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**Trottscliffe**                      **564061 160224**    **22 November 2013**    **TM/13/03625/FL**  
Downs

Proposal:                      Demolition of Cedar Bungalow and outbuildings and erection of  
3 terraced dwellings, landscaping and car park  
Location:                      Cedar Bungalow Church Lane Trottscliffe West Malling Kent  
ME19 5EB  
Applicant:                      Valley Homes (Kent) Ltd

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**1. Description:**

1.1 This application was originally reported to A2PC on 16 April 2014 and was deferred to allow for a Members' Site Inspection (MSI). The MSI was subsequently held on 13 May 2014. The committee report for 16 April 2014 is attached as an annex.

**2. Reasons for reporting to Committee:**

2.1 The application is reported to Committee following its deferral from A2PC in April as set out above. The application was originally reported to A2PC at the request of Cllr Kemp owing to the history of the site and the local concerns raised during the application determination.

**3. Consultees:**

3.1 None received since the last Committee.

**4. Determining Issues:**

4.1 There are a number of matters which arose during the recent MSI which I consider it worthwhile clarifying. These are addressed in turn as follows:

- Village confines/Green Belt/Conservation Area boundaries – As stated in paragraph 3.1 of the original report, the application site (i.e. red line area) is located within the village confines of Trottscliffe and within the Trottscliffe Conservation Area. The boundary of the village confines runs along the rear garden of Cheviots to the east of the application site, and northwards along the Cedar Bungalow vehicle access track and through the middle of a collection of old buildings to the rear (north) of the application site towards Green Lane; with the land beyond the village confines being defined as Metropolitan Green Belt. The boundary of the Conservation Area follows the access track serving the application site, then continues northwards towards Green Lane.
- Distance to the adjacent property to the west (2 Trosley House Cottages) – The western most proposed dwelling (House 1) would be 1.2 metres from the boundary between the application site and 2 Trosley House Cottages at its

widest point, reducing to a distance of 0.75 metres at the point of the chimney breast. It should be noted that the garage of 2 Trosley House Cottages has been constructed tight up to this boundary.

- Distance to the terrace of properties to the south (1-4 Pine Cottages) – The proposed 3 unit terrace has a staggered frontage. The western most dwelling (House 1) would be located 20 metres at its closest point to the frontage of 1 Pine Cottages, ranging to 22 metres with 2 Pine Cottages. Proposed House 2 and House 3 would range between 26 and 30 metres from the front façade of nos 3 and 4 Pine Cottages. As noted in paragraph 3.7 of my original report, 1-4 Pine Cottages are set at approximately the same level as Church Lane which is approximately 1–1.5 metres lower than the height of the application site. The dwellings on opposite sides of the road would be separated by the new parking/turning area associated with the new dwellings, the landscaping strip to the front of the application site, Church Road and the front gardens of 1-4 Pine Cottages.
- Proposed ridge height of new dwellings – Although exact finished floor levels of the proposed dwellings have not been provided on the submitted plans (*these are proposed to be controlled by planning condition*), it is indicated that the overall ridge height of the terrace will sit at a level just below the main ridge height of the pair of semi-detached dwellings immediately to the west (1 & 2 Trosley House Cottages).
- Use of vehicle access to application site and the land to the north beyond – Vehicular access would be provided to the new dwellings via the existing access to the site. A parking and turning area would be provided just off the existing site access road in front of the proposed new dwellings. The remainder of the access road (leading to the land owned by the applicant further north) would remain and be used to access two further parking spaces to the rear of House 3. This access road would continue to be used as a means of vehicular access to the land the applicant owns to the north of the application site. The proposed ownership and access rights over this vehicular access track are not specifically planning matters, but instead are legal matters which the applicant would need to address.
- Issues surrounding the other land owned by the applicant (i.e. the “blue land” and beyond) – The applicant owns further land to the north, north east and north west of the application site, all accessed via the vehicle access track leading from Church Road. This land is not subject to consideration as part of the current planning application.

4.2 In light of the MSI and further clarification provided above, my original recommendation (as set out again below) remains unaltered.

**5. Recommendation:**

- 5.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 28.11.2013, Notice dated 22.11.2013, Letter dated 22.11.2013, Design and Access Statement dated 22.11.2013, Ecological Assessment dated 22.11.2013, Desk Study Assessment G/121108/001 dated 22.11.2013, Topographical Survey ZET/CEDAR/001 dated 22.11.2013, Email dated 03.03.2014, Proposed Floor Plans 2916 4 dated 03.03.2014, Proposed Elevations 2916 5 dated 03.03.2014, subject to the following:

**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. 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 details of any joinery, eaves and dormer construction to be used have been submitted to and approved in writing 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 visual amenity of the locality.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority 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.

5. 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) 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.

6. 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.

7. No building shall be occupied until the gardens between the plots have been fenced in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such fencing shall be retained thereafter.

Reason: To retain and enhance the character of the locality.

8. There shall be no external lighting except in accordance with a scheme of external lighting submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: In the interests of visual and residential amenity.

9. No building shall be occupied until works for the disposal of foul and surface water drainage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of pollution prevention.

10. No development shall take place until details of proposed finished floor, ridge and eaves levels of buildings and ground levels within the application site 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 order to control the development and to ensure that the development does not harm the character and appearance of existing buildings or the visual amenity of the locality.

11. No development shall take place until details of the construction and appearance, including the external materials to be used, of the proposed bank fronting onto Church Lane have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved bank details.

Reason: In order to control the development and to ensure that the development does not harm the character, appearance or the visual amenity of the locality.

### **Informatives**

- 1 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.
- 2 During the demolition and construction phases, the hours of working (including deliveries) shall be restricted to the following times; Monday to Friday 08:00 hours - 18:00 hours; Saturday 08:00 hours - 13:00 hours; and no work on Sundays, Bank or Public Holidays.
- 3 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](mailto: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: Julian Moat