



**3. The Site:**

- 3.1 The site is located within the settlement confines of Platt, on the north side of Maidstone Road. Residential properties lie immediately to the rear (north) and to the west of the site. A field lies to the east of the site, although this contains the site of the approved new Memorial Hall and the relocated Platt School which has been granted outline planning permission.

**4. Planning History (selected):**

TM/75/10130/FUL Grant with conditions 15 August 1975

Change of use to light industrial.

TM/75/10969/OLD Refuse 10 July 1975

Change of use of part of Residential Quarters to Light Industrial.

TM/75/10997/OLD Refuse 10 July 1975

20' x 8' Office Portable Building.

TM/77/10219/FUL Grant with conditions 29 November 1977

Addition of lobby and cloakroom.

TM/78/10595/OUT Refuse 3 November 1978

Outline application for single storey building for storage and cutting of fabrics.

TM/79/10150/FUL Grant with conditions 30 August 1979

Replacement timber shed to be used for storage.

TM/79/10976/FUL Grant with conditions 18 April 1979

Erection of a free standing single storey pitched roof building with ancillary car parking and loading/unloading area.

TM/87/11806/FUL Grant with conditions 30 April 1987

Extension to provide sanitary accommodation to existing warehouse.

TM/92/10248/FUL Grant with conditions 29 May 1992

Change of use of whole site to B1 use including building presently covered by condition precluding such use. Alterations to fenestration.

TM/98/00747/FL Grant With Conditions 24 July 1998

extension to workshop and provision of additional car parking spaces

TM/06/03611/FL Application Withdrawn 13 August 2008

Conversion of former mill into 2 dwellings and the erection of a 2-storey house, block of garages with 2 studio flats above and block of 4 townhouses including access thereto and parking and refuse storage facilities, following demolition of existing workshops

## 5. Consultees:

- 5.1 PC: The large roof area of the Archive Store section of the proposal is very close to the road and the appearance is considered to be detrimental to the visual amenity of the area. If this plain roof could be broken up by the insertion of windows of some type it would improve the appearance.

The parking arrangements for the industrial area are considered to be inadequate although it is claimed to meet standard requirements. Currently there are believed to be in excess of 25 parking spaces and it is known that the company have asked the Memorial Hall, located opposite, for use of parking facilities should the need arise even before this application was known of locally. As you are well aware the Memorial Hall has planning approval to relocate and this would remove the availability of any such overspill parking for this site. A recent count of vehicles on site found there to be nineteen spaces occupied.

It is not possible to compare the height of the terrace of houses with the workshop building that they replace because no drawing has been supplied of the existing structure. Assuming that the eaves height is the same as the existing the ridge height is of the houses would appear to be somewhat higher than the existing due to a steeper roof pitch to accommodate the extra storey.

- 5.2 DHH:

### Environmental Protection

On the face of the Acoustic Report submitted by Cole Jarman in support of this application, the site falls into NEC C and therefore planning permission should normally be refused, although other factors may persuade you to grant permission.

Further Comments:

A condition requiring a BS4142 assessment prior to the first use of the altered industrial building would sufficiently cover the noise issue, from this source.

Contaminated Land

The submitted detail is a desktop study and walkover survey report prepared by Scott Wilson Ltd (Dec 2007). The report is fit for the purpose of determining the planning application. The report has identified potential pollutant linkages at the site so a condition is recommended.

- 5.3 Kent Highway Services: The proposal will in part provide for 4 x 3 bedroom dwellings. KVPS (\*2006) could attract up to a maximum of 2 off street parking spaces each. The submitted plan shows a total provision of 8 spaces i.e. 2 per unit that would accord with the maximum requirements of KVPS (2006) and is therefore acceptable. The applicant is reminded that bays are to be a minimum of 2.5m (width) x 5.0m (length) with end bays or bays in confined spaces widened to 2.7m. It is proposed to use an existing extant vehicle access to serve the residential element. I would require that the access be a minimum of 4.8m wide to facilitate two-way traffic. Gates to be set back a minimum of 5.0m from the site boundary and open inwards. Should any alteration to the access be required that may affect the public highway then all works are to be done to Kent Highway Services specification and satisfaction. The applicant must liaise with KHS to discuss these works.

It is likely that a holding refuse store will be needed and located within the site and close to the public highway for use on collection day. The applicant is to liaise with the local authority regarding refuse storage and collection.

An electricity sub station is located in this section of the site. I recommend that the area fronting the sub station, where the easement is be hard landscaped in order that a maintenance vehicle can stand to one side of the access drive maintaining free access into the site.

The other machine shop element is to be served by a total of 14 car parking spaces and is acceptable. Cycle parking is also to be provided. Again an existing vehicle access is to be used to service this part of the site. Again it will need to be a minimum of 4.8m wide with any gates set back a minimum of 5.0m.

- 5.4 Private Reps (including Art 8 Site Notice): 18:0S/0X/1R: The following objections have been made to this proposal:

The archives block will be very dominant and not enhance the street scene. If windows could be inserted then this would soften the impact and make it less like a barrack block.

The 2 1/2 storey houses would be better reduced to 2 to lessen the impact on the neighbouring properties on the Foxbury site. Whilst the windows facing these gardens are bathroom/toilet windows they are not visually attractive.

It is vitally important that the parking for the business and the dwellings plus visitors for both is thoroughly investigated because the surrounding area does not lend itself to on street parking.

The exit for the houses will be via the gate/bus lay-by and it is hoped that this will be carefully investigated from a safety and space aspect.

- 5.5 KCC (Education/Community Services): The development would create the demand for extra primary and secondary school places. At present the additional requirements can be met.

An assessment of community facilities, namely libraries, Adult education and Youth and Community, has identified a need for contribution toward these. The cost of providing additional library facilities is currently £227.00 per dwelling. The contribution for Adult Education facilities is £180.00 per dwelling and Youth and Community is £827.00 per applicable house.

## **6. Determining Issues:**

- 6.1 The main determining issues with this development relate to the impact of the proposal upon the character of the street scene, highway safety and the residential amenity of the neighbouring residential properties.
- 6.2 Policy CP 13 of the Tonbridge and Malling Borough Core Strategy 2007 (TMBCS) states that new development within Platt will be restricted to minor development appropriate to the scale and character of the settlement. In the case of redevelopment, development will be permitted, if the overall trip generation is projected to be lower than that associated with the former use, or if there is some significant improvement to the appearance, character and functioning of the settlement.
- 6.3 Policy CP 24 of the TMBCS requires all development to be well designed and of a through scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings. This echoes Policy QL1 of the Kent and Medway Structure Plan 2006.
- 6.4 With regard to the commercial element of the proposal, the development would result in a net reduction of floorspace of approx 200 sq m, with the removal of the large detached building and the smaller buildings within this site.

- 6.5 The proposed extension to the rear of the mill building is of a scale that is subordinate to the size of this building and matching materials would be used externally. I am satisfied that this building would not detract from the character of the street scene or the visual amenity of the locality due to its, size, form, design and position within the site.
- 6.6 Whilst the rear extension to the existing mill contains roof lights in its north facing roof slope, this building should not cause a loss of privacy to the adjacent residential properties as it is only a single storey structure. A condition could be used to control the insertion of a mezzanine floor within this building in the future.
- 6.7 The proposed archive storage building with undercroft parking has caused some concern. The building has a long street frontage and would stand 6.5m high to ridge level. However, on the Maidstone Road elevation, the building has a low eaves height of 2.5 metres. The mass of the brick wall would be given relief by the use of recessed panels and a protruding plinth. The roof facing the road would be a catslide and barn hipped ends would also be incorporated into the structure. Whilst this would stand prominently in the street scene, it is well designed, in my opinion. The building would be located in line with the existing mill building, and I do not consider it to be out of keeping with the nature of development within this site.
- 6.8 There are also other examples of tall, prominent buildings and boundary treatments along Maidstone Road in the locality, not least the adjoining historic mill building itself. The development of Platt Mill Terrace and the acoustic wall fronting Maidstone Road at the Brickmakers Arms redevelopment, for example. These two elements of the scheme will allow a well established local business to continue to operate and such provision is encouraged in policy.
- 6.9 In light of the above, I do not consider that this element of the proposal is out of keeping with the character of this site or the wider locality and accords with policy QL1 of the KMSP and CP 24 of the TMBCS.
- 6.10 The proposed terrace of 4 dwellings has a similar footprint in terms of size and shape to the industrial building it would replace. It would stand taller than the existing building (approx 3m taller). Whilst the proposed dwellings would be two and a half storeys, they would stand 9m high at ridge level, which is not unusual for conventional 2 storey dwellings. The use of a steeper pitched roof as in this case would also enable the use of good quality clay roof tiles, as is currently proposed. I do not consider that these dwellings would appear unduly prominent in the street scene due to their position and orientation within the site and the presence of the existing and proposed buildings within this site. The dwellings would also be of a similar height to other buildings in the locality.
- 6.11 The proposed dwellings would have a form and design that is in keeping with the other (proposed and existing) buildings within this site. Additionally, there is a mixture of building types and sizes in the locality. In this context I am satisfied that

the proposed dwellings would not detract from the character of development in the locality and also complies with policies QL 1 and CP 24.

- 6.12 The building that the dwellings would replace currently allows wide uninterrupted views from the first floor level into the rear garden of the adjacent dwelling "Mashie Niblick". The proposed dwellings have been designed so as not to overlook this property with bathroom and landing windows only located on the west facing elevation. It would be reasonable to require these windows to be fitted with obscure glazing, which can be achieved by a condition. With this requirement, I consider that the proposal would be a vast improvement to the amenity of the neighbouring property.
- 6.13 In terms of noise issues, The acoustic assessment submitted by the applicant have found that the proposed residential dwellings would, during the daytime, be subject to noise levels that are contained within NEC B and the low end of NEC C as defined within saved policy P3/17 of the Tonbridge and Malling Borough Local Plan 1998. However, the road traffic noise measured within this site would fall within NEC B as defined in PPG 24. For night time, the assessment states that the dwellings would be subject to noise levels falling within NEC B as defined in both the local plan policy and PPG 24.
- 6.14 Policy P3/17 and PPG 24 both state that for developments falling within NEC B the applicant will be required to demonstrate that adequate mitigation measures are included in the proposal to reduce noise to a satisfactory level. They also state that where sites would be exposed to noise levels within NEC C, planning permission would not normally be granted. However, in this case the day time noise levels are 1 dBA above the threshold between NEC B and C as defined within policy P3/17. A 1 dBA difference in noise level is not perceptible.
- 6.15 The applicant has stated in the acoustic assessment that the use of standard thermal double glazing and the use of acoustically screened mechanical ventilation would produce a satisfactory internal noise environment for the proposed dwellings. Given that the level of perceptible road traffic noise that the development would be exposed to falls within NEC B, I consider that it would be appropriate in this case to impose a condition requiring details of the proposed acoustic mitigation measures to be submitted and approved by the Council, should permission be granted.
- 6.16 Kent Highway Services is satisfied that the proposed development is acceptable in terms of highway safety. Adequate parking would be provided for this scheme and the existing vehicle accesses to the site are of a sufficient width to allow two vehicles to pass each other.
- 6.17 I note the request from KCC for financial contributions towards community facilities. However, no information has been received regarding what deficiencies exist in this locality or the nature and location of the capital projects that the

financial contribution would be put towards. I do not consider it reasonable, therefore, to require the developer to contribute towards these services.

6.18 In light of the above, I recommend that permission be granted.

**7. Recommendation:**

7.1 **Grant Planning Permission** in accordance with the following submitted details:

**Conditions / Reasons**

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 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 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: 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.



5. The windows on the rear elevation of the dwellings houses shall be fitted with obscured glass and be top hung. This work shall be effected before the dwellings are occupied and shall be retained thereafter.

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

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the roof of the buildings without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of the amenity and privacy of adjoining property.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the west (rear) elevations of the dwelling houses other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

8. 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.

9. The use of the extension to the commercial building shall not commence until an acoustic assessment is carried out in accordance with BS 4142 concerning noise breakout from this building and the details of the assessment have been submitted to and approved by the Local Planning Authority and the approved mitigation measures have been implemented in strict accordance with the approved details.

Reason: To ensure that the development does not harm the amenity of adjacent residential properties.

10. No development shall take place in respect of the dwelling houses until details of the noise mitigation measures to be installed within them have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008)

Reason: In the interests of amenity.

11. No development shall be commenced until:

(a) a site investigation has been undertaken using the information obtained from the desktop study to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with a risk 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 (method statement) 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 upon completion of the remediation a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

(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.

(e) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the Method Statement.

Reason: To ensure that the development complies with the approved details in the interests of protection of the environment and harm to human health.

12. No development shall take place until details of slab levels for the archive/storage building and the dwelling houses the have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008)

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

13. Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or the Town and Country (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), the layout of the extension to the existing commercial building shall not be varied by the insertion of additional floors, without the prior permission in writing by the Local Planning Authority. (I001)

Reason: To enable the Local Planning Authority to assess the impact of such variation upon residential amenity and the safe and free flow of traffic.

### **Informatives**

1. The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate number(s) to the new property/ies. To discuss the allocation of numbers you are asked to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or telephone Trevor Bowen, Principal Legal Officer, on 01732 876039. To avoid difficulties, 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. (Q050)

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