
Platt **561860 157277** **4 December 2013** **TM/13/03598/FL**
Borough Green And
Long Mill

Proposal: Erection of one 3 bedroom (attached) dwelling with shared access and parking and two storey extension to existing house
Location: 1 Mill Cottages Maidstone Road Platt Sevenoaks Kent TN15 8JE
Applicant: Magnum Opus Developments (Sevenoaks) Ltd

1. Description:

1.1 This application was originally reported to A2PC on 5 March 2014 and was deferred for a Members' Site Inspection (MSI). The Committee Report and Supplementary Report for 5 March 2014 are attached as an annex.

1.2 The MSI took place on Thursday 8 May 2014 and, following that visit, the applicant has chosen to amend the application and submit some additional information. The following additional/amended information was received on Tuesday 13 May 2014:

- Additional information showing proposed levels on the site.
- Additional information detailing the proposed construction management plan.
- Revised floor plans and elevations detailing a small reduction in overall size of the proposed extended property and new property.
- New proposals to alter the boundaries of the curtilage of the proposed new dwelling to allow for a widening of the access point of the private drive on to the A25 and increasing the width of the access track.

1.3 Further to the MSI, and in addition to the amended information, the applicant wishes the following points be set out to Members:

- *The Parish Council advised that St George's Playing fields remained closed and the gates locked apart from Saturdays for junior football and an odd occasion on other days. This suggests the intensive use mentioned at the last Committee meeting by the Parish Council may have misled Members as it would seem that the predominant use is by the 6 current dwellings and the allotments. It is noted that on Saturdays in particular there would seem to be an intense use, but we question whether that use would in any case result in increased danger for users of the shared access or residents of the proposed dwellings.*
- *The application includes an acoustic survey report that considers the amount of noise generated by traffic using Maidstone Road. This report satisfies the requirements of Tonbridge and Malling's Policy SQ6 and BS8233. Passive*

ventilation is recommended to habitable rooms and it is proposed that this will be implemented to both dwellings as part of the heating and ventilation energy efficiency system for the buildings. Heat recovery will be used as part of that system; all of these systems will be designed to meet the recently increased energy efficiency targets for Part L of the Building Regulations. As with any heating or ventilation system there will be an ongoing maintenance liability, but we believe this technology is becoming increasingly popular and occupants will be made aware of the need to maintain the installations. All of the above proposals can be submitted to the Tonbridge and Malling Borough Council for approval if required.

- Some concerns were raised over the amount of amenity space available to the extended 1 Mill Cottages. We note Tonbridge and Malling Borough Council's policy. Additionally, we would wish to point out that the adjacent developments in Platt Mill Close contain several dwellings with considerably smaller gardens than we are proposing and would encourage Members to assess our proposals in context of these other precedents.*

2. Reason for reporting to Committee:

- 2.1 At the request of by Councillor Mrs Sue Murray due to concerns over access and turning.

3. Consultees:

- 3.1 The application is currently out to re-consultation on the amendments/additional information recently received and any additional representations received will be reported within a Supplementary Report.

4. Determining Issues:

- 4.1 The amendments to the overall size of the extended house and new build terraced house have been put forward by the applicant in an attempt to marginally improve the amenity space to the rear and reduce the overall width of the proposals. These changes do not alter the overall impression or layout of the scheme in my view. The scale, form and design of the scheme was considered to accord with policy prior to these changes and I remain of the view that the scheme remains in accordance with Saved Policy P4/12 of the TMBLP, Paragraphs 53, 57 and 58 of the NPPF, Policy CP13 and CP24 of the TMBCS and Policy SQ1 of the MDEDPD.
- 4.2 The construction management plan details how the applicant intends to phase the construction stages of the development and deal with on-site parking and storage of materials during construction works. This detail is intended to give an indication of how they may deal with these concerns and satisfactorily addresses these issues, so far as it goes, in my opinion. However, there are some additional

matters that could usefully be included, such as the parking of contractors' vehicles, and further detail would be expected through formal discharge of Condition 8.

- 4.3 The issue of levels was discussed at the MSI and the applicant has put forward drawings showing proposed levels in an attempt to overcome any concerns. The levels drawing clarifies that the extension and proposed house would be constructed at the same level as the existing slab level of 1 Mill Cottage with a matching ridge line as shown on the streetscene elevations. The ground immediately around the new house would also be reduced in level, with a graded bank sloping up to the level of the existing garden to the west of the house, a difference in levels of about 0.75m.
- 4.4 Finally, the applicant has sought to take account of the concerns raised by Committee Members in relation to turning and access. The revised proposals detail the removal and replacement of part of the boundary hedge to allow for an increase in width of the access point for the private drive which serves the application site and 5 other properties, along with the allotments and King George's Field recreation field. The width of the access point onto the A25 which serves the private road would increase from 5.6m at its narrowest point to 6.3m. The width of the private access road would increase to 4.2m whereas it is currently about 3m at its narrowest point. A new replacement hedge is to be replanted inside the newly-defined boundary.
- 4.5 The works to the private road and its access point with the A25 were not required by officers to support the recommendation for approval made to A2PC in March and therefore constitute benefits to the scheme over and above those necessary to secure a favourable recommendation in my view. The revisions to the access are nevertheless undoubtedly improvements to the scheme, in my view, and would secure an enhancement to the access to the benefit of users of the access road in perpetuity, provided a suitable condition requires the improvements to be implemented and retained.
- 4.6 In light of the above considerations, subject to additional conditions relating to levels and private access/road improvements, I recommend that permission be granted.

5. Recommendation:

- 5.1 **Grant Planning Permission**, in accordance with the following submitted details: Other existing site images dated 04.12.2013, Acoustic Assessment dated 25.11.2013, Design and Access Statement dated 21.11.2013, Existing Elevations A670-E-004 dated 21.11.2013, Existing Floor Plans A670-E-006 dated 21.11.2013, Proposed Floor Plans A670-P-105 dated 21.11.2013, Proposed Elevations A670-P-109 dated 21.11.2013, Proposed Elevations A670-P-110 dated 21.11.2013, Email dated 13.01.2014, Email dated 16.01.2014, Email dated 17.01.2014, Location Plan A670-E-008A dated 17.01.2014,

Proposed Layout A670-P-104C dated 17.01.2014, Drawing A670-P-500 dated 17.01.2014, Proposed Layout A670-P-104 D dated 14.02.2014, Drawing A670-P-106 D dated 14.02.2014, Parking Provision A670-P-500 A dated 14.02.2014, Proposed Elevations A670-P-109 D dated 14.02.2014, Email dated 14.02.2014, subject to the following:

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 character and appearance of the existing building or the visual amenity of the locality.

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping and boundary treatment. The scheme shall include details of the replacement hedge to be planted adjacent to the widened access track and bell mouth onto the A25. 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.

4. The existing low mixed hedge to the front, side and rear of the site shall be retained, other than as specifically approved to be removed for access, for a period of ten years from the date of this permission. Any areas of hedge 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.

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

5. (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 soil 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.

6. 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) Order 1995 (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.

7. The scheme of noise attenuation hereby approved, as set out within Noise Report dated 22 November 2011 by F1 Acoustics Company Limited, shall be implemented in respect of Unit A prior to the first occupation of the extension to Unit A and in respect of Unit B prior to the first occupation of Unit B and in both instances shall be retained at all times thereafter.

Reason: In the interests of aural amenity of the occupants of the respective properties.

8. No development shall take place until a scheme for the management of demolition and construction traffic going to and from the site (including hours of operation and arrangements for the delivery of materials to the site and the associated parking of vehicles) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme unless any variation is agreed in writing by the Local Planning Authority beforehand.

Reason: To ensure that the development does not harm the amenities of the locality.

9. The development hereby approved shall be constructed in accordance with the levels details hereby approved unless agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

10. Neither the extension to the existing house, nor the new dwellinghouse hereby approved shall be occupied until the widening works to the shared access and drive as detailed within drawing number A670-P-501 date stamped 13 May 2014 have been implemented. The works shall be carried out in strict accordance with the details hereby approved and retained at all times thereafter unless otherwise approved by the Local Planning Authority.

Reason: In the interests of securing the offered improvements to this narrow access and drive.

Informative

1. Tonbridge and Malling Borough Council operates a two wheeled bin and green box recycling refuse collection service from the boundary of the property. Bins/box should be stored within the boundary of the property and placed at the nearest point to the public highway on the relevant collection day.
2. 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: Lucy Harvey