

**East Malling &  
Larkfield**  
Larkfield South

**569748 159067**

**19.10.2005**

**TM/05/03203/OA**

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Proposal: Outline Application proposed development of 4 no. one bedroom flats with six car parking spaces  
Location: Land North Of 1 To 7 Partridge Avenue Fronting Lunsford Lane Larkfield Aylesford Kent  
Applicant: P Ray

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**1. Description:**

- 1.1 This is an outline application for the erection of four flats with access from Lunsford Lane. The application is submitted in outline form with all matters reserved apart from the siting and the means of access. The siting indicates a single building to the north of the garage block to the rear of 3 to 7 Partridge Avenue with an access created across the highway verge opposite 191 Lunsford Lane.
- 1.2 The proposal has been amended to indicate six parking spaces to the west of the proposed building with pedestrian access between the central bays. A refuse storage area is indicated to the rear of the building with an area set aside at the front of the site for refuse collection purposes.

**2. The Site:**

- 2.1 The site is within the built confines of Larkfield on the west of Lunsford Lane and is an area of relatively flat land to the rear of the gardens and garage block in Partridge Avenue. To the north is a playing field forming an open space adjacent to the M20.

**3. Planning History:**

- 3.1 None relevant.

**4. Consultees:**

- 4.1 PC: (comments on original plans) Development should have suitable surface for access across verge; properties should have appropriate acoustic treatment due to the close proximity of the M20; and there should be landscaping of the site, especially along the northern boundary with the public open space. Access would appear to be gained over the highway that is not believed to be in the ownership of the applicant.

PC: (comments on revisions) Object to refuse storage provision as it appears to be on the highway verge.

4.2 KCC (Highways): No objections subject to the provision of an additional visitor parking space, suitable disabled parking and access and conditions.

4.3 DHH: (comments on original plans) Concerns regarding potential impact of traffic noise on new dwelling due the proximity of the M20 and the refuse collection provision.

DHH (comments on revisions) Although the results place the site into NEC B for both day and night time, they are at the higher end of this band, especially when assessed in relation to Local Plan Policy P3/17. However I have no objections to the development, providing mitigation measures are installed as described in applicants report.

4.4 Private Reps (original plans): 13/0X/7R/0S + site notice. Seven letters of objection raising the following concerns:

- No lay by provided to the entrance of the site so access would create a traffic hazard and increase congestion in Lunsford Lane.
- Road too busy and dangerous for additional traffic.
- Access too close to the existing bus stop on Lunsford Lane.
- Inadequate parking provision.
- Insufficient information provided about details of access to car park, boundary treatment and refuse collection point.
- Site too small for four flats and associated parking.
- Flats would be out of keeping with the existing semi-detached and terraced houses in the area.
- Flats would result in a loss of light and privacy to neighbouring houses.
- Understood that land could not be built upon and was blighted by proposed widening of the M20.
- Would reduce property values of the surrounding houses.
- Development would encroach on green belt.

Four letters received on amended plans:

- Increase in number of parking spaces does not overcome fact that entrance is on busy and dangerous road.
- Amended plans do not overcome previous objections.

- Noise levels not taken on a busy day.

## **5. Determining Issues:**

- 5.1 The main consideration with this application is the principle of development on the land. As the application is submitted in outline form the only items for consideration at this stage are the siting and the means of access.
- 5.2 The site is within the urban area confines of Larkfield as indicated in the TMBLP 1998 and as such there is a presumption in favour of development subject to compliance with other local plan policies. The site is not within the green belt as suggested by a local resident. The site is acceptable in principle for residential development.
- 5.3 The siting of the block is to the rear of the site where the existing garage block to the rear of 1–7 Partridge Avenue would partially screen the lower portion of the proposed building. The building is proposed to be set back from Lunsford Lane so not encroaching on the open character of this part of Lunsford Lane. The indicative plans indicate a building of four flats over two storeys and would have a similar massing as the adjacent semi-detached dwellings.
- 5.4 The distance of the building from the nearest properties comfortably exceeds minimum privacy distances Kent Design so would not result in overlooking of the neighbouring properties. The orientation of the development in relation to the existing houses and the distances between the buildings would ensure that the proposed block would not result in a loss of light.
- 5.5 The site is in a position where any development would be affected by road traffic noise from the M20. Policy P3/17 of the TMBLP relates. It is considered by DHH that given the noise report submitted as part of the application any potential impact can be overcome by the installation of suitable noise mitigation methods as set out by the applicants.
- 5.6 With regards to the means of access, KCC raises no objections to the construction of an access at this point to serve the level of development proposed. The site is of an adequate size to accommodate parking in accordance with KCCVPS as shown on the site layout plan. The applicant has provided details indicating that they are the owner of the grass verge to the east of Lunsford Lane. The land is considered though to form part of the highway and therefore the consent of KCC would be required to undertake any works in this location. The refuse storage area to the front of the site would only be used on collection days with refuse stored adjacent to the building at all other times. Given the fact the application is submitted in outline form only these details are indicative only with formal details required by condition.

5.7 Overall, the proposal is considered to be acceptable as the site is within the urban confines and would not have an adverse impact on either highway safety or the general amenity of the surrounding area.

**6. Recommendation:**

6.1 **Grant Planning Permission** subject to the following planning conditions:

1 Approval of details of the design and external appearance of the building and the landscaping of the site (hereinafter called the “reserved matters”) shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

2 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.

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 details and samples of all 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.

5 The details submitted in pursuant to Condition 1 shall show land, reserved for parking or garaging in accordance with the adopted County Parking Standards. None of the buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter 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 (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access to reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 6 No development shall take place until details of the surfacing and draining of the vehicle parking area have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the parking area is brought into use and shall be so retained at all times thereafter.

Reason: To ensure a finish to the parking area consistent with the character and appearance of the locality.

- 7 No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure the safe and free flow of traffic.

- 8 The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part.

Reason: To ensure the safe and free flow of traffic.

- 9 The use of the access shall not be commenced until turning facilities have been provided within the curtilage of the site and these facilities shall be retained thereafter free from any obstruction.

Reason: In order that a vehicle may enter and leave the site in a forward direction to ensure the safe and free flow of traffic.

- 10 The details submitted in pursuance of condition 1 shall be accompanied by a scheme of landscaping and boundary treatment which shall include a tree survey specifying the position, height, spread and species of all trees on the site, provision for the retention and protection of existing trees and shrubs and a date for completion of any new planting and boundary treatment. The scheme as approved by the Authority shall be implemented by the approved date or such other date as may be agreed in writing by the Authority. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Authority gives written consent to any variation.

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.

- 11 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 or railway noise in Noise Exposure Categories B, C or D as set out in 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  $L_{Aeq}$  dB in bedrooms and 40  $L_{Aeq}$  dB in living rooms with windows closed. Additionally, where the internal noise levels will exceed 40  $L_{Aeq}$  dB in bedrooms or 48  $L_{Aeq}$  dB in living rooms with windows open the scheme of acoustic protection shall incorporate appropriate acoustically screened mechanical ventilation. Mechanical ventilation shall also be provided to bedrooms having openings into facades that will be exposed to a level of road traffic noise or railway noise in excess of 78  $L_{Amax}$  (Slow) time weighting. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be retained at all times thereafter.

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

- 12 A detailed condition to deal with the storage and pick-up of refuse.

Informatives:

- 1 With regard to the construction of the pavement crossing, the applicant is asked to consult The Highway Manager, Kent Highways, Joynes House, New Road, Gravesend, Kent, DA11 0AT. Tel: 08458 247 800.
- 2 Surface water from private areas is not to discharge onto the public highway.
- 3 To reduce the severity of domestic property fires and the number of injuries resulting the Fire Officer recommends that consideration should be given to the installation of a sprinkler system in all new properties.

Contact: Robin Gilbert