

TONBRIDGE & MALLING BOROUGH COUNCIL

AREA PLANNING COMMITTEES

Report of the Director of Planning, Housing & Environmental Health

Part I – Public

Section A – For Decision

DEVELOPMENT CONTROL

In accordance with the Local Government Access to Information Act 1985 and the Local Government Act 1972 (as amended), copies of background papers, including representations in respect of applications to be determined at the meeting, are available for inspection at Planning Services, Gibson Building, Gibson Drive, Kings Hill from 08.30 hrs until 17.00 hrs on the five working days which precede the date of this meeting.

Members are invited to inspect the full text of representations received prior to the commencement of the meeting.

Local residents' consultations and responses are set out in an abbreviated format meaning: *(number of letters despatched/number raising no objection (X)/raising objection (R)/in support (S))*.

All applications may be determined by this Committee unless (a) the decision would be in fundamental conflict with the plans and strategies which together comprise the Development Plan; or (b) in order to comply with Rule 15.24 of the Council and Committee Procedure Rules.

GLOSSARY of Abbreviations and Application types used in reports to Area Planning Committees as at 16 August 2013

AAP	Area of Archaeological Potential
AODN	Above Ordnance Datum, Newlyn
AONB	Area of Outstanding Natural Beauty
APC1	Area 1 Planning Committee
APC2	Area 2 Planning Committee
APC3	Area 3 Planning Committee
ASC	Area of Special Character
BPN	Building Preservation Notice
BRE	Building Research Establishment
CA	Conservation Area
CBCO	Chief Building Control Officer
CEHO	Chief Environmental Health Officer
CHO	Chief Housing Officer
CPRE	Council for the Protection of Rural England

DEFRA	Department for the Environment, Food and Rural Affairs
DETR	Department of the Environment, Transport & the Regions
DCLG	Department for Communities and Local Government
DCMS	Department for Culture, the Media and Sport
DLADPD	Development Land Allocations Development Plan Document (part of the emerging LDF)
DMPO	Development Management Procedure Order
DPD	Development Plan Document (part of emerging LDF)
DPHEH	Director of Planning, Housing & Environmental Health
DSSL	Director of Street Scene & Leisure
EA	Environment Agency
EH	English Heritage
EMCG	East Malling Conservation Group
FRA	Flood Risk Assessment
GDPO	Town & Country Planning (General Development Procedure) Order 1995
GPDO	Town & Country Planning (General Permitted Development) Order 1995
HA	Highways Agency
HSE	Health and Safety Executive
HMU	Highways Management Unit
KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards
KDD	Kent Design (KCC) (a document dealing with housing/road design)
KWT	Kent Wildlife Trust - formerly KTNC
LB	Listed Building (Grade I, II* or II)
LDF	Local Development Framework
LMIDB	Lower Medway Internal Drainage Board
LPA	Local Planning Authority
LWS	Local Wildlife Site
MAFF	Ministry of Agriculture, Fisheries and Food
MBC	Maidstone Borough Council
MC	Medway Council (Medway Towns Unitary Authority)
MCA	Mineral Consultation Area
MDEDPD	Managing Development and the Environment Development Plan Document
MGB	Metropolitan Green Belt
MKWC	Mid Kent Water Company
MLP	Minerals Local Plan
MPG	Minerals Planning Guidance Notes
NE	Natural England
NPPF	National Planning Policy Framework
ODPM	Office of the Deputy Prime Minister
PC	Parish Council
PD	Permitted Development

POS	Public Open Space
PPG	Planning Policy Guidance Note
PPS	Planning Policy Statement (issued by ODPM/DCLG)
PROW	Public Right Of Way
RH	Russet Homes
RPG	Regional Planning Guidance
SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (prepared as background to the LDF)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document (a statutory policy document supplementary to the LDF)
SPN	Form of Statutory Public Notice
SSSI	Site of Special Scientific Interest
SWS	Southern Water Services
TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan
TCG	Tonbridge Conservation Group
TCS	Tonbridge Civic Society
TMBC	Tonbridge & Malling Borough Council
TMBCS	Tonbridge & Malling Borough Core Strategy (part of the Local Development Framework)
TMBLP	Tonbridge & Malling Borough Local Plan
TWBC	Tunbridge Wells Borough Council
UCO	Town and Country Planning Use Classes Order 1987
UMIDB	Upper Medway Internal Drainage Board
WLP	Waste Local Plan (KCC)
AGPN/AGN	Prior Notification: Agriculture
AT	Advertisement
CA	Conservation Area Consent (determined by Secretary of State if made by KCC or TMBC)
CAX	Conservation Area Consent: Extension of Time
CNA	Consultation by Neighbouring Authority
CR3	County Regulation 3 (KCC determined)
CR4	County Regulation 4
DEPN	Prior Notification: Demolition
DR3	District Regulation 3
DR4	District Regulation 4
EL	Electricity
ELB	Ecclesiastical Exemption Consultation (Listed Building)
ELEX	Overhead Lines (Exemptions)
FC	Felling Licence
FL	Full Application

FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Assessment
FOPN	Prior Notification: Forestry
GOV	Consultation on Government Development
HN	Hedgerow Removal Notice
HSC	Hazardous Substances Consent
LB	Listed Building Consent (determined by Secretary of State if made by KCC or TMBC)
LBX	Listed Building Consent: Extension of Time
LCA	Land Compensation Act - Certificate of Appropriate Alternative Development
LDE	Lawful Development Certificate: Existing Use or Development
LDP	Lawful Development Certificate: Proposed Use or Development
LRD	Listed Building Consent Reserved Details
MIN	Mineral Planning Application (KCC determined)
NMA	Non Material Amendment
OA	Outline Application
OAEA	Outline Application with Environment Assessment
OAX	Outline Application: Extension of Time
ORM	Other Related Matter
RD	Reserved Details
RM	Reserved Matters (redefined by Regulation from August 2006)
TEPN56/TEN	Prior Notification: Telecoms
TNCA	Notification: Trees in Conservation Areas
TPOC	Trees subject to TPO
TRD	Tree Consent Reserved Details
TWA	Transport & Works Act 1992 (determined by Secretary of State)
WAS	Waste Disposal Planning Application (KCC determined)
WG	Woodland Grant Scheme Application

Hildenborough **TM/14/03644/FL**
Hildenborough

Demolition of existing buildings on site and construction of 2 detached residential dwellings and associated access and landscaping at Alexander Stables Vines Lane Hildenborough Tonbridge for Kent & Medway NHS Social Care And Partnership Trust

Private Reps: 1 additional letter of representation received, questioning the accuracy of the additional visual information (illustrative site sections). This additional representation claims that House 1 would be 23 metres to the rear of Brambleside, not the 28m shown on the applicant's additional drawing. It is further stated that the new dwellings would result in direct overlooking of Brambleside and that the new development will not be screened by vegetation as suggested within the application.

DPHEH: Having carefully studied the submitted plans (including layout and illustrative site sections) I am satisfied that these plans are accurate. It should be noted that Brambleside has been extended to the rear with a single storey conservatory [permitted in 2005 under reference TM/05/00201/FL]. This conservatory extension is approximately 4m deep from the rear elevation of Brambleside. Taking this into account, the distances between the (original) rear elevation of Brambleside and the rear elevation of Plot 1 is approximately 31m, whilst the distance from the rear of Brambleside's conservatory to Plot 1 is approximately 27m.

In any event, it is crucial to note that there would be no direct back-to-back relationship between Brambleside and proposed Plot 1, where, in most circumstances a minimum distance of 21m would be sought. Instead, Plot 1 is angled to avoid any direct back-to-back relationship and in any case the separation distance is significantly more than the 21m.

Members will be aware from the Members Site Inspection that the buildings would be separated by existing vegetation which flanks the Public Footpath.

As such, I am satisfied that there would be no unacceptable overlooking impacts arising from these proposals on any existing residential dwellings.

Having reviewed the suggested Planning Conditions contained within the main report, and acknowledging the importance of ensuring that any new dwellings are built in accordance with the illustrative level details submitted, it is necessary to impose a further condition requiring the approval of slab levels ahead of construction. Furthermore, it has been noted that the recommended Informatives contained within the main report were not wholly reflective of those recommended at the time of the April meeting. I therefore recommend that these are amended accordingly.

AMENDED RECOMMENDATION**Additional Condition:**

12. No development shall take place until details of proposed finished floor; ridge and eaves levels of each of the dwellings have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved level details.

Reason: In the interests of visual amenity.

Amended Informatives:

1. The Borough Council will need to create new street name(s) for this development together with a new street numbering scheme. To discuss the arrangements for the allocation of new street names and numbers you are asked to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to addresses@tmbs.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.

2. 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.

3. With regard to the construction phase of the development, the applicant is asked to take all reasonable steps to mitigate any impact upon surrounding residents. With this in mind, they are strongly encouraged to apply for a Section 61 Control of Pollution Act 1974 'prior consent' notice to regulate working hours/methods. It is recommended that you contact the Environmental Health Pollution Control Team on pollution.control@tmbs.gov.uk in advance of the commencement of works to discuss this further. The applicant is also advised to not undertake construction works outside the hours of 08.00 -18:00 Mondays to Fridays, 08:00-13:00 on Saturdays and to not undertake works on Sundays, Bank or public holidays. Furthermore, arrangements for the management of demolition and construction traffic to and from the site should be carefully considered in the interests of residential amenities and highway safety. With regard to works within the limits of the highway and construction practices to prevent issues such as the deposit of mud on the highway, the applicant is encouraged to consult The Community Delivery Manager, Kent County Council, Kent Highway Services, Double Day House, St Michaels Close, Aylesford Tel: 03000 418181 at an early time.

4. It is recommended that bonfires are not held at the site as this can cause justifiable nuisance for neighbours.

5. The Public Right of Way must not be stopped up, diverted, obstructed (this

includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in the future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

**Hildenborough TM/15/01411/FL
Hildenborough**

Demolition of existing garage and erection of replacement two storey side extension, single storey rear extension and front porch at 22 Hardwick Road Hildenborough Tonbridge for Mr Tom Nooen

PC: Further comments received following the submission of amended plans reiterating their previous comments and stating that they would like to see the locally distinctive features identified in the Hildenborough Character Area (also in TMBC's Saved Policy P4/9, para 4.3.3) preserved.

Private Reps: 1 additional letter of objection received from the neighbouring resident, following the submission of amended plans, raising the following objections:

- Loss of light, overly oppressive and dominating in relation to No.21;
- Overshadowing of rear private patio at No. 21;
- The proposed porch is 1m in front of the established building line;
- The building of the proposed extension will be subject to the party wall act;
- Other houses have been extended to the rear to maintain the open and spacious character;
- Reduction in separation between Nos. 21 and 22;

DPHEH: TMBLP Policy P4/9 has been superseded by the adopted Hildenborough Character Area SPD (February 2011) and therefore is no longer a material consideration in the determination of planning applications. Due regard of the Hildenborough Character Area Appraisal SPD has been taken into consideration in the assessment of this application and, as set out in the main report; it is not considered that the extension would adversely affect the character of the area. It is important to note that the SPD mentions the cohesive nature of this part of Hardwick Park Road is in part borne out of the palette of materials utilised, which is proposed to be replicated in the extension to No. 22.

I maintain the view that these proposals are acceptable in planning terms and do not result in an unacceptable relationship with the neighbouring dwelling at No. 21 Hardwick Road.

It should be noted that a group Tree Preservation Order protects a number of mature trees to the eastern side of the application property (also covering a wider area to the east of the application site). As such, it would not be possible to extend the property along its eastern flank elevation owing to the presence of these protected trees.

RECOMMENDATION REMAINS UNCHANGED

Hildenborough TM/15/01642/FL
Hildenborough

**Proposed two storey rear, and side extensions at 7 & 8 Church Road Hildenborough
Tonbridge for Seal Properties Limited**

No supplementary matters to report
