

**Trottscliffe
Downs**

564023 159784 5 August 2015

TM/15/01687/OA

Proposal: Outline Application: Erection of a four bedroom detached dwelling of approximately 300 square metres habitable area with double garage to the rear of Little Reeds with access from Ford Lane with matters of appearance, landscaping and scale to be reserved

Location: Little Reeds Ford Lane Trottscliffe West Malling Kent ME19 5DP

Applicant: Mr David Spreadbury

1. Description:

- 1.1 Members will recall that this item was deferred from the 19 August 2015 meeting of the Area 2 Planning Committee, for the Director of Central Services to submit a report under Part 2 of this Agenda to inform Members of the potential implications of refusing planning permission for this outline application.
- 1.2 A copy of my previous main and supplementary reports is attached as an Annex to this report for ease of reference.

2. Determining Issues:

- 2.1 The implications of the potential refusal of this outline application are discussed in Part 2 of this Agenda.
- 2.2 There have been no changes to this outline application or the site since the publication of my previous report. My recommendation therefore remains unaltered.

3. Recommendation:

- 3.1 **Grant Outline Planning Permission** in accordance with the following submitted details: Letter dated 20.05.2015, Location Plan dated 20.05.2015, Proposed Elevations NJW/02/A North dated 20.05.2015, Proposed Elevations NJW/03/A East dated 20.05.2015, Proposed Elevations NJW/01/A West dated 20.05.2015, Proposed Elevations NJW/04/A South dated 20.05.2015, Proposed Floor Plans NJW/05/A Ground dated 20.05.2015, Proposed Floor Plans NJW/06/A First dated 20.05.2015, subject to the following conditions and informatives:

Conditions / Reasons:

1. Approval of details of the appearance of the development, the landscaping of the site, and the scale of the development (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. The details submitted in pursuance to condition 1 shall be accompanied by details and samples of materials to be used externally 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 pursuance to condition 1 shall be accompanied by a contoured site plan and full details of the slab levels at which the building is to be constructed and the development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to adequately assess the impact of the development on visual and/or residential amenities.

6. The details submitted in pursuance to condition 1 shall be accompanied by a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

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.

7. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking and turning 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: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and to deal with surface water drainage.

8. The details submitted in pursuance to condition 1 shall be accompanied by a scheme for the storage and screening of refuse. 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.

9. The details submitted in pursuance to condition 1 shall be accompanied by a scheme for the disposal of foul and surface water drainage. Thereafter, the approved scheme shall be implemented before the development is occupied and shall be retained thereafter.

Reason: In the interests of pollution prevention.

10. 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 Class A and Class E, of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In order to regulate and control further development on this site.

11. 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, together with the provision for the retention and protection of existing trees and shrubs. Thereafter, the development shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained, by observing the following:
- a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5m above the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - b) No fires shall be lit within the spread of the branches of the trees.
 - c) No material or equipment shall be stored within the spread of the branches of the trees.
 - d) Any damage to trees shall be made good with a coating of fungicidal sealant.

e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.

f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

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

Informatives:

1. The applicant is advised that the Local Planning Authority expects that any subsequent Reserved Matters application (covering Appearance, Landscaping and Scale) should accord with the indicative layout and elevation plans, chalet-style dwelling and 300 square metres threshold of habitable area all detailed within this outline consent application.
2. During the demolition and construction phases, the hours of working (including deliveries) shall be restricted to the following times; Monday to Friday 07:30 hours - 18:30 hours; Saturday 08:00 hours - 13:00 hours; and no work on Sundays, Bank or Public Holidays. The applicant is advised to seek an early discussion with the Environmental Protection Team - environmental.protection@tmbc.gov.uk
3. Tonbridge and Malling Borough Council operates a two wheeled bin and green box recycling refuse collection service from the boundary of the property. In addition, the Council also operates a fortnightly recycling box/bin service. This would require an area approximately twice the size of a wheeled bin per property. Bins/boxes should be stored within the boundary of the property and placed at the nearest point to the public highway on the relevant collection day.

Contact: Julian Moat