

2.3 Private Reps: 5 further letters of objection received stating that previous objections are still valid.

3. Determining Issues:

- 3.1 The principle of the development is acceptable as stated in the previous reports. The current report comments on the information handed out by the applicant to both those Members who attended and some public at the Members' site inspection. This was also e-mailed to Members but did not become a formal part of the planning application until immediately after the last meeting. Consultation subsequently and the 3rd party comments in this report may, to some extent, be a response to that consultation, received following the publication of the previous report. The report also deals with the housing stock survey submitted by the Parish Council.
- 3.2 The information distributed to Members provided details of the amended plans, photographs of similar developments in the surrounding area and background information regarding highways safety in the area. Also included was general discussion by the applicant's agent on the nature of the development, parking and highway safety and the demolition of the original building.
- 3.3 The supporting information provides details of similar recent developments that have occurred in Burham and compares these to the current application. As indicated previously I do not consider that the works would be out of keeping with the character of the surrounding area, given the nature of the general built form in the central area of Burham and the density of the development accords with adopted Council policy on residential developments.
- 3.4 Initial comments have been received regarding the submitted accident record. KCC Highways confirm that there have been four accidents involving personal injury over the last three years. Confirmation regarding these figures and the apparent differences from that submitted with the Peters Pit application has been sought and this will be updated in the supplementary report.
- 3.5 The content of the housing stock survey submitted by the Parish Council is noted. The document does not contain any information on housing unit sizes, bedroom numbers etc, nor is there any survey detail of objectively identified area. It appears to be only a survey of the built form of the dwellings which does not relate to the actual size of the properties in question, and does not provide any relation to recently approved applications for residential development in the village. It is therefore considered that the contents of the document do not have significant weight in decision making and therefore do not change the overall recommendation on this proposal.

4. Recommendation:

4.1 **Grant Planning Permission** in accordance with the following submitted details: Floor Plan 1585-GA-301P1 dated 24.11.2010, Site Plan dated 02.06.2010, Site Layout 1585-GA-100 P1 dated 24.10.2010, Elevations 1585-GA-200 P1 dated 24.11.2010, Floor Plan 1585-GA-201 P1 dated 24.11.2010, Elevations 1585-GA-300 P1 dated 24.11.2010, Plans and elevations 1585-GA-401-P1 received 24.11.2010 and street scene and sections 1585-GA-501 P1 received 24.11.2010 and subject to:

- The applicant entering into a Section 106 Planning Obligation to secure commuted payments towards the provision of affordable housing; and
- The following:

Conditions / Reasons

1. Approval of the details of the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority.

Reason: No such approval is 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 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. 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

6. 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

7. 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

8. The accesses shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter.

Reason: In the interests of highway safety

9. The buildings shall not be occupied nor the use commenced until the area shown as parking space on the approved plans has been drained and surfaced and that area shall not thereafter be used for any purpose other than the parking of vehicles.

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

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 commence until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. 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

12. (a) If during development work, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.
- (b) 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 chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.
- (c) A closure report shall be submitted by the developer relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety

13. An assessment of potential risk from indoor radon and a scheme for radon protection measures, if and where necessary, shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of amenity and public safety

14. No development shall take place until details of the slab levels of the building and section drawings through the site 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 or visual amenity of the locality

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 disposal to be dealt with on site.
3. The applicant is also advised to take particular account of the climate the development is likely to experience over its expected lifetime and consider the scope for maximising cooling and avoiding solar gain in the summer through, for example, the layout and orientation of the buildings and landscaping. The applicant is urged to have regard to the Government's 'Code for Sustainable Homes' and Kent County Council's 'Kent Design Guide' for further details on the range of measures that could be considered.

4. 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.
5. The applicant is encouraged, through the design of the development, to minimise the future energy consumption of the proposal. Where practicable, consideration should be given to measures including the installation of photovoltaic cells and the appropriate use of Sustainable Urban Drainage Systems (SUDS).
6. The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited 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. 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.

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