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<b>West Malling; East Malling &amp; Larkfield</b> West Malling & Leybourne; East Malling	<b>568691 157432</b>	<b>17.06.2005</b>	<b>TM/05/01899/FL</b>
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Proposal:	Change of use of land to car park with access and associated earthworks
Location:	Land At Eden Farm West Of Ashton Way West Malling Kent
Applicant:	Liberty Property Trust UK Limited

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## **1. Description:**

- 1.1 Members are advised that as the application site partly falls in East Malling, this application was reported to Area 3 Planning Committee on 28 July 2005. It was resolved that planning permission be granted with conditions identical to those suggested below with a request that the location of the pedestrian crossing on the bypass be investigated and investigations be made as to the technical feasibility of an adjustment to the alignment of the accessway through the bund, which is needed to provide access to the soakaways.
- 1.2 The proposal is for a car park to serve West Malling Train Station. Illustrative plans have been submitted showing 281 spaces of which 7 are shown as allocated for disabled persons and 6 are shown as short stay spaces.
- 1.3 The illustrative scheme also shows a pick up and drop off area (known as a "kiss and ride").
- 1.4 Access is shown to be from a new traffic light controlled junction on the A228, Ashton Way.
- 1.5 The access arrangement shown is a minor modification of an access road and junction which is currently being constructed, having already been granted planning permission as part of the A228 dualling, albeit that access was permitted as a "bus link road".
- 1.6 The construction works will involve changes in land levels so that the car park can be easily accessed from the access road at the level it is being constructed and to reduce its visibility on the wider landscape. The maximum depth of excavation is in the order of 5m.
- 1.7 The scheme also includes areas of reformed land intended to visually screen the car park. In connection with the bus link road under construction, a large landscaped bund has been constructed on the entire outer (generally south-western edge) of the access road, generally being 3m higher than the proposed level of the access road. This is due to have a gated access to allow maintenance of the deep bore soakaways. A smaller area of landscaped bank will be graded on

the north-western side of the junction with the A228, at a height of approx. 2m above the level of the car park.

1.8 The application is accompanied by a supporting statement that includes traffic forecasts and highway implications. The agent has also responded to some concerns raised by the PCs. Main points submitted in support are summarised as follows:

- *West Malling station is one of the fastest growing in the SE and its catchment includes major new housing and commercial developments which will continue the growth in passenger numbers.*
- *Existing car parks are at capacity.*
- *A significant proportion of traffic accessing the station could potentially be transferred to the A228 with benefits to West Malling town centre, particularly Swan Street.*
- *Vehicles using the new car park and drop off facility will not be allowed to pass through the bus gate.*
- *The West Malling Station Planning Brief allows for demand forecasts of 215 long stay spaces by 2011.*
- *281 spaces in this scheme will allow for growth in the use of the car park until 2016.*
- *Inbound traffic growth from the extra spaces will be plus 12.3% at peak of 0700 to 0900 which would only have a very slight effect on the operation of the junction and no effect on through-traffic on A228.*
- *Outbound traffic growth from the extra spaces in the PM peak would experience a slight reduction in capacity and a marginal increase in queue lengths.*
- *The proposed bunding together with the structural and amenity planting would, after some tree growth, screen views of the car park for much of the year and allow filtered views in winter.*
- *The soakaways are required for the bypass and as such, are a matter for KCC as the Highway Authority. Access to these is required for maintenance purposes and the indicative layout shows these in relation to the bypass construction. We assume that the Highway Authority would have no objection to the bund being staggered if this is required.*

- *The provision of cycle storage at the Station is a matter to be resolved by KCC/Network Rail in connection with the alterations to the Station Car Park, which are not part of this application.*
- *The construction and subsequent maintenance of the link road is a matter for KCC, but it is assumed that this will be subject to adoption as a public highway.*
- *The management and maintenance of the car park is yet to be finalised and will be subject to negotiations with interested parties as will the programme for introducing the individual spaces.*

## **2. The Site:**

- 2.1 The site measures 1.725 ha (4.26 acres) and is a triangular area, primarily of rough grassland with a small area of self-seeded sycamore trees. It is sited immediately to the west of the A228 West Malling Bypass (Ashton Way). To the north is a privately run car park serving West Malling Station and the existing road to the station (Station Approach). To the south and west is agricultural land.
- 2.2 The land slopes down from east to west, that is, at its highest closest to the A228. The land drops approx. 7m over a distance of approx. 150m.

## **3. Planning History:**

- 3.1 TM/05/00754/CR3 Approved (KCC) 23.05.2005  
Various construction details submitted pursuant to conditions 2, 4, 5, 9, 10, 12, 13, 14 and 16 of planning permission ref. TM/01/02993/CR3 (A228 Leybourne and West Malling bypass, from M20 Junction 4 to Tower View roundabout, comprising a new dual two lane bypass of Leybourne, dualling of Ashton Way and a new bus link road to West Malling Railway Station) [KCC ref. TM/01/2993/R VAR].
- 3.2 TM/02/03660/FL Withdrawn 02.06.2004  
Change of use to car park.
- 3.3 TM/01/02993/CR3 Approved (KCC) 28.01.2003  
A228 Leybourne and West Malling bypass, from M20 Junction 4 to Tower View Roundabout, comprising a new dual two lane bypass of Leybourne, dualling of Ashton Way and a new bus link road to West Malling Railway Station (TM/01/TEMP/V).
- 3.4 TM/87/1407 Approved 05.10.1987  
Deposit of excess material from West Malling Bypass to raise farmland then return to original use.
- 3.5 Planning Brief For Parking At West Malling Station Adopted Feb 2005.

**4. Consultees:**

- 4.1 EA: No objections subject to conditions to protect the water environment.
- 4.2 Ramblers Association: No response at the time of writing the report. Any response will be included in a supplementary report.
- 4.3 Network Rail: Objection because fails to address other issues associated with works to reconfigure the station forecourt, specifically the replacement of existing car parking spaces on Network Rail freehold land that will be lost from the forecourt alterations.
- 4.4 SE Trains: No response at the time of writing the report. Any response will be included in a supplementary report.
- 4.5 PC (East Malling & Larkfield): Siting is preferable to other options; needs landscaping, controlled lighting and signage; existing trees should be retained; why is there a gate to Eden Farm?; details of bus gate must be approved before the car park and access road is opened; is the new road to be adopted? It is noted that this application does not include the forecourt changes to the listed station that will require 50 spaces to be provided elsewhere. These should be within the site considered as part of this application. We would not wish to see the site at Eden Farm being resurrected to accommodate them.
- 4.6 PC (West Malling): (Summarised)
- Pleased with selection of this site and that more parking spaces have been accommodated than originally anticipated.
  - No need for a gated access to the soakaways to the Eden Farm side of the link road. The soakaways can be accessed via other entrances, a special access is not provided for the other group of soakaways. This break in the continuity of the bund compromises the efficacy of this bund as an acoustic barrier and completely negates the whole purpose of the bund and might intensify noise. It would also result in vehicles being visible rather than screened by the bund as intended.
  - Concern as to the location of the pedestrian crossing: a crossing should be located where pedestrians already habitually cross; this is not so in this instance. Residents walking to the station from the A20/A228 roundabout will be tempted to shortcut the very circuitous route provided.
  - Would like to see indigenous planting of varying heights on the bund. It should be specified as to who will maintain the established planting, as the ownership of the link road is not clear. Prefer future maintenance to be safeguarded by the road being adopted.

- There is no landscaping between the car park and the bypass to the north-west between the link road and the railway bridge, which members would like to see. Should be similar in nature to the planting on the bund.
- Should be increased provision of cycle storage at the station.
- Members wish to be consulted on the details of the lighting which should be the minimum necessary on safety grounds, ideally low-level lighting along footway and as unobtrusive as practicable, to be timed to go off after the last train has gone i.e. NOT on all night as this would cause unnecessary light pollution and might encourage inappropriate use out of hours.
- The application indicates that bus gates details to be determined: these details should be agreed before the application is determined, as its purpose in preventing rat running is crucial.
- It is unclear how stopping places for buses would be managed. These need to be considered as an integral part of the overall application.
- Need assurance that the new road will be protected by adequate maintenance. The road being adopted would best achieve this.
- Members would like to see hedging, possibly interspersed with trees, (this would prevent rubbish blowing onto the bund) and ideally a hedge around the whole area of the car park. There are opportunities for additional planting in the small wedge-shaped gaps between the car parking spaces created where the rows of cars change direction. Members would like to see the planting schedule.
- Members would like to know who will maintain and manage the car park.
- The installation of the parking should be phased as originally suggested, in view of the need to avoid “wicking” new commuters to the site, and blocking use by future occupants of housing not yet built – at Kings Hill and Leybourne in particular.

4.7 KCC (Highways): The principle of the proposal has been accepted. The agent has identified the benefits to the local environment in a number of ways: improved access to and from the station for public transport; introduction of a ‘kiss and ride’ facility that is likely to reduce traffic movements through West Malling, Swan Street and Lucks Hill. The development of an integrated transport hub accords with the Government aspirations to increase the use of public transport. Turning to the details there are some concerns with regard to the modelling of the traffic light controlled junction onto the A228 Primary Route and the additional peak hour impact of traffic movements associated with the proposed car park. However, the proposals are acceptable in principle subject to further details being submitted with proposals for car park management and detailed capacity checks for the junction.

At the present time rising bollards are the only form of “bus gate” approved for use on the public highway. Details of the proposed “bus gate” will need to be submitted for approval. The compact configuration of the car park access, the loop for the kiss and ride and the bus gates appears too complicated and likely to cause congestion at peak times. The applicant should therefore be asked to discuss these matters further and minor alterations are likely to be required. The Highway Authority has no objection in principle to the proposed development subject to the submission of full technical details for approval, to include a completed Safety Audit, details of lighting, CCTV security, rising bollards, car park, bus gate and traffic management (including detailed traffic signal capacity checks).

- 4.8 WKHMU: The proposed development, whilst of general benefit, will have a negative visual impact on PROW MR116. The development should be screened with native trees/shrubs.
- 4.9 DHH: Would welcome opportunity to site recycling facilities in the car park. In order to preserve the acoustic integrity of the bund to the south of the access road from the A228, the gap currently shown for access to soakaways should be staggered to avoid a direct line of sight.
- 4.10 Private Reps: (12/0S/0R/0X) + departure/PROW/LB press/site notice: No responses received.

## **5. Determining Issues:**

- 5.1 The site is outside the rural settlement and is in the Green Wedge and an ALLI. West Malling Station is a Grade II listed building.
- 5.2 The development is sited some 50m from the Station Building itself and does not harm the setting of the Listed Building in my opinion and therefore complies with Policy P4/1 of the TMBLP.
- 5.3 Policy RS1 of the KSP requires development in the open countryside to be well designed, acceptable in appearance and in highway and infrastructure terms and to enhance the character, amenity and functioning of the countryside. Policy RS5 of the KSP resists development outside villages and small rural towns unless it is the provision of a public use for which the rural location is justified. Similarly, Policy ENV1 of the KSP protects the countryside for its own sake unless there is an overriding need which outweighs the requirement to protect the countryside. These policies are taken forward in Policies E1, QL1 and SS7 of the KMSP.
- 5.4 Policy 2/19 of the TMBLP states that development should not be permitted in the Green Wedge if it would significantly extend the built confines of rural settlements or affect the separation of built up areas. Any development, which might exceptionally be permitted, would need to be designed and landscaped so as not to compromise the function as an open buffer.

- 5.5 Policy P3/17 states that development which would materially harm the landscape character of an ALLI should not be permitted. Annex PA3/7 of the TMBLP describes the application site as an attractive area of orchards, oasts and parkland setting to West Malling.
- 5.6 The site does not lie within but does directly abut the area shown on the Proposals Map of the TMBLP for car parking to serve West Malling Station.
- 5.7 The relevant policy is P7/2c which identifies West Malling Station as a location where proposals for rationalising or extending the existing car parks will be permitted in association with improvements to bus interchange facilities, subject to satisfactory access and adequate landscape screening. The preamble to the policy makes reference to the fact that the Borough Council had requested the County Council to investigate the possibility of providing adequate access to West Malling Station from the bypass for private vehicles because of the difficulties of access via Swan Street and Lucks Hill.
- 5.8 Policy P7/1 of the TMBLP encourages the enhancement of passenger facilities at railway stations, including the provision of secure car and cycle parking in principle. In regard to West Malling station, this is taken forward as strategic policy in TP8 of the KMSP which encourages access, parking and interchange improvements.
- 5.9 PPG13 states that the provision of parking at suburban rail stations can increase the potential catchment population for rail services, but can at the same time exacerbate road congestion in the surrounding area. At main line stations it may also discourage travellers from using local bus or train services to connect to longer distance services. Local Authorities need therefore to consider the case for parking facilities at urban and suburban rail stations, and the treatment of on-street parking near to stations within the context of their local transport plan objectives. In doing so, they should take account of the views of train operators and the SRA, and the potential for railway stations to act as park and ride sites for destinations outside the immediate locality.
- 5.10 Members will be aware that in order to progress policies with regard to improving passenger car parking at West Malling Station, a planning brief was approved by the Planning and Engineering Advisory Board in February 2005 which was thereby adopted as a material consideration for development control. This provides the detailed context for the scheme that is subject of this planning application. The Brief has the following principles in relation to the application site:
- The upgrading of the link road and its traffic light controlled junction with the bypass so that it can operate as an all-purpose access.
  - The provision of a kiss-and ride facility directly accessed from the bypass.

- The provision of a bus-gate to enable buses and taxis to access the station forecourt from the link road.
- The provision of a pedestrian and cycle route alongside the link road connecting the Station with the proposed cycle route alongside the bypass via a Toucan crossing (as already proposed as part of the Bypass scheme).
- The identification of a site for approximately 220 car parking spaces on land within the line of the proposed link road. The capacity of this car park could be increased if the alignment of the link road was to be amended slightly and this option should be considered in order to maximise the number of parking spaces accessed from the bypass.

5.11 The principle of this development has therefore already been accepted by the Borough Council through the adoption of a planning brief along the lines outlined above. The access road (bus link) to the Station already has planning permission and is under construction.

5.12 The scheme within this planning application largely accords with the relevant elements of the Master Plan although the area covered by the works is marginally larger and the illustrative layout of the car park and drop off facility has altered which has resulted in some concerns from a highway safety point of view. However, I consider that the detailed layout of the car park and drop off facility can be the subject of a condition to ensure satisfactory highway safety and compatibility with the A228 improvements.

5.13 In regard to the potential for taxis to access the station forecourt via the bus link road, the planning brief did envisage taxis being able to pass through the bus gate. However, this would need to be subject to a satisfactory mechanism which prevented any other type of through traffic. Relevant details would be required to be submitted for approval through suggested condition 4.

5.14 This scheme accords with national policy guidance in PPG13 in that there will be sustainability benefits in facilitating and encouraging increased use of the Station as residential and commercial developments in the locality progress. The negative impacts of increasing car parking at main line stations mentioned in PPG13 do not apply in this particular case because the car park will only be accessed from a dual carriageway and not residential roads. It is envisaged that car congestion in the residential areas of West Malling town centre will be reduced as a natural consequence of this scheme, especially by the inclusion of a pick-up and drop-off facility which will divert much of this type of traffic from using Swan Street onto the more appropriate A228.

5.15 There is a planning issue over management of the car park in terms of the impact this will have on traffic flows. For example, it may be desirable for the new car park to be for season ticket holders only in order to reduce the number of people



visiting a full car park at this site and then having a convoluted journey to find spaces at the existing car parks. A sign on the A228 to state when the new car park is full would also be beneficial.

- 5.16 Members will note that the comment of East Malling and Larkfield PC on 50 displaced parking spaces and the objection of Network Rail are not directed at the scheme as submitted but refer to concerns they have over other aspects of the Planning Brief for works to the Station forecourt. Members are advised that the scheme subject of this planning application is not on Network Rail land and has been submitted for decision independently of any forecourt changes to Network Rail land. I am of the view that the application can be determined in isolation from any approval of wider changes, subject to appropriate conditions.
- 5.17 In response to both PCs' concern over the break in the continuity of the bund for a gated access, this could be overcome by a realignment of the access to reduce the break in visual screening and loss of acoustic function. Subject to technical confirmation, I believe there may be an opportunity for the scheme to be amended to address this issue before a decision is issued, and I would therefore seek Members' delegated authority to deal with this matter as appropriate. Condition 7 is suggested to ensure the access is for maintenance purposes only.
- 5.18 The pedestrian crossing on the bypass itself that is of concern to the West Malling PC is outside the application site. It corresponds with the formal pedestrian and cyclist circulation route being designed in relation to the dualling of the bypass. The concerns of the PC have been brought to the attention of KCC.
- 5.19 Subsequently submitted details of landscaping, lighting, traffic management measures, the management regime and the details of the bus gate would be subject of normal consultation with the local PCs. It is not considered that the details of the bus gate need to be approved before this application is determined but I am aware of the view that they should be approved and implemented before the car park is brought into use, as specified in the suggested condition 4.
- 5.20 As regards lighting levels, whilst the rural location is relevant, it is envisaged that lighting levels will need to be adequate for CCTV/security purposes both for vehicles and passengers returning to their vehicles.
- 5.21 The West Malling PC's request for adoption of the link road and Local Authority responsibility for the maintenance of the landscaping is not a planning matter.
- 5.22 In the light of the wider benefits of the scheme, I am satisfied that the impact of the development on the open countryside, the Green Wedge and an ALLI is justified. Moreover, Members will note that the extensive associated land regrading is expressly intended to help to screen the development as far as practicable. Together with a high quality landscaping scheme which can also replace trees to

be lost as a result of these works, the visual impact of the development on the landscape, including MR116 that runs to the south of the application site, can be satisfactorily mitigated in my view.

5.23 The proposal is a departure from the development plan. However, in the light of the adopted Planning Brief and Policy P7/1 of the TMBLP and Policy TP8 of the KMSP, I advise Members that the proposal would not prejudice the development plan to an extent that would require this scheme to be referred to GOSE.

## 6. Recommendation:

6.1 **Grant Planning Permission** as detailed by letter dated 17.06.2005; supporting report date stamped 17.06.2005; drawings DHA/4157/01; 16586/001/SK01B (illustrative); 16586/001SK02A ; email dated 15.07.2005 and subject to

- the incorporation of an appropriate solution to the issue relating to alignment of the accessway through the bund, should this be technically feasible, acceptance delegated to DPT
- the following conditions:

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (Z001)

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 The use of the car park and drop-off facility hereby approved shall not take place until the dualling of the A228 has been completed in accordance with planning permission reference TM/01/02993/CR3.

Reason: In the interests of highway safety and the free flow of traffic.

3 The use of the car park and drop-off facility hereby approved shall not take place until details of CCTV security and lighting have been submitted to and approved by the Local Planning Authority and carried out in strict accordance with the approved details. (D008\*)

Reason: To ensure that the development does not harm the character and appearance of the setting of the listed building or visual amenity of the locality.

4 The use of the car park and drop-off facility hereby approved shall not take place until details of the following have been submitted to and approved by the Local Planning Authority and carried out in strict accordance with the approved details.

a) Detailed layout of car park, drop-off facility and associated access road from the A228 and pedestrian link up to West Malling station forecourt.

- b) Traffic management facilities on the access road, car park and drop-off area.
- c) Rising bollards.
- d) Bus gate.
- e) Management Regime for car park including associated signage on A228.

Reason: In the interests of highway safety and the free flow of traffic.

- 5 The use of the car park and drop-off facility hereby approved shall not 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 approved boundary treatment and 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. The approved boundary treatment shall be retained as approved. 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. (L003\*)

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.

- 6 The bunding and changes in levels hereby approved shall be carried out in strict compliance with the approved plans before the first use of the car park and drop-off facility hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality.

- 7 The gated access hereby approved shall be used only for maintenance of the deep bore soakaways and landscaped bund and at all other times shall be gated and locked.

Reason: In the interests of highway safety.

Informative:

- 1 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil separator designed and constructed to have a capacity compatible with the site being drained and trapped gullies to BS5911:1982 with an overall capacity compatible with the site being drained.

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