

West Malling **568151 157906** **15 December 2006** **TM/06/04033/FL**
West Malling And
Leybourne

Proposal: Demolition of existing Magistrates Court and erection of residential retirement development of 10 no. flats with associated parking and vehicular access (for occupation by individuals of 55 years of age and above)

Location: West Malling Magistrates Court Police Station Road West Malling Kent

Applicant: Beechcroft Developments Ltd

1. Background:

- 1.1 Members will recall that this application was deferred from the meeting of Area 2 Planning Committee on 1 August so that I might review the evidence that could be adduced to support the areas identified by Members as potential grounds for refusal and to ascertain whether the contribution towards library facilities could be better used to improve the street lighting in Police Station Road, the report back to be accompanied (if necessary) by a report by the Chief Solicitor.
- 1.2 Subsequently, further negotiations have taken place with the applicants and they have now revised the application by:
- Reducing the width of the building by moving the gable end wall at the southern end of the building 1.6m further away from the boundary with 2 Abingdon Mews;
 - Reducing the ridge height on the main part of the building by 0.7m, making it 0.3m lower than the roof of 1 Abingdon Mews;
 - Re-arranging the internal layout of the building and reducing the number of apartments by two (ie from 12 to 10).
- 1.3 The applicants have also submitted a substantial amount of additional information in support of the application, and in the light of the issues raised by Members at the previous meeting, including:
- *They are willing for the sum of money previously agreed to be expended on County Council libraries to be spent on street lighting;*
 - *They are willing for the Borough Council not to impose any condition restricting occupancy to people aged 55 and over, if this is considered necessary to enable permission to be granted.*

They have in addition submitted a letter addressing the issue of whether affordable housing should be required within this development, in the light of the receipt, subsequent to the previous Committee meeting, of the Inspector's Report on the LDF Core Strategy. This letter puts forward a case that affordable housing should not be required.

1.4 Much of this additional information has been received close to the deadline for production of the Agenda for this meeting, and will need further analysis. In the circumstances, I intend to prepare a more detailed report which will be circulated in advance of the meeting.

2. Recommendation:

2.1 Detailed report to follow.

Contact: Neil Hewett