

**East Malling &
Larkfield**
East Malling

3 March 2020

TM/20/00483/FL

Proposal: Development of 2no. detached houses with associated gardens and parking
Location: Land Between 166 And 194 The Rocks Road East Malling West Malling Kent
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1. Description:

- 1.1 This planning application seeks permission for the erection of two detached dwellings on land to the western side of The Rocks Road, on the outskirts of East Malling. The dwellings have been designed to be reflective of the edge of village/rural setting, deploying materials and forms that are generally characteristic of properties found in the surrounding area and the Conservation Area.
- 1.2 The dwellings sit on either side of the site, fronting the road, with oak framed garages located in the middle. Parking and landscaping would be provided with a central shared access point. Gardens are laid out for each dwelling to the rear with a communal front drive.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Michelle Tatton in order to fully consider the impact on the highway, neighbour privacy, ecological impact, and effect on the street scene.

3. The Site:

- 3.1 The site is a parcel of land located between two dwellings on the southern outskirts of East Malling. It lies just outside of the defined settlement boundary of East Malling, and beyond the Conservation Area, in designated open countryside as set out under policy CP14. Behind the site are new build dwellings granted permission under reference 15/00547/FL. Although outside of the designated village boundary residential development now surrounds the site on all sides and the area is difficult to distinguish from the formally designated village limits. Accordingly the character of the site remains that of an edge of village location rather than purely rural. No other relevant designations exist.

4. Planning History (relevant):

TM/92/00247/OA refuse 10 December 1992
outline application for detached chalet style dwelling

TM/19/02663/FL Application Withdrawn 22 January 2020

Development of 3no. detached houses with associated gardens and parking

5. Consultees:

5.1 PC: 1. We note the withdrawal of the application for 3 homes on this site (19/02663/FL) and the submission of this new application.

2. Firstly, we wish to point out an error at paragraph 5 on the Application Form which refers to '3 no. detached homes'. Despite this, and an error at paragraph 2.10 of the Planning and Design & Access Statement which also refers to 3 family homes, clearly the application is for two dwellings.

3. Paragraph 1.5 of the Planning and Design & Access Statement also states the previous scheme was 'received favourably on all grounds except vehicular access...' This is incorrect if one considers the previous response from this Parish Council and local residents. There is no publicly available report from your officers as to the merits of the proposals.

4. Paragraph 2.5 of the Design & Access Statement reads (when speaking about the previously submitted scheme): 'The scheme continued to be supported in every respect except highways. That scheme was for three houses, which (sic) of which had driveway access. This was considered unacceptable by Kent Highways on grounds of highways safety, even though it is the same as many of the other houses in the street. Of the three houses, the only compliant one was the central one. The other two were too close to neighbouring boundary obstructions to be able to achieve the necessary visibility splays. The applicants and design team therefore withdrew that submission, in order to take stock and bring forward a compliant scheme.'

5. We have looked again at the information online relating to the previous application. There is no consultation response available from Kent Highways. There is vehicle volume and speed data available, which was obtained shortly before the application was withdrawn, but no Kent Highways response to it. That data does not form part of the papers submitted in support of this current application (we have checked and it is not on the website), and there are no plans or diagrams showing the visibility splays in each direction from the proposed entrance. The applicant should be required to provide this information as it is important to determining matters of highway safety.

6. We may need to provide further comments once this information has been received and/or once Kent Highways have provided their views. Meanwhile, below are our preliminary views:

7. Section 6 of the Application Form identifies the site as 'Undeveloped land.' We observe that for some years the land has been used as allotments – perhaps tied to the nearby row of cottages which have small gardens.

8. The application site is between two bends in the road at this point where The Rocks Road is only of single carriageway width. The proposal would introduce a new access. We are extremely surprised that the Planning and Design & Access Statement states that 'The public highway at this site is straight with excellent visibility' (paragraph 9.1). This is not accurate and we are concerned that adequate visibility splays are not achievable and, consequently, there will be an unacceptable impact on highway safety.

9. To the southeast further along The Rocks Road is Four Acres, a 1950s development of approximately 50 homes built on the site of the former isolation hospital. The Rocks Road is well used by residents living at Four Acres and their visitors, being their route to and from East Malling.

10. Between Four Acres and the bend at Paris Farm Barn (on the tight left hand bend to the north of the application site) there is no roadside footway. Public footpath MR105 from Four Acres to The Rocks Road provides an off-road walking route for Four Acres residents towards Paris Farm Barn but due to excessively muddy conditions this is not always useable and pedestrians have no alternative but to walk along the narrow winding road from Four Acres. There are no street lights on this section of The Rocks Road. There are riding stables locally, including at Paris Farm, and at Sweets Lane and therefore horses and equestrian traffic is not uncommon. In view of these factors we are disappointed that the section of The Rocks Road from Paris Farm Barn southeastwards and Sweets Lane were not included in the Quiet Lanes scheme that applies to lanes around Well Street as this lane bears many of the hallmarks of those Quiet Lanes and in our view warrants the same designation.

11. The previous application did not include any garage space and had only 2 spaces for each of the proposed dwellings. We note that as part of this latest proposal each property would have a 2 bay car barn and the parking area has been substantially increased. From that point of view parking appears to be adequate, with room for visitors/delivery vehicles to pull off road to stop. If the application is approved we would wish to see permitted development rights removed so that the car barns and parking area remain open and available for vehicles. This is important because of the nature of The Rocks Road at this point and lack of any reasonable opportunity for on-street parking. Vehicles do park at the entrance to the farmer's track by Paris Farm Barn but our understanding is that this is private land and cannot be relied upon for parking. We would not wish to see pressure increase on parking around the bend to the north as parking here makes visibility very difficult. And it would also be important from the point of view of highway safety that vehicles are able to turn within the site so that they do not back out onto The Rocks Road. How can this be assured?

12. We are concerned, however, that even a forward exit would be difficult as the road curves away and descends to the south of the site. Exiting vehicles would have no means of seeing oncoming traffic from Four Acres until they are partially in the road. It is our understanding that mirrors opposite driveways to aid visibility are not supported by Kent Highways.

13. The proposal is for 2 individually designed homes. Each will have 4 bedrooms. We remain of the view that the scale and mass of the properties is at odds with the existing pattern of development on The Rocks Road. Just to the north is the row of cottages and the Conservation Area with its Listed Buildings. The proposed dwellings do not respect the character of this area but introduce built development which is not in keeping and does not sit comfortably alongside existing dwellings. We are also concerned that the proposed street scene elevations are misleading. The land is not flat but rises from south to north and therefore the two properties will sit somewhat higher than the existing neighbouring property to the south. In any case, the height of the properties would dwarf the adjacent bungalow to the north.

14. We ask you to consider carefully the impact of loss of privacy on existing adjacent properties. We note that property 1, next to the bungalow, includes a balcony to the rear. This includes 1.8 metre obscured glass, presumably to both sides, but if this does not include obscured glass to the front of the balcony we question whether this will fully address privacy issues. The same applies to property 2 and the potential impact on the privacy of the existing dwelling to the south.

15. We are aware of the Appeal Decision T/APP/H2265/A/93/221601/P5 dated 15th June 1993 when the Inspector upheld TMBC's decision to refuse permission for outline permission for a single detached chalet style bungalow on the site. There have been no material changes since the time of the Appeal that mean that development on this site is less harmful or more suitable. The site remains in the countryside outside of the built environment of East Malling and is therefore contrary to Policy CP14 of the existing local plan. The site was put forward, presumably by the owner, during the Call for Sites exercise but was found to be unsuitable. The assessment recorded that the site is relatively unsustainable as it is remote from the confines of East Malling Village. Using the same distance calculator, we note the following distances from the site: East Malling Railway Station – 550 metres; nearest bus stops near the King & Queen – 780 metres; nearest Post Office/Convenience Store (Twisden Road) – 1600 metres; nearest supermarket – 2270 metres.

16. Importantly, the Inspector in 1993 noted that The Rocks Road at this point is '...a narrow country lane within which two cars could pass only with difficulty and where visibility is restricted by bends and roadside hedges.' He found that '...even one additional vehicular access would be an unacceptable threat to the safety of users of the road, unless visibility could be significantly improved beyond the

boundaries of the appeal site.' Even if this could be achieved the Inspector found that there would be an associated risk that the works required would further emphasise the presence of a development which he considered to be inappropriate for the location. The physical nature of the lane has not changed since 1993 although it must be accepted that in the last 25+ years the number of vehicles using the lane will have increased as a result of greater reliance on the motor transport, the increase in vehicle ownership/usage by residents in the vicinity, and the propensity for home deliveries. The applicants' own data submitted as part of the previous application shows that there are some 368 vehicle movements on weekdays between 7am and 6pm and no evidence has been submitted that adequate visibility splays could be provided. In the circumstances the proposal is wholly incompatible with the Inspector's decision.

17. We note that no ecological appraisal is submitted with this current application. We repeat the comments we made previously regarding the number of ponds that are within fairly close proximity to the site and which may be relevant to ecological matters. All measurements have been obtained using www.freemaptools.com and unless stated all measurements are from the application site:

a) There is a stream that rises 355metres away at Gilletts Lane forming a pond there. This stream flows northwards through residential gardens before emerging at the side of the road in The Rocks Road in the vicinity of Rocks Close. This stream continues northwards through the gardens in High Street before emerging again at Church Walk where it then passes under the road into the garden of Court Lodge where a further pond (635 metres). Onwards from here the stream flows through culverts and merges with the Ditton Stream before feeding into the lake at Bradbourne House (1200 metres).

b) Due west, 900 metres from the application site there is a pond at Springhill, Well Street, and 120 metres further west from here the Ditton Stream rises which flows northwards towards East Malling, creating a pond to the south of Weir Mill (990 metres), and to the north at the Horse Pond in Mill Street (1052 metres). The stream flows on from here to Clare Lake (1275 metres) before it is culverted, merging at New Road with the stream from Gilletts Lane and feeding into the lake at Bradbourne House.

c) There is also a roadside pond 475 metres to the southeast of the application site, just to the south of Four Acres.

d) A number of residents local to the site who responded to the previous consultation indicated that they have ponds in their gardens. In these circumstances we wonder whether amphibian surveys are required.

18. Regarding birds, given the proximity to East Malling Research and other agricultural land to the south we would expect a number of bird species to be present in the area including Fieldfare, Redwing and Waxwing. These are all well

known to be present at EMR. Little Owls have also been seen locally in The Rocks Road. If development on this site is approved we would ask for bird boxes.

5.2 KCC (H+T): Thank you for re-consulting me regarding this application. I am grateful for the work undertaken by the applicant, namely, undertaking a topographical survey, obtaining highway definition data and establishing a clearer picture of the interaction of this site with The Rocks Road. My comments are based on drawing 414/106 Rev. B. This drawing demonstrates 38m of visibility to approaching traffic from a set back distance of 2.4m from the site access. It is not considered that a highway reason for refusal, against paragraph 109 of the NPPF (dated February 2019), could be sustained. I write to confirm therefore, on behalf of this authority, that subject to conditions, I have no objection to this application.

5.3 Private Reps: 40+ site notice/1X/33R/6S on the following summarised grounds:

Objections:

- Strongly object
- Road is narrow and dangerous
- Plot is small
- Question how construction will take place
- Drawings are wrong
- Independent survey should take place
- Site was considered under 2017 call for sites and found unsuitable
- Houses out of character
- Overbearing
- Inaccurate description of the road
- Not appropriate scale for houses
- Road same as previously rejected application
- Architectural style not in line with village design statement
- Exterior walls should be ragstone
- Limited car parking
- Car ports should not be enclosed
- Houses too big
- Dominate the bungalow
- Similar development already rejected
- Drawing does not correctly show hedging, road boundary or telegraph pole
- Drawings are misleading, request independent review
- Shocked over lack of independent scrutiny
- Unacceptable to take drawings at face value
- Advice from KCC highways is not credible
- Hedges not owned by applicant or KCC Highways
- Ecology report does not acknowledge many nearby ponds
- Damage to wildlife
- Large vehicles have difficulties passing the site
- Blocking sunlight

- Conservation Area Green belt agricultural land (*DPHEH: the site is not Green Belt or within the Conservation Area*)
- Spoiling rural area with hideous houses in old village
- Bushes omitted from drawings
- Visibility cannot be achieved by telegraph pole
- No permission to use allotments to store materials
- Wrong buildings in wrong place
- Ruin entrance to East Malling
- 20mph speed limit should be moved to make roads safer
- Impact right to light
- Front of properties will be blocked by hedge
- Council must pay for any structural damage to row of old cottages
- Must be more ideal sites
- Not suitable for housing
- Increase parking pressure
- Area of natural beauty
- Hedgehog killed last year
- Overshadowing
- Concern over installation of utilities
- Visitor parking would be on congested layby
- Disruption during construction
- Garages must be prevented from being turned into additional accommodation
- Site was wildlife haven for many years
- Developer of adjacent site made slanderous accusations
- Behaviour will not make good neighbourly relations
- Quiet lane
- Loss of trees appalling
- Too many houses in the area
- Dangerous precedent for development in countryside
- Single carriageway road
- Pressure on local community
- Conflict with building regulations
- Loss of privacy
- No local amenities
- Ecology conclusions skewed by site clearance
- Concern over sheer bulk of houses
- Nearby ponds accommodate newts
- Bats fly over site
- No space for more homes
- Narrow lane will have to be dug up for gas and water
- Query where construction workers will park
- Roads already damaged
- Other developments nearby

Support:

- Stream of incorrect reports from neighbours
- KCC highways are qualified to look at documents
- Photos taken via trespass
- Not highways responsibility to pay for surveys
- Neighbours bushes blocking visibility
- Neighbours built over allotment land
- Better to see the site with a home than looking a mess
- Allotments empty and unused for number of years
- Not looked after
- Prefer couple of houses infilling gaps here
- Design looks good
- Can't understand why everyone saying dangerous
- Everyone slows down naturally because of the width
- Safer than faster roads
- No difference between these and the 3 million pound houses built near the oasts
- Make scrap land into two beautiful homes
- Change is good and needed
- Applicants are good people who live locally
- Fits conservation group criteria
- Note lobbying by objectors
- 166 has illegal extension
- People in glass houses spring to mind
- Houses are for local family
- Planning law changes

6. Determining Issues:

6.1 The site lies outside of the defined village limits of East Malling, in countryside designated under policy CP14. The key issues are therefore whether the development is acceptable in principle, the impact on the character and appearance of the area, neighbouring amenity, parking and highways, and protected species.

Principle of development / 1992 appeal decision / call for sites:

6.2 A number of third party comments have referred to the 1992 appeal decision which dismissed an application for residential development on the site. Reference is also made to the outcome of the 2017 call for sites process which found the site unsuitable for a local plan allocation. Since all these matters are relevant to whether residential development can be accepted on the site in principle, it is considered necessary to address them under this heading.

6.3 The site lies in designated countryside, where policy CP14 seeks to control new development to a closed list of exceptions, of which residential development is not

one. However, Tonbridge and Malling Borough Council cannot currently demonstrate a 5 year housing supply. In such circumstances paragraph 11 of the NPPF sets out that the presumption in favour of sustainable development applies and the provision of new housing (whatever the specific type or nature) carries significant weight. This presumption is only disengaged if the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As a result of the tilted balance being engaged and the presumption in favour of new housing, conflict with policy CP14 is no longer sufficient justification to resist the delivery of housing on sites like this. This is because local plan policy designations for countryside areas do not fall within the definition of “policies in the NPPF that protect areas or assets of particular importance” and therefore the tilted balance and presumption cannot be disengaged on this basis.

- 6.4 Furthermore in broad policy terms the circumstances of the current application are very similar to a number of applications permitted on appeal across the borough, in edge of settlement locations close to existing dwellings. In light of this whilst the application is contrary to CP14 the site cannot be considered inherently unsustainable and because of the Council’s 5 year housing position the presumption in favour of development must apply.
- 6.5 In terms of the 1992 appeal, I note comments from the Parish Council and third parties that suggest that there have been no material changes since that decision. However, I cannot agree with this view. The adoption of the NPPF and the presumption in favour of sustainable development, the requirements to meet in full the objectively assessed housing need and maintaining a 5-year housing supply mark very significant changes in circumstances. Over 28 years have passed since that appeal decision and given the substantial change in the policy context, the application can and must be considered afresh.
- 6.6 As to the site being found unsuitable under the “call for sites” process as part of the local plan evidence base gathering, this is an assessment to consider if land is suitable for formal allocation in the new local plan. There are different criteria that are considered under this assessment, and sites must be able to accommodate a minimum level of development. The fact that a site was excluded from this process does not preclude an application being made and neither is it any form of justification in itself to prevent permission being granted, if the proposal is considered to be compliant when assessed against adopted and national planning policy.
- 6.7 Accordingly, neither conflict in principle with policy CP14, the 1992 appeal decision nor the outcome of the call for sites process provide sufficient justification to resist the principle of residential development on the site. The only means to disengage the tilted balance under paragraph 11 (d) (ii) of the NPPF is if the benefits of granting permission are significantly and demonstrably outweighed by any adverse impacts. Whether such impacts exist must now be considered further.

Character and appearance:

- 6.8 In terms of the policy context, Policy CP24 of the TMBCS requires development to be of a high quality and be well designed to respect the site and its surroundings in terms of its scale, layout, siting, character and appearance. Policy SQ1 of the MDE DPD advises that new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area including its setting in relation to the pattern of the settlement, roads and surrounding landscape.
- 6.9 These policies are broadly in conformity with those contained within the Framework which relate to quality of new developments, in particular paragraph 127 of the NPPF that requires proposals to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Schemes should also be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 6.10 Paragraph 193 of the NPPF explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.11 The design of the dwellings has undergone further revisions to better reflect the edge of village setting. Traditional brick and tile is now proposed for each dwelling, with one plot utilising a half hipped roof, brick quoins and timber frame windows. The second plot has a crown roof and is more classical in design, this time utilising stone quoins and an ornate semi-circular front window. Two oak framed garages would sit between the dwellings.
- 6.12 The buildings would sit comfortably within the plot and maintain the semi informal building line along this part of the road. They would infill the gap between existing properties and are of a scale and form commiserate with neighbouring dwellings in this edge of village location. The current appearance of the site has no particular landscape designation and with an approved scheme of landscaping to be secured by condition, it is considered that the development would provide enhancement to the street scene.
- 6.13 The East Malling Conservation Area ends further to the north and there is intervening development in between. As such it is not considered that the site makes any positive contribution to its setting and neither would the development be harmful to its setting. The significance of the Conservation Area as a designated heritage asset would be preserved.

6.14 Accordingly no policy conflict with paragraph 193 of the NPPF, CP24 of the TMBCS or SQ1 of the MDEDPD is identified.

Neighbouring amenity:

6.15 Each building would not extend beyond the rear building line of adjacent properties. In particular plot 1 is set significantly far back from the adjacent dwelling at 166. House 2 is almost completely in line with the neighbouring properties rear elevation. A good level of separation would be provided between the boundaries and this is not dissimilar to the relationship between other nearby dwellings and their neighbours.

6.16 Accordingly it is not considered that the development would result in any harmful overbearing, overshadowing or loss of light. Neighbouring garden areas would remain largely unaffected regardless of the height and bulk of the new buildings.

6.17 In terms of privacy whilst rear terraces are proposed, privacy screens would be installed to prevent overlooking, and all side windows at first floor and above can be obscure glazed and non-opening by condition. As such, it is considered that the development would not have a harmful impact on neighbouring amenity.

Highway safety and parking provision:

6.18 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 goes on to state that within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

- 6.19 Policy SQ8 of the MDE DPD sets out that before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure, the need for which arises wholly or substantially from the development, is in place or is certain to be provided. It goes on to state that development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network.
- 6.20 Where significant traffic effects on the highway network and/or the environment are identified, the development shall only be allowed with appropriate mitigation measures and these must be provided before the development is used or occupied. The aims of Policy SQ8 in requiring safe and suitable access to and from the highway are consistent with the aims of the Framework in respect of these matters.
- 6.21 Kent County Council Highways and Transportation, as the Council's expert advisors on matters of highways safety, have reviewed the plans and supporting documents and consider that there is no basis for a refusal against the tests of the NPPF: "unacceptable" or "severe cumulative impacts". It is their view that suitable access and visibility splays can be provided, and whilst the width of the road and any pre-existing problems are fully noted, the vehicle movements attracted by two dwellings are not substantial. A construction management plan to be secured by condition can provide for safer highways conditions during the construction process.
- 6.22 Parking for vehicles would be provided in line with the Council's adopted standards plus extra spaces within the car ports. These can be retained for parking in perpetuity by condition. The site is also wide enough to accommodate some additional visitor parking when required. Whilst third party comments regarding parking are noted, the development would provide sufficient spaces in line with adopted standards.
- 6.23 It is also worth pointing out that whilst the 1992 appeal found the development unacceptable on highways grounds, the tests for a refusal on such matters under the NPPF sets a much higher bar: "unacceptable" or "severe cumulative impacts". KCC are satisfied that there are no unacceptable or severe impacts and accordingly the previous conclusions of the 28 year old appeal can be departed from. As such there is no evidential basis to consider that the highways impacts would be so significant as to justify a refusal. No policy conflict with paragraphs 109 and 110 of the NPPF or SQ8 of the MDEDPD is identified.

Ecology and protected species:

- 6.24 Paragraph 175 of the NPPF requires developments to not harm biodiversity or protected species. This is consistent with the aims of policy NE3 of the MDE DPD that seeks to avoid harm to biodiversity.

6.25 The applicants have provided a professionally prepared ecology survey which was unable to find evidence of protected species being present on the site. Whilst third party comments suggesting that the site was cleared prior to the survey are noted, this does not require planning permission and protected species are still protected under different legislative regimes from harm. The survey does not recommend further work is required and therefore notwithstanding third party comments there is no evidence that protected species would be harmed by the development. The approved landscaping scheme can also incorporate measures to improve biodiversity on the site and this will be secured by condition. Accordingly the development would comply with policy NE3 of the MDEDPD and paragraph 175 of the NPPF.

Other considerations:

6.26 A number of third party comments have referred to inaccuracies in the submitted plans and consider that an independent survey should be undertaken to verify the measurements. It is a matter for the applicants to ensure that plans are accurate and if the development is not completed in accordance with the approved plans then the applicants risk being in breach of condition and could potentially result in enforcement action. Conditions will ensure that the required visibility splays must be provided and maintained before the development is occupied.

6.27 It is recommended that permitted development rights are removed to preserve the design and prevent overdevelopment of the plot, particularly as the rear gardens are not extensive and further building here under permitted development could significantly reduce private amenity space. This can be secured by condition.

Conclusions and overall planning balance:

6.28 The development would provide two new homes towards local shortfall. There is no planning harm identified in terms of character and appearance, neighbouring amenity, parking and highways or protected species. No adverse impacts would occur that would significantly and demonstrably outweigh the benefits of providing two new homes. Accordingly, notwithstanding the location just outside of the settlement boundary, it is considered that in light of the Council's 5 year housing supply shortfall and with the tilted balance engaged, this is not sufficient grounds to justify a refusal. The application is therefore recommended for approval.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details:
Existing Site Layout 408/76 received 22.06.2020, Proposed Plans and Elevations 414/155 received 22.06.2020, Planning, Design And Access Statement received 22.06.2020, Site Layout 414/106 C Visibility Splays received 28.07.2020, Other Architectural Analysis received 28.07.2020, Block Plan 414/150A Proposed received 28.07.2020, Site Layout 414/151C received 28.07.2020, Proposed Plans and Elevations 414/152B House 1 received 28.07.2020,

Proposed Plans and Elevations 414/153B House 2 received 28.07.2020,
Proposed Elevations 414/154C received 28.07.2020, 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 above ground works shall take place until details of all 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 The windows on the first and second floor side elevations marked as obscure glazed shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. This work shall be effected before the building is occupied and shall be retained thereafter.

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

- 4 The development hereby approved shall not be occupied until the areas shown on the submitted layout for vehicle parking spaces, turning, visibility splays and access onto the highway has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no obstruction or permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access or visibility to the site and reserved parking spaces.

Reason: To ensure that parking and access is provided safely and maintained in accordance with the Council's adopted standards.

- 5 The garages shown on the submitted plans shall be kept available at all times for the parking of private motor vehicles and not enclosed.

Reason: To ensure that parking is provided and maintained in accordance with the Council's adopted standards.

- 6 Prior to the commencement of the development hereby approved, arrangements for the management of all demolition and construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the demolition and construction works will be limited to and measures to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the demolition and construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to; and
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.

The development shall be undertaken in full compliance with the approved details.

Reason: In the interests of residential amenity and highway safety in accordance with policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007.

- 7 Before the development hereby approved is occupied a scheme of landscaping and boundary treatment shall be submitted to and approved by the Local Planning authority. 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. 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.

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

Reason: In the interests of preserving the character and appearance of the area and amenity areas for future occupiers.

Informatives

- 1 A formal application for connection to the public sewerage system is required in order to service this development. More information is available on Southern Water's website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>. The disposal of surface

water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding.

- 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 e-mail to addresses@tmhc.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.
- 3 The applicant is strongly encouraged to consider opportunities for incorporating renewable energy technologies into the approved development wherever possible and for measures to support biodiversity within the construction of the buildings.

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