
East Peckham **566926 148749** **3 September 2012** **TM/12/02594/FL**
East Peckham And
Golden Green

Proposal: Proposed redevelopment of existing sheltered housing site for
4 flats, 12 houses and associated works
Location: Marvillion Court The Freehold East Peckham Tonbridge Kent
TN12 5AW
Applicant: Circle Housing Group

1. Description:

- 1.1 Members will recall that this application was initially reported to the 31 October meeting of this Committee.
- 1.2 The application was deferred to allow:
- officers to continue negotiations on parking and road design/layout to achieve more curtilage parking and reduce the level of hardsurfacing overall (possibly to include a reduction in surface water run-off and/or inclusion of SUDs measures)
 - further information (evidence) relating to housing needs for older people, with emphasis on the specific local needs of East Peckham taking into account the anticipated growth in the proportion of over 55s.
- 1.3 Amended plans in respect of the road and car parking layout and swept path analysis have now been submitted. Alternative layouts have also been considered as part of the discussions that have taken place since the 31 October meeting. The outcome of this process is discussed below.
- 1.4 Further information and analysis of housing needs is set out in Annex 2.
- 1.5 The 31 October 2012 main and supplementary reports are attached as Annex 1 to this report.

2. Consultees:

- 2.1 PC: The Parish Council has no objection in principle to the redevelopment of Marvillion Court, however the Parish Council does object to the proposal and our objections are as per our letter dated 2 October 2012. *[DPTL note: This is as set out at paragraph 5.1 of the main report for 31 October.]*
- 2.2 KCC Highways (commenting on alternative approaches to parking and turning being investigated in light of the Committee's instructions): Initial attempts at redesign needed to be tested against the appropriate size of refuse freighter i.e. that used in The Freehold. The initial layouts conclusively demonstrate that a

refuse freighter could not manoeuvre safely within the revised site layout and therefore KCC Highways would have no option but to recommend refusal of the layout on these grounds. It has been demonstrated that a refuse freighter could manoeuvre safely within the original site layout, subject to Plots 6 and 7 being set back by approximately 500mm, and therefore KCC Highways would strongly recommend that the latest layout be incorporated in the revised proposals to be reported to the Area 2 Planning Committee.

2.3 Private Reps: Two further letters of representation have been received raising the following additional objections:

- The building line should not be brought forward to street level
- The road is already overpopulated
- The adjoining footpath is very dark and street lighting should be provided to make the footpath safer and easier to use.

2.4 Mouchel: I would like to note the figure quoted for Community Learning should be £444.16 and not the figure quoted.

3. Determining Issues:

3.1 Most of the issues are discussed in some detail in the previous Committee report which is attached as Annex 1. The two issues that need to be discussed further are strategic housing need and the potential for a revised road and car parking layout.

3.2 At the previous meeting, Members were concerned that insufficient information and analysis had been provided to demonstrate that the mix of housing proposed in this application was appropriate for this site. It was generally accepted that the facilities currently available at Marvillion Court were no longer fit for purpose but, as these were primarily aimed at providing for older people, Members remained to be persuaded that the proposed development made adequate alternative provision, especially given the national trend towards an aging population.

3.3 Some further analysis of these issues is set out in Annex 2. The salient points that may be drawn out from this analysis are:

- On the assumption that bungalows and purpose built flats provide suitable accommodation for those aged over 55, East Peckham is well provided-for, compared to other parts of the Borough, in terms of the profile of the social housing stock. The suitability of bungalows to fulfil this need is backed up by the conclusions of Russet's "Older Persons Housing Assessment", submitted in support of the application, which surveyed existing tenants and those on the waiting list. This found that 70% of those respondents with a household member over 55 and wishing to move felt that they required a bungalow.

- Within East Peckham, there is some evidence that those local residents with more general housing needs, who are seeking a property locally, may be disadvantaged as a result of a lack of suitable properties becoming available to them because persons from outside East Peckham with higher priority needs will take precedence for those few general needs units that do become available – and there is low turnover of such units.
- 3.4 Whilst I can recognise why Members and local residents may have concerns that the loss of the facilities at Marvillion Court might have led to an imbalance in the range of social housing available to the residents of East Peckham, I do not believe that this is borne out by the evidence now available following the detailed analysis carried out by DHH colleagues. It has already been noted that Marvillion Court has not, at least recently, made a significant contribution towards meeting the housing needs of local residents. The analysis that has now been provided does not demonstrate that there is an overriding need for the accommodation to be provided as a result of redevelopment of this site to focus on provision for the elderly. In fact, the evidence appears to show that the more pressing need is for “general needs” housing to serve the local population. This is reflected in the mix of dwelling type proposed in the current application and, moreover, with opportunity to employ a Local Lettings Plan will further assist in ensuring that the documented social housing needs of the existing residents of East Peckham are better provided for. It must always be borne in mind that this site could be placed into the commercial housing market in which case the provision of affordable housing would then be markedly lower
- 3.5 In respect of the revised road and car parking layout, this has recently been submitted. A number of discussions have taken place with the applicants, agents and KHS in respect of the options available for a revised layout. It was anticipated that there may be a number of options to improve the layout, essentially by relocating the proposed car parking space closer to the frontage of the houses at the back of the site, and possibly making the access road a shared space and incorporating on-street car parking along the access road.
- 3.6 It became clear, during these discussions, that in order to operate successfully, any proposed car parking layout would need to appropriately accommodate the turning space required for a refuse freighter. The size of the refuse freighter to be used was clarified with the assistance of DHH and is larger than originally anticipated in the submitted application. Consequently, it was necessary for vehicle tracking to be undertaken and the swept path analysis submitted. This identified that a revised car parking layout, adopting the principles set out in the previous paragraph, would not allow enough turning space for a refuse freighter.
- 3.7 As a result, although a revised, and in many ways preferred, approach to car parking was considered, it has been necessary to revert to the original layout principles to ensure there is sufficient turning space for a refuse freighter. Kent Highway Services has confirmed and agreed that the original layout, with some

marginal adjustments, is the only way of providing the necessary vehicle turning space. The other car parking options resulted in a layout that provided a more satisfactory relationship between the parking spaces and the houses they are intended to serve, but did not provide sufficient turning space and therefore could not be adopted.

- 3.8 The need for sufficient space for refuse vehicle turning has also resulted in units 6 and 7 needing to be re-sited by 500mm from the back of the footway. This was identified following the correct vehicle tracking being undertaken and is considered to be acceptable. There is no opportunity to change the size of the freighter used, nor indeed would a reduction in the number of dwellings materially improve the situation because of the particular configuration of turning head needed as a result of the shape of the site.
- 3.9 The revised car parking arrangements and re-positioning of units 6 and 7 complies with policies CP1 and CP24 of the TMBCS and policy SQ8 of the MDE DPD.
- 3.10 As a corollary of the extent of hardsurfacing proposed within the site, Members also expressed concern about the adequacy of the arrangements for surface water disposal, and asked whether Sustainable Drainage Systems (SUDs) could be incorporated into the development. Whilst it has not proved possible to significantly reduce the areas of surfacing, a condition is recommended requiring the submission of details of surface water disposal, and this includes reference to the need to incorporate SUDs principles, in particular managing carefully the flows off the site (in association with specialist colleagues who deal with drainage).
- 3.11 The application is therefore recommended for approval, as the outstanding issues have been adequately resolved.

4. Recommendation:

- 4.1 **Grant Planning Permission** in accordance with the following submitted details: Floor Plans And Elevations 19387A 101 dated 23.08.2012, Floor Plans And Elevations 19387A 102 dated 23.08.2012, Floor Plans And Elevations 19387A 103 dated 23.08.2012, Floor Plans And Elevations 19387A 105 dated 23.08.2012, Floor Plans And Elevations 19387A 106 dated 23.08.2012, Site Survey 4143 SHEET 1 dated 23.08.2012, Plan JMK7502 FIG 1 dated 23.08.2012, Proposed Roof Plan 19387A 111 A dated 03.09.2012, Elevations 4143 SHEET 2 dated 03.09.2012, Elevations 4143 SHEET 3 dated 03.09.2012, Existing Floor Plans D01 dated 03.09.2012, Existing Floor Plans D02 dated 03.09.2012, Location Plan 19387A 100 dated 23.08.2012, Letter dated 03.09.2012, Supporting Statement dated 23.08.2012, Design and Access Statement dated 23.08.2012, Assessment Housing dated 23.08.2012, Soil

Report dated 23.08.2012, Statement Community Engagement dated 23.08.2012, Tree Report dated 23.08.2012, Letter dated 23.08.2012, Proposed Layout 19387A_110 Rev C dated 27.11.12, subject to the following:

Conditions:

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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

3. No development shall take place until details of any joinery to be used have been submitted to and approved in writing 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 visual amenity of the locality and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

4. 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 flank elevations of the buildings 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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

5. 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 roofs 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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

6. No development shall 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. 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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

7. The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.

(e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.

(f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by 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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

8. The existing trees and shrubs shown on the approved plan, other than any specifically shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed with or without such consent shall be replaced within 12 months with suitable stock, adequately staked and tied and shall thereafter be maintained for a period of ten years.

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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

9. No development shall be commenced until:

(a) further (Phase 2) site investigation, as recommended in the received Phase 1 Desk Study (at Marvillion Court, East Peckham, Tonbridge, Kent TN12 5AW) by Soils Ltd report Ref. 13057/DS dated July 2012, has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the Phase 2 investigation, together with an 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 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

(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.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007.

10. 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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ8 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

11. 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 and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ8 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

12. No development (including demolition of the existing building) shall take place until details of a management plan to address the physical practicalities of carrying out the demolition and construction work of this site have been submitted to and approved by the Local Planning Authority. The plan shall specify access routes into the site for construction traffic and contractors'

vehicles, areas to be set aside for materials storage and maximise vehicle parking within the site and measures to protect adjoining properties whilst the development is under way. In addition, the plan shall specify pedestrian safety measures across and adjoining the site. The development shall be carried out in strict accordance with the details approved.

Reason: In the interests of residential amenity.

13. Prior to the commencement of development, a scheme shall be submitted to the Local Planning Authority for approval to demonstrate that the development hereby approved will adopt and incorporate practicable sustainable construction standards and techniques. The scheme shall take account of the need to minimise: waste generation, water and energy consumption, and the depletion of non-renewable resources. The scheme shall also have regard to the target for at least 10% of the energy consumption requirements to be generated from decentralised and renewable/low carbon sources. The approved scheme shall be implemented prior to the first occupation of the buildings and retained thereafter.

Reason: In the interests of sustainable development and in accordance with policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007, policy CC1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010 and the NPPF.

14. No development shall take place until details of surface water drainage have been submitted to and approved by the Local Planning Authority. The submitted scheme shall incorporate Sustainable Drainage Systems (SUDs) principles where possible. The work shall be carried out in strict accordance with the approved details.

Reason: In order to prevent pollution of ground water in accordance with Policy CC3 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010 and Paragraph 120 of the National Planning Policy Framework 2012.

Informatives

1. Tonbridge and Malling Borough Council operate a two wheeled bin and green box recycling refuse collection service from the boundary of the property. Bins/box should be stored within the boundary of the property and placed at the nearest point to the public highway on the relevant collection day. The Council reserves the right to designate the type of bin/container.
2. During the demolition and construction phase, the hours of working (including deliveries) shall be restricted to Monday to Friday 08:00 hours - 18:00 hours. On Saturday 08:00 to 13:00 hours, with no work on Sundays or Public or Bank Holidays.

3. The Borough Council will need to create new street name(s) for this development together with a new street numbering scheme. To discuss the arrangements for the allocation of new street names and numbers you are asked to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to nameandnumbering@tmbc.gov.uk. To avoid difficulties, for first occupiers, 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.

Contact: Lucinda Green