

Addington Downs **565719 158840** **19 December 2012** **TM/12/03635/OA**

Proposal: Application for outline planning permission for the erection of a single 'Lodge' style dwellinghouse with details of landscaping and appearance reserved for future consideration

Location: Sycamore Place Trottiscliffe Road Addington West Malling
Kent ME19 5AZ

Applicant: Mr And Mrs M Bor

1. Description:

1.1 Members will recall that this application was deferred from the Area 2 Planning Committee of 10 July 2013 for a Members' Site Inspection, which was held on 29 July 2013. The previous main and supplementary reports are attached as an Annex.

1.2 Members are advised that, since the MSI, section drawings have been submitted for 2 options. The heights of both options are 5.8m but option 1A has a greater dig down so its net ridge level is 53.35, compared to 53.95 which is the ridge level of Option 2A. The agent subsequently clarified that his client would accept as a condition the slab level upper limit of Option 2A (ie 48.15) but that, in order to have some subsequent design tolerance of eaves height and roof pitch, an overall height limit of 6.5m is reasonable as a condition in his view.

1.3 There were a number of queries addressed to officers arising from the Inspection, including:

- Construction traffic could have a detrimental impact on highway safety on Trottiscliffe Road;
- Visibility issues from parked vehicles on Trottiscliffe Road;
- Queries were raised of the height relative to the neighbouring dwellings;
- Provision of parking – queries were raised over the number of spaces and what the current standards are, and whether there is adequate provision of parking for deliveries and visitors;
- Clarification of the number of bedrooms of the proposed dwelling was sought;
- Screening of the site, deciduous trees.

2. Consultees:

2.1 KCC (Highways) has advised that it is satisfied with 2 parking spaces in principle whether the dwelling is 2 bedroomed or 3 bedroomed.

3. Determining Issues:

- 3.1 Members will note that KCC (Highways) advise that the proposed dwelling would be acceptable with 2 onsite parking spaces, whether it has 2 bedrooms (as indicated in the Planning Statement) or 3 bedrooms (were that to be proposed in a subsequent reserved matters application).
- 3.2 In the light of the potential on-site constraints for construction traffic, as Members noted at the Site Inspection, I suggest an additional condition requiring a scheme to be approved for the management of demolition and construction traffic to and from the site (including hours of operation).
- 3.3 The applicant has submitted 2 illustrative section plans showing the proposed dwelling in relation to the dwelling to the west, Bramblewood, and a subsequent clarifying email. These drawings show that the proposed dwelling could be set at a lower ground level to Bramblewood. However, the plans show a dwelling of 5.8m high. The applicant has stated in the Design and Access Statement that the proposed dwelling would be a height of 6 - 7m and the latest email now says a height of up to 6.5m is envisaged. Whilst neither this suggested height nor the DAS height are reflected in the section drawings, nonetheless I am of the opinion that the height of the proposed dwelling could be in-keeping with the streetscene, provided it is clearly conditioned as to the slab level and the maximum ridge height relative to an acceptable slab level. Of course any Reserved Matters application would need to fully detail the final height within the constraints of any conditions to be imposed, in the event that Members are minded to grant outline planning permission.
- 3.4 As reported in the Supplementary Report of 10 July 2013 an email and accompanying plan were received from the applicant, which the applicant states as an 'illustrative plan', demonstrating how the provision of suitable car parking and turning could be provided on the site.
- 3.5 This plan indicates that two parking spaces could be achieved to the rear of the site, where tree T11 (Norway Maple) currently stands. This tree has been identified in the tree survey as needing removal. It demonstrates that it is possible to provide 2 parking spaces. This plan has been marked as illustrative. Given that there have been no tracking details of on-site turning provided and the proposed parking area is somewhat constrained by a retaining wall around a large tree, I consider it appropriate that delegated powers be given to DPHEH to allow the receipt of satisfactory parking and turning details prior to a decision notice being issued, in the event that Members are minded to approve the application in principle.
- 3.6 Other determining matters are as reported previously in the attached Area Committee report dated 10 July 2013 and subsequent supplementary report. My recommendation remains unaltered except to add extra conditions to deal with the above.

4. Recommendation:

- 4.1 **Grant Outline Planning Permission** subject to the receipt of satisfactory parking and turning details (approval delegated to DPHEH) and in accordance with the following submitted details: Block Plan 023/09/01 dated 03.12.2012, Drawing 023/09/03 dated 03.12.2012, Location Plan dated 03.12.2012, Email dated 19.12.2012, Design and Access Statement dated 19.12.2012, Planning Statement dated 20.12.2012, Site Survey SPA/1135/1 dated 22.02.2013, Email dated 28.05.2013, Tree Report AR/0151/05-13 dated 28.05.2013, Block Plan tree survey dated 28.05.2013, Block Plan tree protection dated 28.05.2013, Parking Layout dated 04.07.2013, Email PARKING dated 04.07.2013, Email SUPPORTING STATEMENT dated 04.07.2013, Sections OPTION 1A dated 29.08.2013, Sections OPTION 2A dated 29.08.2013, subject to:

Conditions

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

2. Approval of details of the layout and appearance of the development, access to and within the site, the landscaping of the site, and the scale of the development (within the upper and lower limits for the height, width and length of each building stated in the application hereby approved) (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

4. No development shall take place until written details and photographs of all materials to be used externally in the construction of the dwelling have been submitted to and approved by the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

5. Prior to the commencement of development, details of the existing and proposed levels shall be submitted to and approved in writing by the Local Planning Authority, including the levels of the land surrounding the dwelling hereby consented.

Reason: To ensure that the development does not harm the character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61 and 137 of the National Planning Policy Framework (2012).

6. The development hereby approved shall be carried out in such a manner as to avoid damage to existing trees (including their root system) or other planting to be retained as part of the approved landscaping scheme by observing the following:
 - (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.
 - (e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.
 - (f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

7. The details submitted pursuant to condition 2 shall include a scheme for the storage and screening of refuse. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

Reason: To facilitate the collection of refuse and preserve visual amenity.

8. This permission only grants consent for a dwelling of floorspace up to 150 sqm and a slab level no higher than 48.15 and ridge level no higher than 6.5m above slab level.

Reason: In order to secure a satisfactory form of development and in accordance with paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework 2012.

9. 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-H (inclusive) of Part 1 and Class A of Part 2 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In order to enable the Local Planning Authority to regulate and control further development within this site in the interests of the environment.

10. No development shall take place until a scheme for the management of demolition and construction traffic to and from the site (including hours of operation) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme unless any variation if agreed in writing by the Local Planning Authority beforehand.

Reason: To ensure that the development does not harm the amenities of the locality.

11. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking and on-site turning 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 nor any associated on-site turning space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and on-site turning is needed in the interests of highway safety.

Informatives

1. This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.
2. During the construction phase, the hours of working (including deliveries) shall be restricted to Monday to Friday 08:00 hours - 18:00 hours. On Saturdays 08:00 to 13:00 hours, with no work on Sundays or Public/Bank Holidays.
3. During the construction phase, construction vehicles should be parked off of the public highway so as to avoid hazardous highway conditions.

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