

Ditton
Ditton

571487 158007 19 January 2009

TM/08/03519/FL

Proposal: Four new lock-up garages at the end of an existing rank
Location: Land North Of 62 Pear Tree Avenue Ditton Aylesford Kent
Applicant: Studland Properties

1. Description:

1.1 Members will recall that this application was deferred from the March Area 3 Planning Committee (copy of the report is attached as an annex) for a Members' site inspection. The inspection was held on 31 March 2009 at 16:30 hours.

2. Consultees:

2.1 Correspondence has been received from a local resident providing a copy of their title deeds indicating that there is a right of access over the land to pass but no right of ownership.

3. Determining Issues:

3.1 The site is currently laid out as vehicle parking and so the construction of garages on the site is acceptable in principle.

3.2 The applicants have confirmed that the land is wholly within their ownership with only a right of access to enable other garage owners to use the existing block. The vehicular access is outside the ownership of Kent Highways but part of the site is adopted highway. However, further clarification of the land ownership has now been sought as the title deed names do not match the applicant's name and an update will be given in the supplementary report. The matters regarding rights of access is a private legal matter between parties and is not a material planning consideration.

3.3 With regard to the issues raised by Members during the site inspection, following concerns raised regarding the restricted access due to the width of the site, a vehicle swept path analysis has been requested and the findings of this will be reported in the supplementary report.

3.4 In light of the above considerations and those raised in my original report from March 2009, I remain satisfied that the proposal is acceptable.

4. Recommendation:

- 4.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 21.11.2008, Location Plan dated 21.11.2008, Proposed Plans and Elevations dated 21.11.2008, Photographs dated 21.11.2008, Letter dated 19.01.2009, Design and Access Statement dated 19.01.2009, Site Plan dated 19.01.2009, Photograph dated 19.01.2009, Proposed Plans and Elevations LBA04ERISPF259500 dated 19.01.2009,

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 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.

3. The garages shall not be used for any other purpose than the accommodation of private vehicles and no trade or business shall be carried on therefrom.

Reason: To safeguard the amenities and interests of the occupants of other property in this residential area.

Contact: Robin Gilbert