functions, events or weddings involving any attendance by non-residents of the hotel shall take place on the premises in association with the hotel use hereby approved.**

**Reason: To protect the amenities of nearby dwellings and the amenities of the countryside in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010 and paragraphs 17, 57, 58, 61 and 125 of the National Planning Policy Framework 2012.**

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**Shipbourne**                      **TM/12/01819/FL**  
**Borough Green And**  
**Long Mill**

**Demolition of 1 no. dwelling and construction of 1 no. four bedroom dwelling, quadruple garage and stable (alternative to TM/08/01047/FL) at Hookwood Farm Puttenden Road Shipbourne Tonbridge Kent TN11 9QY for Mr & Mrs Michael Kingshott**

No supplementary matters to report.

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**Alleged Unauthorised Development**

**Kings Hill**                      **12/00402/USEM**  
**Kings Hill**

**Traveller Caravan Site (Site A) Hoath Wood Lavenders Road West Malling Kent**

No supplementary matters to report.

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