

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

22 December 2016

To: MEMBERS OF THE AREA 3 PLANNING COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 3 Planning Committee to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Thursday, 5th January, 2017 commencing at 7.30 pm. Deposited plans will be available for Members' inspection for half an hour before the start of the meeting.

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

1. Apologies for Absence
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To confirm as a correct record the Minutes of the meeting of Area 3 Planning Committee held on 25 August 2016

Decisions to be taken by the Committee

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7. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

PART 2 - PRIVATE

8. Exclusion of Press and Public 31 - 32

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

9. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr M Parry-Waller (Chairman)
Cllr Mrs S M Hall (Vice-Chairman)

Cllr M C Base
Cllr Mrs S Bell
Cllr T Bishop
Cllr Mrs B A Brown
Cllr T I B Cannon
Cllr R W Dalton
Cllr D A S Davis
Cllr Mrs T Dean
Cllr S M Hammond

Cllr D Keeley
Cllr S M King
Cllr D Lettington
Cllr D Markham
Cllr Mrs A S Oakley
Cllr R V Roud
Cllr A K Sullivan
Cllr B W Walker
Cllr T C Walker

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TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 25th August, 2016

Present: Cllr M Parry-Waller (Chairman), Cllr Mrs S M Hall (Vice-Chairman), Cllr M C Base, Cllr Mrs S Bell, Cllr T Bishop, Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr R W Dalton, Cllr D A S Davis, Cllr S M Hammond, Cllr D Keeley, Cllr S M King, Cllr D Lettington, Cllr D Markham, Cllr R V Roud, Cllr A K Sullivan, Cllr B W Walker and Cllr T C Walker

An apology for absence was received from Councillor Mrs T Dean

PART 1 - PUBLIC

AP3 16/32 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

AP3 16/33 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 14 July 2016 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

AP3 16/34 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

**AP3 16/35 TM/16/00955/FL - COBDOWN SPORTS AND SOCIAL CLUB,
STATION ROAD, DITTON**

1. An extension and refurbishment to the existing clubhouse building to provide for a higher standard of social and function space and 2 teaching rooms;
2. An extension and refurbishment of the existing squash and gym building to provide a further 3 squash courts and wet and dry changing rooms as well and a gym space and dance studio;
3. A new build changing room block to provide changing facilities for 4 teams and associated officials. As well as spectator toilets and a kitchen space with serving hatch; and
4. Provision of 2 3G pitches on the existing sports field all at Cobdown Sports and Social Club, Station Road, Ditton

RESOLVED: That the application be APPROVED in accordance with the details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; subject to

(1) Amended condition(s):

17. The lighting hereby approved shall be used only when necessary to do so and only when the pitches are in use and then only between the hours of 1530 and 2200, and, apart from maintenance, shall remain switched off at all other times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity.

20. There shall be no land raising in connection with the construction of the sorts pitches hereby approved unless formally approved in advance by the Local Planning Authority.

Reason: To ensure the development does not increase flood risk elsewhere

(2) Additional condition(s):

28. There shall be no land raising or bunds created across the site until such time as full details of such works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a scheme for compensatory storage measures across the site and any such scheme approved shall be implemented concurrently with the development and maintained and retained at all times thereafter.

Reason: To ensure the development does not increase flood risk elsewhere

(3) Amended informative(s):

5. The applicant is advised that the following should be noted wherever infiltration drainage (such as soakaways) is proposed at a site:

- Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods;
- No infiltration system should be sited in or allowed to discharge into made ground, land impacted by contamination or land previously identified as being contaminated;
- There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of the system and the water table; and
- A series of shallow systems are preferable to systems such as deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater.

9. In order to satisfy the requirements of Conditions 20 and 28, the applicant is advised of the following:

- Site levels for the proposed sports pitches should be set no higher than the lowest point of the ground where they are proposed;
- The requirement for compensatory flood storage should be kept to a minimum in the overall site design;
- The creation of spectator bunds and extension of building footprints should be kept to an absolute minimum; and
- Where compensatory flood storage is required to offset any minor land raising/bunds, this should be direct or 'level to level flood' compensation.

(4) Additional informative:

11. The applicant is reminded that no Public Right of Way should 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 future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

[Speakers: Ms K Capaldi and Mr Murdoch – members of the public; and Mr A Dennington – agent]

AP3 16/36 TM/15/01239/FL - HOLTWOOD FARM SHOP, 365 LONDON ROAD, AYLESFORD

Installation of mobile fish van in car park (retrospective). Section 73 application for the removal of condition 1 (Temporary use) of planning permission TM/13/03491/FL (installation of a mobile fish van in car park (retrospective) to enable the permanent retention of the fish van at Holtwood Farm Shop, 365 London Road, Aylesford.

RESOLVED: That the application be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; subject to

(1) Additional informative(s):

1. The applicant is strongly encouraged to ensure that the business hereby approved operates in a way that respects the nearest neighbouring properties at all times, particularly by seeking to ensure that no music is played from the van itself and by seeking to ensure that all customers behave in a respectful manner by not remaining in the car park once goods have been purchased and by not eating goods on site.

PART 2 - PRIVATE

AP3 16/37 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.40 pm

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 23 September 2015

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
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
DMPO	Development Management Procedure Order
DPD	Development Plan Document
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 2015
GPDO	Town & Country Planning (General Permitted Development) Order 2015
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
LB	Listed Building (Grade I, II* or II)
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
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
MWLP	Minerals & Waste Local Plan
NE	Natural England
NPPF	National Planning Policy Framework
PC	Parish Council
PD	Permitted Development
POS	Public Open Space
PPG	Planning Policy Guidance
PROW	Public Right Of Way

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
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 (as amended)
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
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

**East Malling &
Larkfield
Larkfield South**

28 September 2016

TM/16/02919/FL

Proposal: Demolition of existing garages and erection of a pair of semi-detached bungalows, with associated parking
Location: 53 New Hythe Lane Larkfield Aylesford Kent ME20 6PW
Applicant: Harestone Associates
Go to: [Recommendation](#)

1. Description:

- 1.1 This full application proposes the demolition of the existing block of six garages on the site and the erection of 2 no. two storey two bedroom semi-detached dwellings. These dwellings would be single storey in appearance with rooms in the roof to provide a bedroom, bathroom and wardrobe area. Access would be gained using the existing drive to the north side of 53 New Hythe Lane, with parking and turning to be provided to the front of the new dwellings.
- 1.2 The development would have an overall ridge height of approximately 6.3m and an eaves height of approximately 2.75m. The overall width of the development is proposed to be approximately 13.7m. The dwellings would be brick with a hipped tiled roof over.
- 1.3 Permission has historically been granted for a single dwelling on this site in outline form but this has now lapsed.

2. Reason for reporting to Committee:

- 2.1 At the request of Cllr Oakley due to concerns regarding the access and parking provision to serve the development.

3. The Site:

- 3.1 The application site sits to the west of the rear curtilage of dwelling houses 51 and 53 New Hythe Lane, part of a 19th century terrace of houses on the west side of New Hythe Lane. To the north is a pair of 20th century two storey houses built as an infill. The immediate south of the site is bound by the rear curtilage of a dwelling house. Approximately 12m west to the rear of the site there is a block of flats situated at Martin Square.
- 3.2 A 2m high close boarded fence defines the boundary of the site to the west, north and south. To the east there is a 1m high mesh fence defining the limits of the rear gardens of 51 and 53 New Hythe Lane.
- 3.3 The site is currently occupied by a run of 6 timber and concrete garages along the western edge of the site. The site is approximately 16m wide at its widest point

and has a depth of approximately 24m excluding the parking and turning area, which is to be shared.

4. Planning History (relevant):

TM/66/10309/OLD grant with conditions 28 July 1966

Demolition and replacement of garages.

TM/02/03084/OA Grant With Conditions 24 January 2003

Outline Application for the demolition of six garages and erection of two bedroom bungalow with garage

TM/06/02886/FL Grant With Conditions 3 October 2006

Erection of rear conservatory

TM/08/00807/OA Approved 2 May 2008

Outline Application: Demolition of six garages and erection of bungalow and provision of parking for no.53

TM/11/00349/OAX Approved 31 March 2011

Extension of time for TM/08/00807/OA (Outline Application: Demolition of six garages and erection of bungalow and provision of parking for no.53)

5. Consultees:

5.1 PC: Strongly object to this application as it would lead to over intensification of the site and insufficient parking and inadequate sight lines onto New Hythe Lane.

5.2 KCC Highways: No objection subject to conditions and informatives.

5.3 Private Reps: 21 + site notice/0X/0R/0S.

6. Determining Issues:

6.1 The application comprises the erection of a pair of semi-detached bungalows with rooms in the roof on land currently occupied by a block of six garages to the rear of 51 and 53 New Hythe Lane.

6.2 Policy CP11 of the TMBCS seeks to ensure that development is concentrated within the confines of the urban areas. The application site lies within the urban confines of Larkfield and therefore; development of this nature is acceptable in

principle. It is therefore necessary to establish whether the specifics of the development are acceptable in light of the prevailing policy framework.

- 6.3 Policy CP24 of the TMBCS seeks to ensure that all development is well designed and respects the site and its surroundings. This aim is echoed in paragraph 58 of the NPPF which seeks to ensure that development will function well, create attractive, safe places in which to live and work, optimise the potential of the site, respond to the local character of the surroundings and be visually attractive.
- 6.4 Policy SQ1 of the MDEDPD requires development to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD.
- 6.5 With regard to these national and local planning requirements the proposal must be assessed in terms of its potential impact on the character and built form of the area. The Medway Gap Character Areas Supplementary Planning Document 2012 describes the area as being *“a mixture of 19th century terraces, 1930’s detached and semi-detached houses, bungalows and some modern infill development. The 19th century cottages are two storey properties in short terraces set behind shallow front gardens, often with no pavements. Small scale infill development has occurred on individual plots in the latter half of the 20th century”*.
- 6.6 The proposal involves the construction of a pair of two bedroom dwellings to the rear of the 19th century terrace. It is acknowledged that the proposed new buildings would not mirror that of the existing development in the vicinity in terms of scale and built form but given their position to the rear of the terrace and the low height and scale it is considered that they would not be detrimental to the overall character and appearance of this part of New Hythe Lane. In fact, given the dilapidated condition of the garage block currently in situ, it is my view that the development of this part of the site in the manner proposed would represent a visual improvement to the site overall.
- 6.7 Turning to matters of residential amenity of the existing dwellings, I consider the proposed dwellings have been designed and sited to minimise any loss of privacy to the surrounding dwellings. The primary windows on the development face to the west and, given the height of the development and the relationship to the properties to the rear of Martin Square, it is not considered that there would be an issue of overlooking or loss of privacy. Only roof lights are proposed within the roof facing the rear of the New Hythe Lane properties. It is considered therefore that the development has been designed to ensure no unacceptable loss of privacy to any surrounding dwellings.
- 6.8 The location and design of the proposed dwellings will ensure that there would be no loss of sunlight/daylight to the windows serving the surrounding dwellings. Again, the siting and scale of the proposed dwellings and the separation distances involved would also ensure that they would not appear overbearing or dominant when viewed from any of the neighbouring properties in more general terms.

- 6.9 It is accepted that the use of the access to the side of No. 53 will increase as a result of the proposed development as will the use of the rear curtilage of the dwelling as a result of the proposed parking and turning area. However, this will be only at a domestic scale associated with two small residential units and is not considered to be harmful to amenity to an extent that would justify the refusal of planning permission on this basis. In this regard it is important to recognise that the garage block in situ, whilst not currently in use, was accessed via the same access point at a greater intensity.
- 6.10 Policy SQ8 of the MDE DPD states that development should only be permitted where it would not significantly harm highway safety. Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe. I appreciate that on-street parking is at a premium in the New Hythe Lane and Martin Square area and that the proximity to the junction with the A20 leads to congestion on this part of New Hythe Lane at times. However the application provides on-site parking at an acceptable level.
- 6.11 IGN3 requires a single on-site parking space for a two bedroom dwelling in an urban area. The proposal allows for two off-street vehicle parking spaces, one for each of the new dwellings and one to serve the existing dwelling and this meets the requirements of IGN3. With regard to the impact on highway safety, KCC Highways has confirmed that the existing access has been used as a vehicular access for various types of vehicles over the years and that crash data indicates no personal injury crashes associated with the access within the last 10 years up to 31 December 2015. The turning space allows for vehicles to enter and exit the site in a forward gear so it is not considered that the works would have a severe impact on the highways network. The development is therefore acceptable in this respect.
- 6.12 In light of the above assessment, the application accords with the relevant national and local planning requirements and I therefore recommend it be approved subject to the following planning conditions

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 27.09.2016, Planning, Design And Access Statement dated 27.09.2016, Location Plan 00-101 dated 27.09.2016, Proposed Floor Plans 00-102 A dated 27.09.2016, Proposed Elevations 00-301 dated 27.09.2016, Drawing 00-302 dated 27.09.2016, Sections 00-400 dated 27.09.2016, Topographical Survey 51-53 dated 27.09.2016, subject to the following conditions:

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. 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 visual amenity of the locality.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: Further development of the site could potentially be harmful to adjacent residential amenity and the character of the wider area.

4. Any gates must open away from the highway and be set back a minimum of 5m from the edge of the carriageway.

Reason: To ensure vehicles waiting to access the site do not create congestion and thereby cause harm to the wider highway network.

5. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking 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) (England) Order 2015 (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.

Reason: To ensure no adverse impact on highway safety resulting from hazardous on-street parking.

6. Prior to the commencement of development, details of the proposed levels of the finished floor, eaves and ridge relative to existing levels on the application site and neighbouring land shall be submitted for the approval of the Local Planning Authority. The development shall be constructed in accordance with those approved details.

Reason: in the interests of neighbouring residential amenities.

7. No development shall be commenced until the following have been submitted to and approved by the Local Planning Authority:

(a) a contaminated land desktop study identifying all previous site uses, potential contaminants associated with those uses including a survey of the condition of any existing building(s), a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site;

(b) based on the findings of the desktop study, proposals for a site investigation scheme that will provide information for an assessment of the risk to all receptors that may be affected including those off site. The site investigation scheme should also include details of any site clearance, ground investigations or site survey work that may be required to allow for intrusive investigations to be undertaken.

If, in seeking to comply with the terms of this condition, reliance is made on studies or assessments prepared as part of the substantive application for planning permission, these documents should be clearly identified and cross-referenced in the submission of the details pursuant to this condition.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework 2012 (paragraph 121).

8. No development shall take place other than as required as part of any relevant approved site investigation works until the following have been submitted to and approved by the local planning Authority:

(a) results of the site investigations (including any necessary intrusive investigations) and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the site will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended).

The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved end use.

(b) prior to the commencement of the development the relevant approved remediation scheme shall be carried out as approved. The Local Planning Authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework 2012 (paragraph 121).

9. Following completion of the approved remediation method statement, and prior to the first occupation of the development, a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground level shall be submitted for the information of the Local Planning Authority.

The report shall be undertaken in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. Where it is identified that further remediation works are necessary, details and a timetable of these works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

Thereafter, no works shall take place such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework 2012 (paragraph 121).

Informatives

1. Planning permission does not convey any approval for any works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council, Highways and Transportation 03000 418181 in order to obtain the necessary Application Pack.
2. In the interests of good neighbourliness the hours of construction, including deliveries, should be restricted to Monday to Friday 07.30 - 18.30 hours, Saturday 08.00 - 13.00 with no work undertaken on Sundays or Public/Bank Holidays.
3. The application includes the demolition of garages. If the garage/property was built before or refurbished before 2000 there is the possibility of asbestos containing materials being present in the structure. Before commencing any works, the applicant is advised to seek further advice to ensure the necessary precautions are implemented for the duration of the demolition. More information can be found <http://www.hse.gov.uk/asbestos/> and <http://www.hse.gov.uk/asbestos/faq.htm#domestic-properties>
4. In the interests of good neighbourliness all vehicles and machinery associated with construction must be parked within the site and not on the public highway in such a manner as to create an obstruction.

5. The proposed hard landscaping scheme to be submitted in accordance with planning condition 7 shall include details of a bound surface for the first 5m of the access from the edge of the highway and details of the proposed surface water disposal for all hardstanding to ensure no run-off onto land outside the site.

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 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@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.

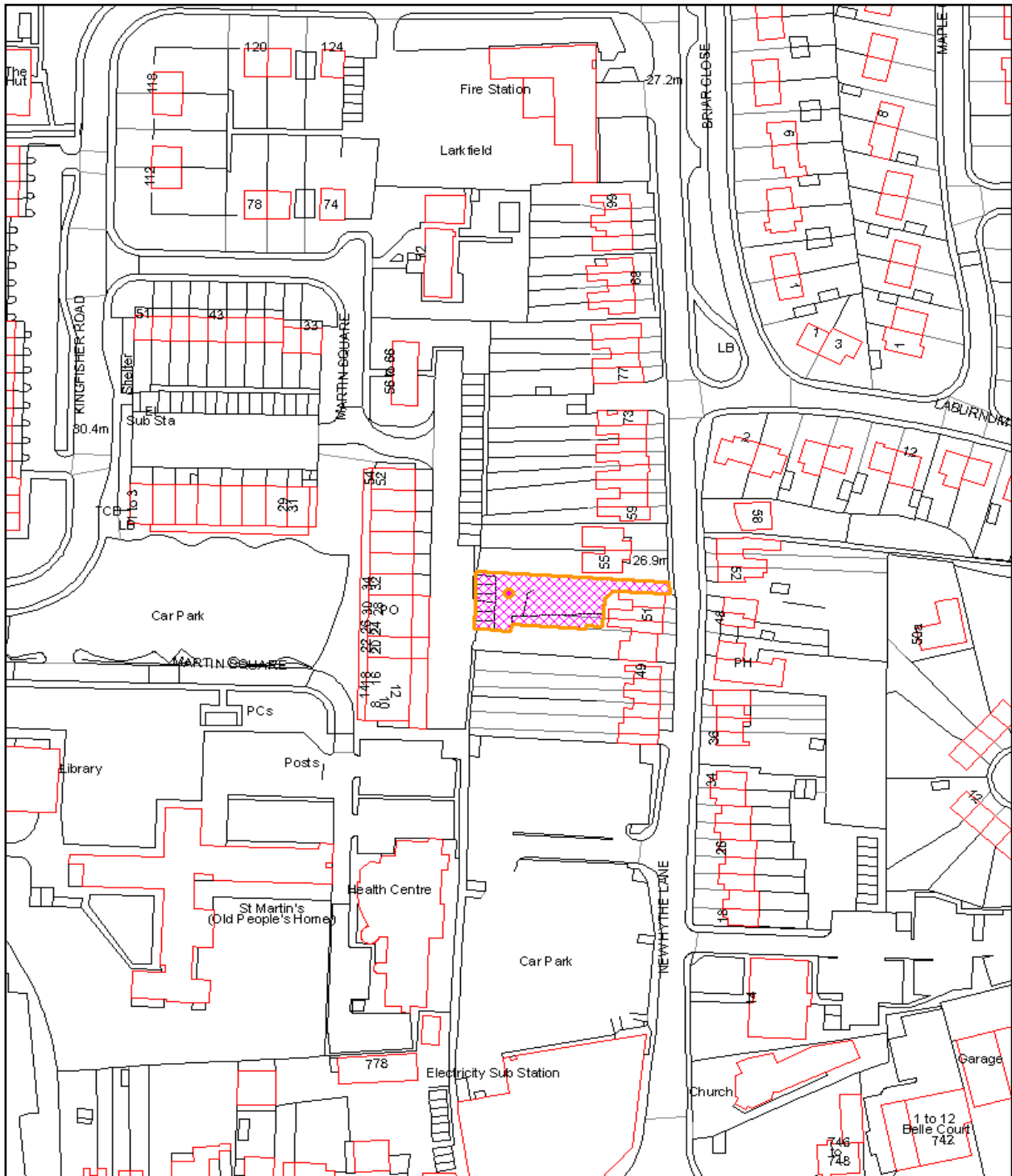
Contact: Robin Gilbert

TM/16/02919/FL

53 New Hythe Lane Larkfield Aylesford Kent ME20 6PW

Demolition of existing garages and erection of a pair of semi-detached bungalows, with associated parking

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Aylesford
Aylesford South

24 October 2016

TM/16/03184/FL

Proposal: Extensions to create a first floor including front and rear dormer windows and associated works
Location: 17 Gorse Crescent Ditton Aylesford Kent ME20 6ES
Applicant: Mr A Dawling
Go to: [Recommendation](#)

1. Description:

- 1.1 It is proposed to extend the property on the south side and partly to the rear and to construct a first floor over the entire resulting single storey footprint. This would alter the property from a three bedroom to a five bedroom house.
- 1.2 Following negotiations about the scale of the original proposal, the design of the addition has been amended and this report relates to this revised scheme.
- 1.3 The application proposes an infill rear extension to a maximum of 3.4m, a 2.5m wide extension to the side and a replacement half-hipped pitched roof. The enlarged roof would be used for accommodation and would result in the height of the building being raised by approximately 1.8m.

2. Reason for reporting to Committee:

- 2.1 At the request of Cllr Trevor Walker. It is stated that the proposal is out of keeping with the rest of the bungalows on Holtwood Estate.

3. The Site:

- 3.1 Number 17 is an extended single storey bungalow set on the western side of Gorse Crescent within the urban confines of Ditton. The property has a low asymmetrical ridged roof with a longer rear roof slope leading to a flat roofed section over a rear extension.
- 3.2 Gorse Crescent slopes up from south to north and consists generally of bungalows on the western side and houses on the east. Number 15 to the south appears to be a chalet property whilst number 19 to the north is a bungalow. The property does not fall within a Conservation Area but is covered by a Tree Preservation Order.

4. Planning History (relevant):

TM/71/10683/OLD grant with conditions 14 January 1971

Double garage.

TM/79/10381/FUL grant with conditions 8 August 1979

Erection of single storey extension to rear.

TM/82/11138/FUL grant with conditions 26 April 1982

Single storey rear extension and porch to front.

TM/04/04087/FL Grant With Conditions 14 January 2005

First floor addition and associated alterations

TM/06/01118/FL Grant With Conditions 12 June 2006

Erection of a pvcu conservatory to the rear of the property

TM/06/01137/FL Application Not
Proceeded With 19 April 2006

Erection of a pvcu conservatory to the rear of the property

5. Consultees:

5.1 PC: Strong objection as the properties on this side of the road are bungalows and the proposed changes would be completely out of keeping with the street scene. The increased height of the building would also result in overlooking and overshadowing of adjoining properties, to the detriment of the living environment of the neighbours.

5.2 Private Reps: 10/0X/20R/0S (total in relation to original and current plans)

In response to the initial set of plans a total of 14 representations were received from 12 households, one of which was an anonymous letter. The following objections were raised:

- The proposal would be out of scale and out of keeping with the established pattern of Gorse Crescent with bungalows on the western side of Gorse Crescent and two storey houses on the east.
- The proposal would result in overshadowing by reason of its height.
- The proposal would compromise rear gardens of neighbours by reason of overlooking and a loss of privacy.
- The proposed materials would be different from others in the vicinity.

- The extension would result in adverse visual impact and the loss of a view.
- There is a shortage of bungalows in the area and the extension should be at ground floor level only. If you want a house, why buy a bungalow?
- Reference has also been made to several non-planning matters including a reference to the property being within a Conservation Area, although this is not the case. Mention has been made of Right to Light, although this legislation is now outdated.

In response to the revised set of plans and at the time of preparing the report representations have been received from 6 households and the following comments are made:

- Overbearing and out of scale resulting in a large house being out of proportion to nearby properties.
- The increase in the height of the side elevation and the differences in slab level would lead to a loss of light, privacy and sense of seclusion.
- The extension would be an eyesore and harmful to the distinctive look of Gorse Crescent
- The amended plans are more unacceptable than the originals and would set a precedent.
- There are not enough bungalows in the area.
- Detrimental to outlook from neighbouring properties.

6. Determining Issues:

- 6.1 The application is considered in relation to Core Strategy policies CP1 (sustainable development) and CP24 (achieving a high standard of development) and saved Local Plan Policy P4/12 and its associated annex. Paragraphs 56, 57, 58, 60, 61 and 64 of the NPPF are relevant to the determination of the application. The main aim of these policies is to balance the need for the development against the need to protect and enhance the natural and built environment. The aim is to achieve a high standard of design whilst having regard to the residential amenities of the occupants of the area.
- 6.2 The Medway Gap Character Area Appraisal is also relevant. This states that Gorse Crescent comprises two storey houses and bungalows constructed of red or buff brick with flatter pitched roof and lower scale, in contrast with those houses in Brassey Drive.
- 6.3 The erection of an extension within an urban area such as this is acceptable in principle subject to a satisfactory design and there being no detrimental impact on

the amenities of the neighbours. The main considerations in this instance are therefore the scale, design and appearance of the proposed alterations to this dwelling.

- 6.4 The proposed additions will result in the dwelling changing from a single storey dwelling to one with rooms in the roof. This will result in an increase in the height from approximately 4.9m at ridge level to 6.7m. There would also be an associated increase the bulk of number 17 with the addition of the first floor. The resulting appearance will not be as modest as the generally low ridged bungalows on that side of the road, but not as high as those houses on the eastern side of Gorse Crescent.
- 6.5 The proposed changes will result in the dwelling having a different appearance to those either side and opposite. It will also be constructed in different materials. These differences, whilst they will alter the appearance of the dwelling within the street scene, will not result in a negative impact upon the character of the area. There is no relevant planning policy that requires the properties in Gorse Crescent to remain in the form in which they were constructed. The works proposed will not lead to visual harm, such as to justify a refusal of planning permission.
- 6.6 Indeed, the Medway Gap Character Area Appraisal states that Gorse Crescent comprises both two storey and single storey dwellings. There is a mix of property sizes and styles on this part of the Holtwood Estate, with bungalows, dwellings with rooms in the roof and two storey dwellings in the vicinity. Over the years extensions have taken place so that the area now has a mixed character. As a result the proposed extension would not appear out of place in this context in visual terms.
- 6.7 The proposed works would not have a detrimental impact on the residential amenity of the neighbouring properties. The design of the additions and the orientation of the existing building in relation to its surroundings are such that the works would not result in an unacceptable level of overshadowing to the surrounding dwellings.
- 6.8 Similarly whilst the proposal will result in a change in outlook from all adjacent properties the proposed design will not be overbearing in form or scale. Whilst there will be a different relationship from surrounding properties, it is not considered that this change will be unduly harmful such as to justify a refusal of planning permission.
- 6.9 The alterations to the roof propose new windows to be added at first floor level to the front and rear elevations. At the rear there is a distance of over 35m from the rear of number 17 to the properties in Woodlands Road. The properties on the eastern side of the road are set approximately 25m away. This is considered to be a sufficient distance to ensure no loss of privacy would occur.

- 6.10 Reference has been made by representations received to the fact that the site falls within a Conservation Area and that the proposed development would set a precedent. To clarify, number 17 does not fall within a Conservation Area and each application is considered on its own merits.
- 6.11 The proposed development would result in an increase in the number of bedrooms from three to five. There is however sufficient off street parking space for three or four cars available within the curtilage of the site.
- 6.12 Whilst the proposed works would alter the appearance of the dwelling and change its relationship with the immediate neighbours, they would not result in a form of development that would harm the appearance of the area or the amenities of the neighbours. It is concluded that the development would integrate satisfactorily into the built environment of this part of Ditton in accordance with prevailing policy and that planning permission should be granted.

7. Recommendation:

- 7.1 Grant planning permission.

This was approved in accordance with the following submitted details: Existing Plans and Elevations 17-GORSE-CRESCENT-01 _ location plan dated 24.10.2016, Proposed Floor Plans 17-GORSE-CRESCENT-02 C dated 23.11.2016, Proposed Elevations 17-GORSE-CRESCENT-03 C dated 23.11.2016,

Conditions / Reasons

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. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the roof of the building without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of the amenity and privacy of adjoining property.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the side elevation(s) of the building other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

5. The windows in the first floor side elevations shall be fitted with obscure glass and apart from any top hung light shall be non-opening. This work shall be effected before the rooms are occupied and shall be retained hereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

6. The lounge window in the southern side elevation of the extension hereby approved shall be fitted and maintained with a high level window with a minimum cill height of 1.7m above internal floor level.

Reason: To minimise the effect of overlooking to the adjacent property.

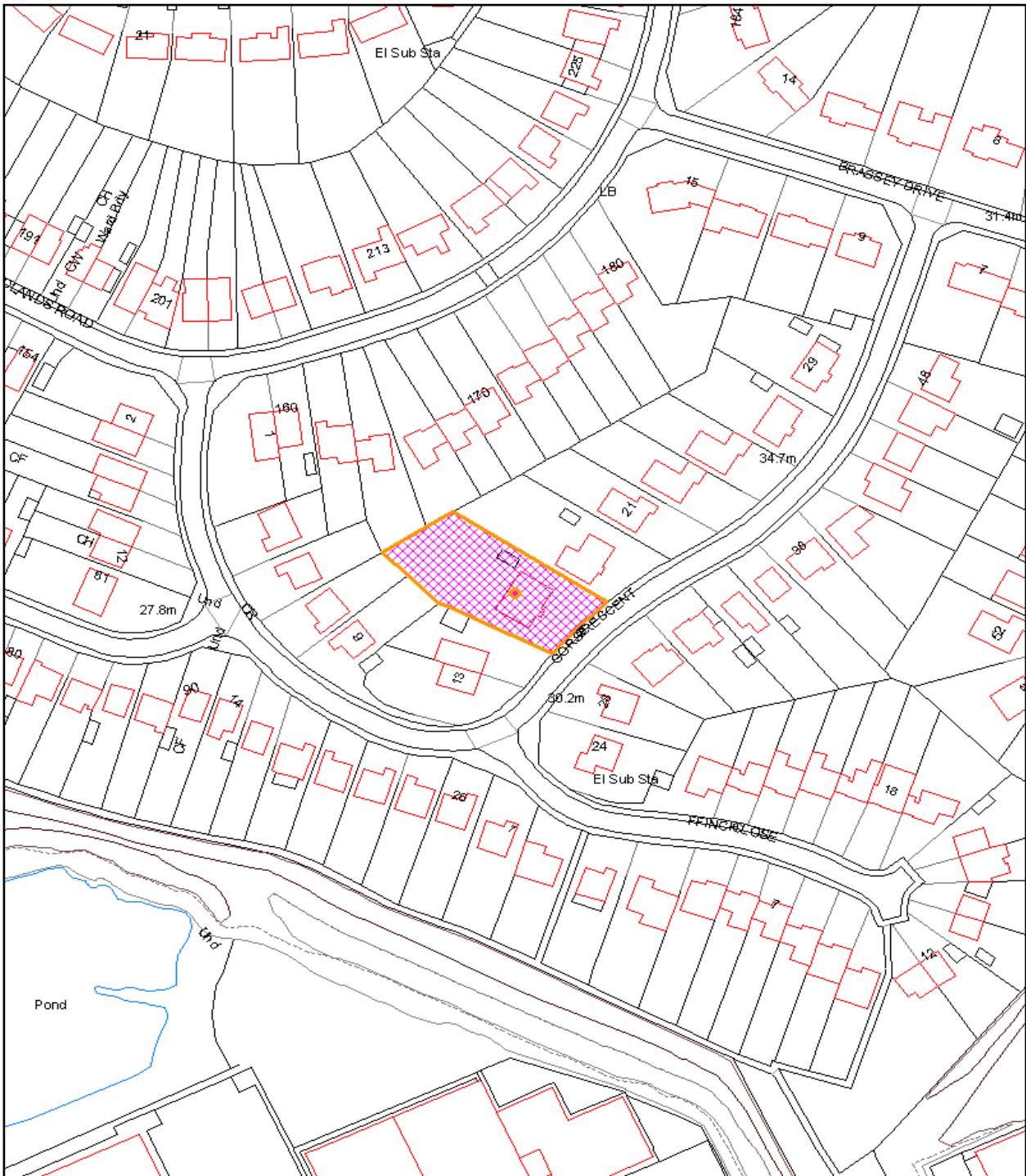
Contact: Hilary Johnson

TM/16/03184/FL

17 Gorse Crescent Ditton Aylesford Kent ME20 6ES

Extensions to create a first floor including front and rear dormer windows and associated works

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Agenda Item 8

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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