
East Peckham East Peckham And Golden Green	566926 148673	31.05.2005	TM/05/01694/FL
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Proposal:	Demolition of existing house and construction of new building containing 10 flats plus parking
Location:	Red Roses 46 The Freehold East Peckham Tonbridge Kent TN12 5AQ
Applicant:	DA Vinci Properties (Maidstone) Limited

1. Description:

- 1.1 The proposal seeks planning permission to demolish the existing detached Victorian dwelling and garage, and the redevelopment of the site to provide a single building housing ten 1 bedroom flats and the construction of a new vehicular access onto The Freehold, with parking spaces to the rear of the building.

2. The Site:

- 2.1 The application site is situated within the built confines of East Peckham, on the south side of The Freehold. The site contains a detached two storey Victorian dwelling, with a large single storey extension to the side. A detached garage and greenhouse stand in the rear garden, which extends some 50m to the rear of the existing house to the southern boundary with a builders yard. The site forms part of a distinct pattern of development along the southern side of The Freehold. It is characterised by Victorian dwellings of various sizes, but all with gabled roofs, sited within relatively close proximity to the highway and with relatively deep gardens.

3. Planning History:

- 3.1 TM/05/02295/OA Pending Consideration
Demolition of existing dwellings and construction of 4 no. detached houses, 2 no. bungalows and 5 no. chalet bungalows at 40-46 The Freehold, East Peckham.
- 3.2 TM/05/02177/FL Pending Consideration
Demolition of existing dwellings and construction of new building containing 10 no. 1 bedroom flats, construction of 2 no. 3 bedroom dwellings and 4 no. 2 bedroom dwellings at 40-46 The Freehold, East Peckham.
- 3.3 TM/05/00446/FL Refused 18.05.2005; Appeal awaiting determination
Demolition of existing house and construction of new building containing 11 flats plus parking.
- 3.4 TM/04/01718/FL Approved 16.08.2004
Redevelopment of site to provide 5 no. two bedroom and 2 no. one bed apartments, garaging and access to The Freehold.

- 3.5 TM/03/00264/FL Refused 25.04.2003
Demolition of existing dwelling and construction of 3 no. new detached dwellings.
- 3.6 TM/00/02618/FL Approved 12.01.2001
Detached three bedroom house with off-road parking.
- 3.7 TM/00/01695/FL Withdrawn 20.09.2000
Detached 3 bedroom house with off-road parking.

4. Consultees:

- 4.1 PC: Refused. The proposed development would result in over intensive development of the site as a result of the excessive bulk and overall impact of the proposal on the character of the area. The proposed development would result in an overbearing impact on 48 The Freehold due to its excessive bulk. The extent and layout of the proposed parking would have a detrimental impact on the character of the locality and would be detrimental to the amenity of the neighbouring property. The proposal would therefore be contrary to Policy RS1 of the Kent Structure Plan 1996 and Policy P4/11 of the TMBLP 1998.
- 4.2 UMIDB: No objection.
- 4.3 Mouchel Parkman (on behalf of KCC Education): An assessment of Community Facilities, namely Libraries, Adult Education and Youth & Community, has identified a need for contributions towards Libraries and Youth & Community. The cost of providing additional Library facilities is currently £149.50 per dwelling and Youth & Community facilities is currently £498 per dwelling.
- 4.4 KCC (Highways): No objection.
- 4.5 EA: No comments.
- 4.6 DHH: No objection.
- 4.7 Private Reps: 13/0S/0X/0R + Art 8 Site and Press Notice.

5. Determining Issues:

- 5.1 The main determining issues associated with this proposal relate to the principle of the development and its relationship with the adjacent properties.
- 5.2 Policy P6/1 of the TMBLP identifies East Peckham as a rural settlement to which Structure Plan Policy RS2 of the KSP applies restricting new residential development to minor development such as infilling. Additional support for the principle of such a proposal is given within PPG3, which seeks to make full and effective use of urban land subject to compatibility with the character of the locality.

- 5.3 Policies RS1 of the KSP 1996 and P4/11 of the TMBLP seek to ensure that the quality of the built development does not harm the particular character and quality of the local environment and rural settlement.
- 5.4 Planning permission has been granted for the redevelopment of the site to provide 5 no. two bedroom and 2 no. one bedroom apartments and garaging (TM/04/01718/FL).
- 5.5 A subsequent proposal (TM/05/00446/FL) was for the development of eleven 1 bedroom flats. This application was refused on the grounds that the proposed development would result in over-intensive development of the site as a result of the excessive bulk of the proposed building and overall impact on the character of the area. It was considered that the proposal would result in an overbearing impact on 48 The Freehold as a result of its excessive bulk. It was considered that the extent and layout of the parking area proposed at the rear would be detrimental to the character of the locality and the amenity of the neighbouring property.
- 5.6 The approved scheme would have a density of 56 dwellings per ha, whilst the current proposal would have a density of 80 dwellings per ha.
- 5.7 The approved scheme was for 5 two bedroom flats and 2 one bedroom flats. Calculations estimate that 19 people could potentially reside in this development based on the number of bed spaces shown on the approved plans. The proposed scheme is for 10 one bedroom flats. Calculations estimate that 20 people could potentially reside in the proposed development based on the number of bed spaces. Therefore, I am of the opinion that the proposal will not result in a significant increase in the level of activity on the site.
- 5.8 The proposal is significantly different from that previously refused. The design and size of the proposed building now very closely reflect the size, siting and design of the approved building. This design is more in keeping with the surrounding street scene. The design of the side elevations of the building has been altered from the refused scheme. There is now one gable end and the proposal does not extend so far back at the points closest to the adjacent properties. The proposal is over 1m away from the common boundary with no. 48. I am satisfied that the proposal will not result in a terracing effect within the streetscene, and is therefore in accordance with this aspect of Policy PA4/12 of the TMBLP.
- 5.9 In light of the above, I consider that this revised proposal has now addressed the concerns that arose with the previous proposal. Whilst the density of the proposal in terms of numbers of units is above the minimum density requirements of PPG3, given that the other issues have been addressed, and considering the above assessment of the likely number of actual residents, I do not consider that this can in itself be a reason to refuse the proposal on this occasion.

- 5.10 The proposed building will not result in the loss of any sunlight or daylight to the neighbouring properties, and thus accords with policy P4/12 of the TMBLP. In terms of privacy, the proposal will not result in the overlooking of either 48 The Freehold or 40-42 The Freehold, subject to a condition requiring obscure glazing to be used in some windows.
- 5.11 In highway terms, 14 parking bays within the site will serve ten x 1 bedroom flats. KCCVPS could attract the provision of 1 space per unit plus 1 space per 3 units for visitor parking. I find these details acceptable.
- 5.12 I am satisfied that suitable turning space is provided within the application site, and that the access allows passing/waiting for two-way traffic. I am satisfied that suitable visibility splays can be provided within the site. The proposal includes a bin collection point to the front of the property, which could obscure access, but this point is for collection days only and the arrangement is similar to that on the approved scheme. At present there are railings on the side boundary between the site and 40-42 The Freehold, and therefore this does not significantly obstruct the visibility splays.
- 5.13 I note that KCC is seeking contributions for youth and community facilities and for library facilities. However, given that this was not requested on the approved scheme, I do not consider that it would be justifiable to require the applicant to fund these contributions. Moreover, I am not aware of any identified scheme(s) to which this funding could legitimately be put.
- 5.14 In light of the above considerations, I consider the above proposal to be acceptable.

6. Recommendation:

6.1 Grant Planning Permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five 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 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.

- 4 No building shall be occupied until the area shown on the submitted plan as turning area 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 turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 5 The windows in the east elevation serving the kitchen in flat 8, the first floor stair window and the living room window in flat 10 shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the extension is occupied and shall be retained thereafter.

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

- 6 The access shall not be used until the frontage has been cleared of any obstruction exceeding a height of 650mm above the level of the nearest part of the carriageway and shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 7 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.

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 No development shall take place until details of the surface treatment of the accessway have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: In the interests of aural amenity of the neighbouring property.

- 9 This permission shall be an alternative to the following permission(s) and shall not be exercised in addition thereto, or in combination therewith. (Permission(s) granted on 16.08.2004 and under reference(s) TM/04/01718/FL).

Reason: The exercise of more than one permission would result in an overintensive use of the land.

- 10 The development shall be constructed at the level indicated on the approved drawing.

Reason: In the interests of amenity and privacy.

Informatives:

- 1 With regard to works within the limits of the highway, the applicant is asked to consult The Highways Manager, Engineering Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent. ME19 4LZ. Tel: (01732) 844522.
- 2 The applicant is advised that a 1.8m high close boarded fence between the site and numbers 40-42 and 48, should be included within the details submitted in relation to condition 8 for landscaping and boundary treatment, in order to ensure that the amenity of the adjacent properties is retained.

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