

Ditton **570674 159323** **20 May 2014** **TM/13/03692/FL**
Ditton

Proposal: Erection 32 no. dwellings, access road, car parking and landscaping at Bellingham Way, Aylesford, Kent
Location: Ferns Surfacing Ltd Larkfield Depot Bellingham Way Larkfield Aylesford Kent
Applicant: Ferns Surfacing Ltd

1. Description:

- 1.1 The application was deferred from APC3 on 9 October 2014 to allow for negotiations to take place with a view to incorporating additional off-street parking spaces to serve the proposed development. Following these negotiations, the application has been amended to remove some of the soft landscaping to allow for the creation of six additional car parking spaces within the development.
- 1.2 A copy of my previous report is attached as an Annex, for ease of reference.

2. Consultees (since 9 October 2014):

- 2.1 None received.

3. Determining Issues:

- 3.1 The main issues are set out in my October report. The following additional assessment is made in response to the issues raised during the debate at the previous Planning Committee and the subsequent submission of the amended layout to increase the level of parking provision.
- 3.2 The amended layout proposes the provision of six additional car parking spaces to serve the 32 dwellings. This would result in the total provision of 56 car parking spaces across the proposed development.
- 3.3 It is proposed that the 3 no. dwellinghouses would be served by two car parking spaces each, with 1.5 spaces to be provided for each two bedroom flat - one allocated and the second as a shared space, 1 space per 1 bedroom flat, and 10 visitor parking spaces. The parking standards required by IGN3, which is adopted for DC purposes, are 1 space per unit for 1 and 2 bedroom flats, and 2 spaces per unit for 3 bedroom houses (which for this development would equate to a total of 35 spaces rather than the 56 now proposed).
- 3.4 I would also mention that parking in the local area (off site) is currently difficult due to it being largely double yellow lined. As such, the over provision of spaces on this site (of an additional 21 spaces) would, in my view, prevent pressure to park on the public highway locally.

3.5 As a result of the amendments made, it is necessary to balance the increased provision of off road car parking against the loss of some elements of soft landscaping which would have contributed to the attractive appearance of the development. In this case, it is considered that the visual impact arising from the loss of the landscaping would be outweighed by the benefits brought about by the provision of additional off road car parking.

3.6 In light of this assessment, I recommend that planning permission be granted.

4. Recommendation:

4.1 **Grant Planning Permission** in accordance with the following submitted details: Location Plan 9574/01 dated 28.11.2013, Existing Site Plan DHA/9574/02 dated 28.08.2014, Proposed Plans and Elevations DHA/9574/07 C dated 28.08.2014, Proposed Plans and Elevations DHA/9574/08 C dated 28.08.2014, Proposed Plans and Elevations DHA/9574/09 B dated 28.08.2014, Proposed Plans and Elevations DHA/9574/10 A dated 28.08.2014, Proposed Plans and Elevations DHA/9574/11 C dated 28.08.2014, Proposed Plans and Elevations DHA/9574/12 C dated 28.08.2014, Supporting Information 9574-H-01 P1 dated 28.08.2014, Supporting Information 9574-H-02 P1 dated 28.08.2014, Supporting Information 9574-H-03 P1 dated 28.08.2014, Supporting Information 9574-H-04 P1 dated 28.08.2014, Supporting Information 9574-H-05 P1 dated 28.08.2014, Road Safety Audit dated 28.08.2014, Site Layout DHA/9574/03 E dated 15.10.2014 subject to:

4.2 The applicant entering into a Section 106 to secure contributions towards affordable housing schemes and

4.3 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 written details and photographs of all materials to be used externally in the construction of the dwelling have been submitted to and approved by the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

3. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle and cycle parking space and turning 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 and 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 upon highway safety resulting from potentially hazardous on-street parking, in accordance with Section 2 of Policy SQ8 of the Managing Development and the Environment Development Plan Document 2010.

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: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

5. The bedroom and bathroom windows on the north elevation of the units on the first and second floor to the western side of the block containing units 19-24 shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the unit to which the window(s) relate is occupied and shall be retained thereafter in perpetuity.

Reason: To minimise the effect of overlooking onto adjoining property, in accordance with Saved Policy P4/12 of the Tonbridge and Malling Borough Local Plan 1998 and paragraph 17 of the National Planning Policy Framework.

6. Prior to the first occupation of the units hereby approved details of a scheme of acoustic protection of habitable rooms shall be submitted and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open, and shall include acoustically screened mechanical ventilation to bedrooms having openings into facades that will be exposed to a level of road traffic noise in excess of 78dB L_{Amax} (slow time weighting). The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be retained at all times thereafter.

Reason: In the interests of the residential amenity of future occupants.

7. The access details shown on the approved plans shall be completed prior to the use of the site being commenced at a gradient of no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter and shall be maintained in perpetuity.

Reason: In the interests of highway safety.

8. Prior to the first occupation of the development hereby approved vehicle visibility splays shown on the submitted plan numbers 9574-H-02 rev P1, 9574-H-03 rev P1 and drawing number 9574-H-04 rev P1 received on 28.08.14 with no obstructions over 0.6 metres above carriageway level and 2m x 2m pedestrian visibility splays behind the edge of the shared surface on both sides of the access with no obstructions over 0.6 metres above footway level shall be provided and shall be maintained in perpetuity.

Reason: In the interests of highway safety.

9. The development hereby permitted shall not be occupied until the highways improvements as detailed in the Highway Design Drawings dated 28.08.14 have been carried out and brought into use.

Reason: In the interest of highway safety and to ensure compliance with policy SQ8 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

10. Prior to works commencing on site, details of parking for site personnel as well as details of loading and turning areas for construction traffic shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be provided and retained throughout the development. The approved parking, loading and turning areas shall be provided prior to the commencement of development.

Reason: To ensure provision of adequate parking, loading and turning facilities for vehicles in the interests of highway safety and to protect the amenities of local residents in accordance with policy.

11. Prior to the development hereby approved commencing details of the slab levels of the proposed buildings and the finished levels of the site shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development.

Reason: In order to secure a satisfactory standard of development and in accordance with paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework.

12. No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

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

Reason: In the interests of amenity and public safety.

13. Prior to the commencement of development details of a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall thereafter be provided in accordance with the approved scheme. The scheme shall include:
- i. The numbers, type and location of the site of the affordable housing provision to be made;
 - ii. The timing of the construction of the affordable housing;
 - iii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - iv. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

For the avoidance of doubt, the term 'affordable housing' means subsidised housing at below market prices or rents intended for those households who cannot afford housing at market rates. It is usually managed by a registered social landlord.

Reason: To ensure that the housing hereby permitted meets the broad aims of Tonbridge and Malling Borough Core strategy Policy CP17, Affordable Housing Supplementary Planning Document 2008 and paragraphs 50, 54 and 55 of the National Planning Policy Framework 2012.

14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Informatives

1. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council- Highways and Transportation (web: www.kent.gov.uk/roads_and_transportation.aspx or telephone: 03000 418181) in order to obtain the necessary application pack.

2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement of development.
3. Prior to the demolition work commencing the dutyholder is required to undertake an asbestos demolition survey as required by the Control of Asbestos Regulations 2012.
4. Tonbridge and Malling Borough Council operate a two wheeled bin and green box refuse recycling collection service from the boundary of the property. Bins/boxes should be stored within the boundary of the property and placed at the boundary of the property at the nearest point to the public highway on the relevant collection day.
5. Collection of bins from individual property boundaries or specified bin storage areas can be achieved where vehicle access is permitted i.e. road constructed to highway standard to allow 32 tonne (GVW) refuse freighter and appropriate turning areas (vehicle 12m x 2.5m, with a 6m wheelbase and 4.5m height).
6. Although advice in accordance with the Local Plan states "no carry distance to exceed 25m from either the bin store or house to refuse vehicle", I wish to emphasise that 25m be used as the maximum and that consideration should always be given to a shorter distance that adheres to the above points.
7. 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.
8. On the day of collection, the wheeled bin from each property should be placed on the shared entrance or boundary of the property at the nearest point to the adopted KCC Highway.
9. The Council reserves the right to designate the type of bin/container. The design of the development must have regard to the type of bin/container needed and the collection method.
10. You are advised to contact the Council's Waste Services team directly to discuss matters of refuse vehicle access to the site
11. The Borough Council will need to create new street name(s) for this development together with a new street numbering scheme. To discuss the arrangements for the allocation of new street names and numbers you are asked 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@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.

Contact: Kathryn Holland