

Platt Borough Green And Long Mill	562307 157438	8 April 2008	(A) TM/07/01810/FL (B) TM/07/01807/FL
Proposal:	(A) Demolition of existing buildings and erection of twelve dwellings with car ports and access road (B) 7 no. houses with private access		
Location:	(A) Platt C Of E Primary School Maidstone Road Platt Sevenoaks Kent TN15 8JY (B) Playing Fields Grange Road Platt Sevenoaks Kent		
Applicant:	Rydon Homes Ltd		

1. Description:

1.1 These two applications, whilst relating to developments on separate sites within Platt village they are dealt-with in one report as the cases are inextricably linked as Site B serves the use on Site A and would not have a function if Site A were to be redeveloped. They are in close proximity to each other and because the applicant is the same in both cases.

(A) TM/07/01810/FL:

1.2 This proposal would see the existing school buildings demolished and twelve dwellings erected in their place, together with an access road and car ports. Nine of the dwellings would be arranged in three blocks of three terraced houses. These would stand between 8.9 and 9.1 m high and incorporate hipped roofs. Five of these dwellings would contain 3 bedrooms and the remaining four, two bedrooms. These buildings would be arranged along the rear (southern) part of the site facing towards the front (north side) of the site.

1.3 Two of the other dwellings would be located in the first floor (roof void) of car ports. These buildings would stand 7.3m high, incorporate hipped roofs and would accommodate 4 car parking bays arranged in two pairs, under the flats. The remaining dwelling would be a detached 2 storey, 2-bedroom property.

1.4 The buildings would be constructed externally from stock brickwork, plain tile hanging and weatherboarding. The roofs would be clad with plain tiles. Specific details of materials have not been submitted at this stage.

1.5 A two metre high brick wall is proposed to be erected along the Maidstone Road frontage of the site.

1.6 A new vehicular access from Maidstone Road would be created at the eastern side of the site and the existing access to/from Platt Common would be closed under this proposal.

- 1.7 In total, the development would be served by 24 car parking spaces, provided within a tandem layout in communal areas and will be provided on an allocated basis.
- 1.8 The site area is 0.37 ha. The development of 12 dwellings, therefore equates to a density of 32 dwellings per ha.

(B) TM/07/01807/FL:

- 1.9 Originally, five houses were proposed for this site. However, this has been amended to seven dwellings. The seven dwellings would be arranged in a loose circle configuration around a shared private driveway.
- 1.10 Units 1 and 2 are a pair of 3-bedroom semi-detached houses that would stand 8.1m high to ridge level and would be located towards the front (east side) of the site. Units 3-6 would be arranged as two pairs of linked, semi-detached, 3-bedroom houses at the rear (west side) of the site. Three of these would have attached garages and would stand 8.7m high to ridge level. Unit 7 is a detached 'L' shaped, 4 bedroom dwelling standing a maximum of 8.5 m high. It would incorporate an integral double garage.
- 1.11 The dwellings would be constructed from stock brickwork, red/orange tile hanging and plain roof tiles.
- 1.12 The site is the subject of Tree Preservation Order ref 12.15.41. This relates to four individual trees (three Oak and one Birch) and three groups of 2 Oak trees. Under the current proposal one Oak and the Birch would be removed.
- 1.13 The site area is 0.32 ha. The development of 7 dwellings equates to a density of 21.8 dwellings per hectare.
- 1.14 The applicant is proposing to provide affordable housing in the following way: 6 units within the school site for social rent and 2 units within the playing field site which would be shared equity.

2. Reason for reporting to Committee:

- 2.1 The applications are controversial in nature having drawn many objections to them.

3. The Site:

(A) TM/07/01810/FL:

- 3.1 The site lies within the settlement confines of Platt, on the south side of Maidstone Road and contains the existing Platt Primary School and its playground. The site is bound to the west By Platt Common and to the east and south by residential development.

(B) TM/07/01807/FL:

- 3.2 The site is located within the settlement confines of Platt on the west side of Grange Road and is Platt School's playing field. The site is bound to the north, south and west by residential development. Residential development is also located on the east side of Grange Road. As is stated in paragraph 1.13 the site contains trees that are the subject of a Tree Preservation Order.

4. Planning History: (Most relevant)

TM/03/03647/OA	Refuse	15 July 2004
	Appeal dismissed	26 June 2006

Outline Application: New replacement primary school with attached playing field, new replacement Memorial Hall, 20 affordable houses, 16 private houses and public open space

TM/03/03790/EASC	Screening opinion EIA not required	21 January 2004
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Members should note that these current application sites are two of the three interlinked application sites that comprised the full extent of TM/03/03647/OA

5. Consultees:

(A) TM/07/01810/FL:

5.1 PC: Density

- 5.1.1 The twelve dwellings on this site give a building density of 32.4 dph which meets national guidelines of 30 to 50 dph and is comparable to recent developments of this scale in the area. The figure of twelve dwellings for this site has also been endorsed by the Planning Inspector and Secretary of State in relation to appeal APP/H2265/A/04/1163825. This Council, however, continues to believe that repeated developments at this density, which is double the current average density within the village envelope, is rapidly having an adverse affect on the overall character of the village and would welcome a reduction in the figure. We therefore object to this level of density for the site.

Design and Layout

- 5.1.2 We welcome the inclusion of two of our suggestions to reduce the bulk and height of the previous proposals viz. deletion of the roof rooms and their associated windows plus the reduction of the roof pitch angles on plots 1 to 9. The splitting of plots 4 to 9 into two groups of three is also a valuable improvement. We feel, however, that there may still be scope for further improvement of these aspects of the design through further roof pitch reduction and reduction of the FFLs of plots 4 to 9 by excavation from the existing levels. Reduction of roof pitch would also

have the added benefit of making any future application for loft rooms impractical thus retaining any advantage that has been obtained from the current removal of such rooms. Although, as stated above, we feel the number of dwellings is too high, the general proposed distribution of the twelve dwellings on the site is considered to be acceptable as it preserves the important existing trees on the site.

Parking

5.1.3 There would appear to be two parking spaces for each dwelling, which is the recommendation that the Planning Inspector made for the similar Brickmakers Arms site. As we have often claimed in the past we consider this to be a minimal requirement for this rural location which has a very limited public transport service. The layout and access to the main parking area around plots 10 and 11 is the same as in the previous version of this application and is considered to be unsatisfactory. With all of the parking being in the form of pairs of spaces configured 'nose to tail' there will need to be a great deal of manoeuvring in the limited space available when some spaces are being accessed. The widening of the access to this main parking area to allow cars entering and leaving to pass each other is welcomed. We are concerned not only by the parking arrangements within the site but also by the effect that this development will have on parking arrangements within the general area of the site as the front of the school site has traditionally been used by near-by residents outside of school operating times.

Access to Development Site

5.1.4 The access to the site is considered to be of suitable width with adequate site lines.

Access to Platt Common

5.1.5 This proposal has created a significant change to the access available at the entrance to Platt Common. Currently there is an access to the proposal site at the North-West corner that joins onto the Platt Common entrance before it reaches the A25, the actual Platt Common entrance being only of a single car width. With the existing configuration it is very common for cars entering Platt Common to utilise this corner access to the proposal site for highway safety considerations. When entering Platt common from either East or West along the A25 it is not possible to see a vehicle that is leaving Platt Common unless it has actually reached the end of the road. Such a vehicle coming down Platt Common will only be seen by the driver entering after he has started to turn into the entrance and it is normal for the entering vehicle to pull over to the open school site access to prevent blocking of the traffic flow on the A25 while the leaving vehicle exits. This planning application has removed this 'bolt hole' for vehicles entering Platt Common which will, if implemented, result in obstructions to the traffic flows on the A25. We believe that it is a mandatory requirement that the entrance to such a multi dwelling area as

Platt Common from a major road such as the A25 is at least wide enough to allow vehicles to enter and exit at the same time. The proposed development has therefore generated a high risk access area at the Platt Common entrance. It should also be remembered that this access is close to the entrance to the Platt Industrial Estate which itself often has congestion due to HGV movements in and out at the same time.

Landscaping and Boundary

5.1.6 Comparison of drawing number SMP-PS-03 of this application with drawing 143/PS1-03 of the previous proposal indicates a change to the position of the site limits on the Platt Common boundary. The new proposal appears to indicate that the position of the existing chain link fence on that boundary is the actual site limit. We feel that the access problem to Platt Common described above could easily be addressed by removal of the earth bank and scrub growth that is just outside of this boundary and incorporating a retaining wall on the line of the existing fence in order to accommodate ground level differences. This would increase the width of the Platt Common entrance to just over 4m and thus allow two way vehicle movement at this critical access from the A25. Suitable hedging should be incorporated along the proposal site side of this wall to provide natural screening between the development and Platt common. Any planting along the northern boundary of the site must not be allowed to obstruct the Easterly site line of vehicles leaving Platt Common.

Noise Assessment

5.1.7 As with other recent developments we are concerned with the noise levels incident to the site, which are towards the top of NEC Category C, and the appearance of the acoustic wall introduced to mitigate the noise levels within the development site. It is surprising to see that the figures measured for the incident noise on this site are slightly lower than those measured recently at the nearby Brickmakers Arms site even though this location is subject to additional HGV traffic that is accessing the Platt Industrial Estate. We feel that the validity of the calculation of noise levels towards the rear of the site should be carefully assessed.

Construction Phase

5.1.8 There is inherently limited parking for residents near to this site particularly at Whatcote Cottages and Pine View and it should be borne in mind that Platt Common is a private access road and the A25 is a busy main road. Roads close to such construction sites are often badly affected by parking of the vehicles of workers on the site and we would ask that strong measures be taken to ensure that such workers vehicles must be accommodated within the construction site to avoid such problems.

Aspects of Combined Sites

5.1.9 These two proposals are considered to be linked to such an extent that one of the two proposals will not be possible without the other taking place. Therefore two aspects of the proposals can be considered on a combined sites basis.

Affordable Housing

5.1.10 The proposal to include a total of eight Affordable Houses with six of these being for rent and two for shared equity is acknowledged to meet the basic requirements of Policy CP17/2 of the T&MBC LDF in full. The proposals have also made use of clause CP17/4 to incorporate all of this housing onto one of the two sites. This clause, however, is prefixed by the phrase 'In exceptional circumstances'. No such exceptional circumstances have been put forward by the applicants to justify this concentration of that element of housing onto just one of the sites. Unless some valid justification is put forward we consider that the affordable housing requirements should be split between the sites so that they are fully integrated rather than lumped together in a group.

5.1.11 The perceived need for affordable housing in the area would be that the emphasis should be on shared equity type rather than the social rented. A variation of the balance between affordable housing categories is allowed under CP17/3 and we would wish to see this balance changed significantly, if not completely, to the shared equity type.

5.1.12 With regard to the absolute number of affordable homes to be incorporated to these two proposals we would like to see a reduction in the total number, which is not substantiated by local need, with any reduction being balanced by means of the commuted sum payment alternative given by CP17/4.

Recreation Facilities

5.1.13 The two site areas and numbers of dwellings are both believed to be just below the level that would require mandatory provision of recreation facilities in one form or another. We believe, however, that due to the strong links between the two developments, they should be considered as one for such purposes. The combination of the two developments covers an area of 0.69 Ha with current proposals for nineteen dwellings. We consider that this is sufficient to justify either the provision of some recreation facility in one or other of the sites or for a contribution to be made for additional facilities within the local area. The safety of children should be borne in mind when considering such facilities as, although there is a longer safer route from the School site to the village recreation ground in Stonehouse Field via Platt Common and the centre of the village, the shorter more direct route is alongside the very busy A25 road.

Future extensions

- 5.1.14 In the event that these applications become approved we consider that any further extensions to the proposed dwellings by future owners would be very likely to produce sites with very overcrowded appearances. We would therefore ask for removal of permitted development rights on all of these properties so that any additions would require planning approval involving local consultation.
- 5.2 Kent Highways: The level of parking provision (2 each) is acceptable. It would accord to the parking provision of the adjacent Brickmakers Arms development. The details of the parking layout and the proposed access arrangements are now acceptable
- 5.3 DHH:

Environmental Protection:

The submitted noise assessment shows that this site falls into NEC C, and, as such, permission should not normally be granted. However, I note the design of the buildings will reduce noise in habitable rooms to NEC B. Therefore, if in balancing you are minded to support this application, I would recommend a condition to safeguard the aural amenity of future residents.

Housing:

The 12 residential dwellings triggers the affordable housing policy CP17. Based on a 40% yield I would expect 5 no. units of affordable housing. In keeping with the policy I would expect of the affordable units to be 4 units for social rent and 1 for shared ownership.

The applicant has proposed that this application be considered in parallel with application TM/07/01807/FL for 7 units on the site of the playing fields on Grange Road. This would produce a total of 19 units and 40% affordable housing would equate to 8 units with a 70/30 tenure split in favour of social rented housing. This would result in 6 units for social rent and 2 units for shared ownership. The two sites do not neighbour each other but are in very close proximity within the village. The two applications are being considered as two separate applications and the more standard approach is to deliver 40% of affordable housing on both sites in line with policy CP 17.

- 5.4 KCC (Education and Community Services):

The proposal would create the demand for extra primary and secondary places. At present, the additional requirements for the school places can be accommodated within local schools.

An assessment has identified a need for a contribution towards Libraries and Youth and Community services. The cost of providing additional Library facilities is currently £227.00 per dwelling and youth and Community facilities is currently £827.00 per applicable house or £206.75 per applicable flat.

Adult social services assessments show requirements towards social care at a cost of £1,201 per dwelling.

5.5 Private Reps (Including site and press notices) 16\OX\OS\ 33R. 12 of which have been submitted by one local resident. The reasons for objecting to the proposal are as follows:

- The density of the development is too high.
- The height of the terraced building is too high and will dominate the approach to St Marys Platt.
- The bulk and height of the buildings are unacceptable and will dominate this part of Platt.
- The development will dramatically increase the traffic movements into the A25. This is a dangerous position being near the brow of a hill and a bend from the direction of Wrotham Heath. This traffic combined with that of the new school will add significantly to this dangerous and crowded highway.
- The parking provision of 24 places allows two per dwelling. It is considered that only 16 spaces are usable. The parking is mainly in one compact area and does not seem appropriate for a development of this nature. There is no provision for visitors.
- There is a single lane access to the parking area which will cause problems.
- There should be a proper boundary with Platt Common, such as a wall.
- The proposed mixture of affordable housing does not comply with the Council's adopted policy.
- The ground level with the adjacent site "Pinehurst" is inaccurate, as is the height of this building which is shown in relation to the proposed development.

5.6 In addition to the above, a petition with 89 signatories has been received objecting to the proposed development on the grounds that this site and the playing field site development proposal should be treated the same in terms of both density and the application of the affordable housing policy.

(B) TM/07/01807/FL:

5.7 PC:

5.7.1 We are dismayed that the previous proposal for five dwellings on this site has been increased to seven. Although the Planning Inspector and the Secretary of State had said with regard to previous proposals for this site that more dwellings should be incorporated than the four proposed at that time, neither authority had actually quantified the number of dwellings that they considered suitable for this site. We understand that the figure of five previously proposed met highway standards for a development of dwellings from a single private access drive and it would appear that the requirements of that standard have been overridden in order to satisfy density requirements from elsewhere. Highway safety should, we feel, be the predominant consideration in such a location and should also take into account the public highway that provides access to this site. As we pointed out in our submission dated 06 July 2007 the entrance to the site is from a very narrow lane, Grange Road, which has no footway for most of its' length and is not wide enough in many places for two cars to pass. We therefore object to the increase from five to seven dwellings on grounds of highway safety in accessing the site itself and on the approach road to the site.

Design and Layout

5.7.2 Layout of the dwellings within the site is almost identical to the previous proposal for five dwellings which avoids most of the existing trees on the site and is considered to be acceptable. The physical appearance of plots 3 to 6 is significantly less desirable than the equivalent two dwellings of the previous proposal when plots 3 & 4 occupied the same space.

Parking

5.7.3 The car parking provisions show a total of sixteen spaces in either garages, car ports or parking bays the same number as that previously provided for the five dwelling proposal. Four of these sixteen are associated with plot 7 with the remaining six plots having two spaces each. Although this allocation may be to, or fractionally above, standard guidelines, we consider them to be minimal for this rural location which has poor public transport access. This could easily lead to parking encroaching onto the access road and inhibiting the movement of any large vehicles that may need to enter the site. Such vehicles would then have to either stop in Grange Road or enter the site and have to leave in reverse as they would be unable to turn round.

Site Access

5.7.4 As with the previous proposals we welcome the move of the access to the North of the site that will avoid any disturbance to the large mature tree at the existing access. The site lines available from the access are considered suitable for the location.

5.8 Kent Highways: Suitable parking is provided. Traffic generation from the site can be balanced against the change to the house sizes as the previous ones were larger detached dwellings. The new houses are smaller units. The existing entrance to the site should be permanently closed off. The access to the houses would be via private drive which measures 4.1m wide. I would require a width of 4.8m in this instance.

5.9 DHH:

Environmental protection:

No objections

Housing:

The 12 residential dwellings triggers the affordable housing policy CP17. Based on a 40% yield I would expect 5 no. units of affordable housing. In keeping with the policy I would expect of the affordable units to be 4 units for social rent and 1 for shared ownership.

The applicant has proposed that this application be considered in parallel with application TM/07/01810/FL for 12 units on the site of the playing fields on Grange Road. This would produce a total of 19 units and 40% affordable housing would equate to 8 units with a 70/30 tenure split in favour of social rented housing. This would result in 6 units for social rent and 2 units for shared ownership. The two sites do not neighbour each other but are in very close proximity within the village.

5.10 Private reps: 11\0X\0S\20R. The reasons for objection are as follows:

- The density of the development is well below that required in current Government guidance contained in PPS 3.
- With regard to the issue of density, the site is being treated differently to the Platt School site.
- The Secretary of State has previously determined that a development of 4 dwellings in density terms was not acceptable.
- Loss of light to the garden of a property to the rear (4 The Ferns)

- The proposed houses will tower over the adjoining properties.
- The trees shown to be left standing are likely to be chopped down, whether or not they are protected.
- The proposed provision of the affordable housing does not comply with the adopted planning policy.

5.11 In addition to the above, a petition with 89 signatories has been received objecting to the proposed development on the grounds that this site and the playing field site development proposal should be treated the same in terms of both density and the application of the affordable housing policy.

6. Determining Issues:

- 6.1 The main determining issues concerning these developments relate to the scale of the development within the locality, affordable housing and the impacts of the developments upon highway safety in the locality.
- 6.2 Both sites are located within the settlement confines of Platt, where minor residential development that is appropriate to the scale and character of the settlement is acceptable in principle under policy CP 13 of the Tonbridge and Malling Borough Core Strategy 2007. This policy goes on to state that in relation to redevelopment, permission will only be granted in the overall trip generation is projected to be lower than that associated with its former use, or if there is some significant improvement to the appearance, character or functioning of the settlement. This element of the policy applies to the proposal to redevelop the school site.
- 6.3 Policy CP 24 of the Core Strategy requires all development to be well designed and must through scale, appearance, density, layout and character be designed to respect its surroundings.

Issues of density, scale, bulk and design

The density of the proposed redevelopment of Site A, layout is 32 dwellings per ha, which is higher than the density of the older housing developments in the immediate vicinity, but which complies with current Government guidance contained within PPS 3. Furthermore, the layout and form of the proposed development is such that it would not appear as a significantly denser development than the existing residential properties in the locality, in my opinion. PPS 3 deals specifically with this issue and reads as follows:

“The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.”

- 6.4 Much concern has been expressed to the scale, form, bulk and height of the proposed dwellings. The site is not level, and the land rises from east to west along the Maidstone Road. Land levels also rise steeply from the Maidstone Road frontage to the rear of the site (to the south). The topography of the site influences how this development would be perceived within the public realm.
- 6.5 The form, bulk and height of the terraced dwellings located in the rear part of the site have been amended since originally submitted. Initially, one large building containing 9 terraced dwellings was proposed that measured 10 metres in height and over 30m in length. This now been changed to three separate blocks containing 3 terraced dwellings. Each building would stand 9 metres in height to ridge level and incorporate fully hipped roofs. Due to the significant change in land levels across the site, the building containing plots 1-3 on the eastern side of the site, would stand at a significantly lower level than the two adjacent terraces. The positioning of the terrace of three dwellings containing units 7-9 has been altered so that it would sit 0.5m lower than originally proposed. It has also been moved in from the boundary with Platt Common by 1 m. These measures have been introduced so as to reduce the impact of this particular building upon the character of the locality.
- 6.6 Much criticism has been received regarding the representation of how the proposed development would appear in the street when compared to the existing dwellings adjacent to the site (Pinehurst to the west and the dwellings within Pineview to the east). I can now confirm that existing ground levels and the height of the neighbouring dwelling "Pinehurst" contained on a submitted survey drawing have been measured on site by one of the Council's in-house surveyors. Anomalies with some of the previously submitted survey data were found and the applicant has since submitted revised levels data that now correlates with our own measurements. In light of this I am now satisfied that the dwelling "Pinehurst" has now been accurately represented on the latest streetscape and comparison of massing drawings submitted by the applicant in terms of its height above ground level compared to the proposed development.
- 6.7 I am now satisfied that the development is of a scale, bulk, mass and form that the scheme on Site A would not dominate the street scene in this locality and would not be out of scale or proportion with the adjacent dwellings. When viewed from Maidstone Road, the development would sit comfortably between the existing dwellings that flank this site. This judgement is made in the full knowledge to the visual impact that arises from the current development of the site with the large scale and somewhat inelegant school complex that sits high above the road and is set in a sea of hardstanding between the building and the road.
- 6.8 I note the request of the PC that permitted development rights be removed from these dwellings in order to control further development within this site. When the scheme was first submitted to the Council, the permitted development rights

relating to the extension and alteration of dwelling houses were different to what they are now. In light of the particular circumstances of this case, I consider it would now be appropriate to remove some of the permitted development rights.

- 6.9 Landscaping details have not been submitted as part of this scheme, but it is proposed to retain two mature, high value trees, an Oak and an Ash located on the eastern side of the site. The retention of these trees is necessary and welcome and there is scope for additional planting within the site in addition.
- 6.10 Specific details have not been submitted concerning the precise materials to be used in this development. However, the dwellings would be constructed from red stock brick, with clay tile hanging or weatherboarding at first floor level. The roofs would be clad with plain tiles. This approach is in keeping with the local vernacular.
- 6.11 Turning to Site B, the development has been criticised for being of a density below that specified in PPS 3. PPS3 indicates that 30 dwellings per hectare should be used as national indicative minimum guide when developing policies. PPS 3 also states:

“Good design is fundamental to using land efficiently. Local Planning Authorities should facilitate good design by identifying the distinctive features that define the character of a particular local area.”

- 6.12 When considering the previous application that included these sites, the Inspector commented upon the proposal to develop this site with four dwellings. The Inspector acknowledged at paragraph 259 that the site layout would be constrained particularly by its short frontage compared to its depth and the presence of many mature trees. However the view was taken that a development of 4 units (12.5 dwellings per hectare) on this site would be an unsustainable form of development and that it should be possible to develop this land more efficiently without compromising the objective of achieving a high quality design which is informed by its context. The Secretary of State agreed with this opinion in paragraph 30 of her decision letter.
- 6.13 The site contains mature Oak and Birch trees that are protected by a Tree Preservation Order. The site is also located in an area characterised by low density residential development (dwellings located within large gardens).
- 6.14 In light of the context for this particular site, a balance has to be struck between avoiding a profligate use of land, but without causing undue detriment to the character of the locality. The current proposal would have a density of 21.6 dwellings per hectare. Whilst still below the recommended national minimum of 30 dwellings per hectare, the development has a significantly greater density than that of the previously refused scheme that related to this site. It is also my opinion

that given the Secretary of State and the Inspector comments development at a “lower” density than the nominal minimum is not out of the question due to site specific considerations.

- 6.15 The proposed scheme would require the removal of the protected Silver Birch tress and one Oak, which is growing immediately next to another one. However, the scheme has been designed so as not to require the removal of any of the other protected trees within this site and respects the general character of residential development in the immediate locality.
- 6.16 In light of all of these factors I am satisfied that the proposed development on the Platt School does strike the right balance in terms of its density.
- 6.17 The layout of the proposed development is one that is, in my opinion, respectful of existing residential properties in the locality. The retention of the mature trees within the site would provide an attractive back drop for the proposed development. The development would not appear cramped or out of character with the neighbouring properties, which vary in terms of size, form and detailed design. A vernacular form and design has again been adopted for this development with the use of brick walls, plain tiled roofs and red/orange tile hanging.
- 6.18 The development would require the loss of the protected Silver Birch and one Oak tree. The Oak is one of a pair growing close together and its removal would not cause significant detriment to the character of the locality and its removal would provide improved growing conditions to its neighbour. Whilst an attractive specimen in its own right the loss of the Silver Birch, is not considered to cause significant harm to the character of the locality, give the presence of the mature remaining Oak trees within this site.

Highway Safety issues

- 6.19 Concerning the redevelopment of the Site A, Kent Highway Service considers that traffic generation is not an issue in this particular development. The level of car parking to be provided allows for 2 spaces per dwelling in a tandem layout and provided on an allocated basis. The level and layout of the parking areas has received criticism from local residents and the PC. However, Kent Highways Service believes it to be acceptable especially in light of the standard applied at the Brickmakers Arms site. Indeed, given that the development comprises 1, 2 and 3 bedroom dwellings, the provision of 24 car parking spaces exceeds the maximum number spaces that could be required under the current Kent Vehicle Parking Standards. It would, therefore, be unreasonable to require the developer to provide more car parking to serve this development, in my opinion.
- 6.20 Concerning the question of accessing the proposed parking spaces, they are of a size that is considered to be reasonable. I note the concerns of the PC that the proposed tandem layout may require vehicles to manoeuvre around each other.

However, the Kent Highway Service considers the layout to be acceptable in this specific context. The parking will be on an allocated basis which will help to reduce conflicts between future residents and is quite common in new developments.

- 6.21 I note the comments of the PC regarding the junction of Platt Common with Maidstone Road. It was originally proposed to realign the boundary of the site in this corner to create a conventionally shaped bell mouth, which would have narrowed the entrance to Platt Common where vehicles currently wait to let others pass. It is now proposed to leave the shape of the existing bell mouth very much as it currently exists, in response to the PC's concerns.
- 6.22 The development of the Site B would incorporate a mixture of parking arrangements. Units 1-3 would have communal parking provided within and in front of a proposed car barn situated between units 2 and 3, adjacent to the southern boundary of the site. Units 4-7 would be provided with parking immediately next to the respective dwellings including attached or integral garages. For units 1-6 (3 bedroom dwellings) 2 car parking spaces would be provided. Unit 7 would accommodate 4 car parking spaces (two in the integral double garage with a further two in front). As with the proposed school site redevelopment, the proposed car parking provision meets the requirements of the current Kent vehicle Parking Standards.
- 6.23 Access to the 7 dwellings would be via a private way. Whilst Kent Highway Services would prefer the width of the access widening to 4.8m from the proposed 4.1m, Kent Design stipulates that the maximum width of a private way should be 4.8m. It also states that as a minimum, a width of 2.4m is required (or 3m where access by a fire appliance is required). I am, therefore, satisfied that the development complies with Kent Design concerning this particular matter.

Affordable Housing

- 6.24 Both applications have received criticism that they do not, when, considered separately, comply with Policy CP 17 of the Tonbridge and Malling Borough Core Strategy 2007. Both applications trigger the requirement for affordable housing due to the number of units proposed in each scheme. The policy requires the provision of 40% of the total number of dwellings to be affordable. Of this level, the policy goes on to state:

“Unless circumstances dictate otherwise, 70% of the affordable dwellings provided on each site shall be social rented housing with the remainder being intermediate housing”.

- 6.25 In this case, it is proposed to provide 6 affordable dwellings (50%) within the Platt school site as social rented and 2 units (28.5%) within the playing field site for shared equity ownership. Clearly, taken as individual applications, neither

complies fully with the percentages set out in policy CP 17. However, there are specific circumstances that relate to these two developments that need to be taken into consideration.

- 6.26 Firstly the two sites are both occupied/used by the Platt School, they are located only a short distance apart (213m as the crow flies) and the applicants are the same for both applications. One site could not be released without the other – they are inextricably linked. It must also be noted that these sites, whilst the subject of separate red lines, both formed part of the application ref. TM/03/03647/OA for the comprehensive development of a new school, affordable housing, free market housing and the Memorial Hall. Whilst the Inspector and Secretary of State considered the individual merits of the developments on these two separate parcels of land, they also considered the proposals as a whole before making a decision on this application. Furthermore, the development/ re-development of these two sites are crucial to the development of the new Platt School on land on the north side of Maidstone Road. This has now been granted outline planning permission and reserved matters have also been approved recently by the County Council. The capital raised by the proposed development of both these sites would help to fund the new school project.
- 6.27 There is, therefore, a clear rationale for considering the affordable housing proposals of these schemes together. Indeed the policy itself allows for such an approach in stating “Unless Circumstances dictate otherwise” in point 3. I am satisfied that taking this approach in this particular instance would not undermine the application of this policy in future applications due to the specific circumstances of these applications.
- 6.28 The proposals, taken as a whole, would yield 8 units of affordable housing which equates to 42%. Of these, the tenure split would be 75%/25% in favour of social rented housing. A precise 70/30 tenure split could not be achieved with these developments due to the relatively low number of units proposed.
- 6.29 Given the particular circumstances concerning these applications, I am satisfied that the proposed affordable housing provision is acceptable.

Other development contributions

- 6.30 I note the comments of the PC regarding the possibility of seeking contributions towards the provision of recreation facilities either within one of the sites or in terms of a commuted payment to improve existing local facilities. Unlike the issue of affordable housing, neither of the two sites triggers the requirement to provide open playing space. Accordingly, there is no policy support to require such a provision.
- 6.31 Kent County Council, through its agent has requested financial contributions for libraries, adult education, youth & community and adult social services. Whilst the County Council considers that the development would put added pressure on the

existing services, it has not identified any capital projects where the requested money would be spent or identified where local deficiencies are which would be placed under additional pressure by the occupiers of the proposed developments. Due to this, I do not consider it reasonable to require the developer to make the requested contributions.

Noise:

- 6.32 The comments of the PC are noted. However, the DHH is satisfied with the methodology used by the applicant's agent in assessing the level of road traffic noise that would affect the redevelopment of the Platt School site.
- 6.33 The acoustic report indicates that the proposed layout of the buildings, the inclusion of a 2m high wall along the north site boundary and the use of suitable windows and other façade element would be sufficient to provide a "good" internal noise level for the proposed dwellings in line with the British standard BS8233. The report states that the level of noise reduction to habitable rooms is achievable through the use of appropriately designed windows, doors and roof construction. DHH and I are satisfied that the proposed development would provide a satisfactory aural environment for its future occupiers. Details of propose mitigation can be controlled by condition.

Other matters

- 6.34 The developments have been designed so as to minimise their impact upon the residential amenity of neighbouring properties in terms of loss of light and privacy. Concerning the Platt School, units 4-6 look towards the rear garden and obliquely towards the rear elevation of the property "Rudge". However, a distance of over 25 m stands between the rear elevations of the proposed and existing dwellings. This, coupled with the mature trees that align the rear (south) boundary of the site, would safeguard the amenity of this neighbouring property, in my opinion.
- 6.35 A first floor bedroom window that was located within the west (flank) wall of unit 9, would has been omitted to overcome a concern of overlooking the existing dwelling (Pinehurst) located to the west of the site.
- 6.36 I am now satisfied that this development is acceptable in terms of residential amenity.
- 6.37 An objection has been received from a resident within 4 The Ferns located immediately to the west of the proposed Site B development. The concern is that the development would overshadow and overlook this property. However the nearest dwelling would be located over 35 metres away and would not face directly towards this property. I am satisfied that the proposed dwellings, due to their distance from this existing property, as well as their orientation, would not cause unacceptable overlooking or overshadowing to this property.

6.38 I would recommend that conditions be imposed to control the insertion of additional windows at first floor level in the rear (North) elevation of unit 7 and in the south (side) elevations of units 1 and 2 to protect the amenity of adjacent residential properties (“Cobdene to the north and “Davals” to the south of the application site).

6.39 In light of the above, these two schemes are considered to be acceptable in planning terms and, therefore, recommend that permission be granted.

7. Recommendation:

(A) TM/07/01810/FL:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Certificate B dated 22.05.2007, Design and Access Statement dated 22.05.2007, Location Plan 143/PS1-01 dated 22.05.2007, Survey 143/PS1-02 A dated 30.01.2009, Site Layout 143/PS1-03 A dated 22.05.2007, Survey 143/PS1-04 dated 22.05.2007, Floor Plan 143/PS1-10 A dated 12.06.2008, Elevations 143/PS1-11 A dated 12.06.2008, Floor Plan 143/PS1-12 B dated 15.09.2008, Elevations 143/PS1-13 A dated 12.06.2008, Elevations 143/PS1-14 B dated 15.09.2008, Floor Plan 143/PS1-15 A dated 12.06.2008, Elevations 143/PS1-16 dated 22.05.2007, Floor Plan 143/PS1-17 A dated 12.06.2008, Floor Plan 143/PS1-18 A dated 12.06.2008, Floor Plan 143/PS1-19 dated 22.05.2007, Elevations 143/PS1-20 A dated 12.06.2008, Elevations 143/PS1-21 A dated 12.06.2008, Section 143/PS1-23 C dated 09.02.2009, Acoustic Assessment dated 20.06.2007, Arboricultural Assessment J 37.12-SCHOOL dated 27.03.2007, Site Plan SMP-PS-08 dated 12.06.2008, Letter dated 09.02.2009, Drawing 143/PS1-25 D dated 09.02.2009, /subject to the following:

Conditions / Reasons

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (Z013)

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 all 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. (D001)

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 access shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part

of the carriageway. The vision splay so created shall be retained at all times thereafter. (H001)

Reason: To ensure the safe and free flow of traffic.

- 4 No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans. (H009)

Reason: To ensure the safe and free flow of traffic.

- 5 The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part. (H011)

Reason: To ensure the safe and free flow of traffic.

- 6 The access shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter. (H017)

Reason: In the interests of highway safety.

- 7 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 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. (P004)

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 8 No building shall be occupied until the area shown on the submitted plan as a 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. (P011)

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

- 9 The development shall be undertaken in strict accordance with the tree protection measures specified in arboricultural report by Broad Oak Tree Consultants Limited dated 25.03.008 ref. J 37.12-SCHOOL, unless other wise agreed in writing with the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

- 10 No development shall be commenced until full details of a scheme of acoustic protection of habitable rooms having windows that will be exposed to a level of road traffic noise in Noise Exposure Category B or C as set out in Policy P3/17 of the Tonbridge and Malling Borough Local Plan have been submitted to 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 30 LAeq dB in bedrooms and 40 LAeq dB in living rooms with windows closed. Additionally, where the internal noise level will exceed 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open the scheme for acoustic protection should incorporate appropriate acoustically screened mechanical ventilation. Mechanical ventilation should also be provided to bedrooms having openings onto facades that will be exposed to a level of road traffic noise in excess of 78 LAmax (slow) time weighting.

The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates.

Reason: To safeguard the aural amenity of the occupiers of the dwellings hereby approved.

- 11 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 (flank) elevation of the dwelling within plot 9, without the prior written consent of the Local Planning Authority. (D013)

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.

- 12 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 rear (south facing roof slope) of the dwellings within plots 4-9 inclusive without the prior written consent of the Local Planning Authority. (D014)

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.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B or E of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto. (R001)

Reason: In the interests of visual and residential amenity.

- 14 Within one month of the implementation of this planning permission a scheme shall be submitted to the Local Planning Authority for the provision of affordable housing which meets the requirements of the TMBC Local Development Framework Core Policy CP 17 and the Supplementary Planning Document on Affordable Housing. Such a scheme shall be implemented before 50% of the total number of market housing units permitted by this permission are constructed and the scheme shall be completed before 50% of the said market housing units are occupied.

Reason: In order to comply with Policy CP 17 of the Tonbridge and Malling Borough Core Strategy 2007 and the Affordable Housing Supplementary Planning Document adopted 2008.

(B) TM/07/01807/FL:

- 7.2 **Grant Planning Permission** in accordance with the following submitted details: Certificate B dated 22.05.2007, Design and Access Statement dated 27.03.2008, Site Plan SMP-PF-01 dated 22.05.2007, Survey SMF-PF-02 dated 22.05.2007, Planning Layout SMF-PF-03 dated 22.05.2007, Floor Plan SMF-PF-10 A dated 12.06.2008, Elevations SMF-PF-11 A dated 12.06.2008, Floor Plan SMF-PF-12 A dated 12.06.2008, Floor Plan SMF-PF-13 A dated 12.06.2008, Elevations SMF-PF-14 A dated 12.06.2008, Elevations SMF-PF-15 A dated 12.06.2008, Floor Plan SMF-PF-16 dated 22.05.2007, Elevations SMF-PF-17 A dated 12.06.2008, Letter dated 27.03.2008, Arboricultural Assessment J37.12-FIELD dated 27.03.2008, Tree Removal Plan SMP-PF-04 dated 22.05.2007, subject to the following:

Conditions / Reasons

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (Z013)

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 all 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. (D001)

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 access shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter. (H001)

Reason: To ensure the safe and free flow of traffic.

- 4 No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans. (H009)

Reason: To ensure the safe and free flow of traffic.

- 5 The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part. (H011)

Reason: To ensure the safe and free flow of traffic.

- 6 The access shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter. (H017)

Reason: In the interests of highway safety.

- 7 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 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. (P004)

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 8 No building shall be occupied until the area shown on the submitted plan as a 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. (P011)

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

- 9 The window on the north elevation at first floor level in unit 7 shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter. (R003)

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

- 10 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 north elevation at first floor level of unit 7 or the south elevation at first floor level of units 1 and 2 other than as hereby approved, without the prior written consent of the Local Planning Authority. (D013)

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.

- 11 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 within plots 1, 2 and 7 without the prior written consent of the Local Planning Authority. (D014)

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.

- 12 The development shall be undertaken in strict accordance with the tree protection measures specified in arboricultural report by Broad Oak Tree Consultants Limited dated 19.03.008 ref. J 37.12-FIELD, unless other wise agreed in writing with the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

- 13 Within one month of the implementation of this planning permission a scheme shall be submitted to the Local Planning Authority for the provision of affordable housing which meets the requirements of the TMBC Local Development Framework Core Policy CP 17 and the Supplementary Planning Document on Affordable Housing. Such a scheme shall be implemented before 50% of the total

number of market housing units permitted by this permission are constructed and the scheme shall be completed before 50% of the said market housing units are occupied.

Reason: In order to comply with Policy CP 17 of the Tonbridge and Malling Borough Core Strategy 2007 and the Affordable Housing Supplementary Planning Document adopted 2008.

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