
Report of 28 April 2005

East Malling & Larkfield East Malling	569747 157113	09.02.2005	TM/05/00405/FL
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Proposal:	Change of use and alterations/refurbishment to form a pair of semi-detached dwellings with a detached garage and partial details of refurbishment submitted pursuant to condition 3 of planning permission TM/01/03099/FL: residential development comprising 63 new build and 2 refurbished dwellings and associated external works, access, landscaping, parking, garaging and traffic management proposals
Location:	39 Upper Mill (Former Mill Building) East Malling West Malling Kent ME19 6BF
Applicant:	Hillreed Homes Limited

1. Description:

- 1.1 This proposal is for the conversion and refurbishment of the Mill Building/Ragstore into two dwellings. The proposal will provide three bedrooms for each dwelling, with accommodation over three levels. The proposal will involve the replacement of the enclosed external staircase on the west elevation, removing corrugated sheets and replacing with timber cladding. The proposal involves the creation of a number of new openings and attachment of a new brick built entrance and store. The proposal involves the erection of a galvanised steel bridge over the stream to the rear garden of unit 2. A double garage with store is proposed to serve the proposed two units.
- 1.2 The applicant has submitted a design statement and Building Survey Report in support of the application. These documents are available for Members Inspection prior to the Committee meeting.

2. The Site:

- 2.1 The application site lies within the Rural Settlement Confines of East Malling and partly within the Mill Street Conservation Area. The Mill Building lies to the northeast of the millrace and is surrounded to the south, west and east by the housing development. To the north lies Malling Court and to the northwest the millpond to the rear of Weir Mill.

3. Planning History (most relevant):

- 3.1 TM/01/03099/FL Approved 27.06.2003
Residential development comprising 63 new build and 2 refurbishment dwellings and associated external works, landscaping, parking, garaging and traffic management proposals.

4. Consultees:

- 4.1 PC: No objection provided it is carried out in accordance with the plans and design statement.
- 4.2 DHH: In addition to the standard wheeled refuse bin, the Council operates a fortnightly recycling box/bin service. The Council is also planning to expand its green waste collection service over the next few years. This would require a storage area approximately twice the size of a wheeled bin per property. On the day of collection, the wheeled bin from each property should be placed on the shared entrance or boundary of property at the nearest point to the adopted KCC highway.
- 4.3 KCC (Highways): Proposal provides for 2no. 3 bedroom dwellings. Current KCCVPS could attract up to two off street parking spaces each. The submitted plan shows the provision of a single garage plus additional parking in front for each dwelling that meets the maximum requirements of KCCVPS.
- 4.4 EA: No objection. The site is within the high risk flood zone, however, the Agency welcomes the proposal to raise floor levels, which will reduce the risk of internal flooding to the proposed dwellings.
- 4.4.1 The site lies within Source Protection Zone 3 of a public water supply abstraction. A source Protection Zone (SPZ) is the area over which recharge is captured by an abstraction borehole. SPZ's designated by the Environment Agency and are delineated to protect potable water supplies against the polluting effects of human activity. Potable supplies are therefore at risk from activities and all precautions should be taken to avoid discharges and spillages to the ground both during construction and subsequent operation. Care should also be taken in the design of any soakaways, and the earliest contact should be made with the Agency's Groundwater and Contaminated Land Department.
- 4.4.2 The previous use of this site as a depot may have left contamination that could impact on the proposed development and the Agency therefore requests that conditions are imposed.
- 4.5 Private Reps: 150/0S/0X/2R. Three letters received objecting on the following grounds:
- Welcome reuse of ragstore;
 - First floor window in the north elevation not required as only serving bathroom;
 - The steel bridge will detract from the visual amenity of the locality, and suggest that adjacent ragstone wall is raised to screen the steel bridge;
 - Increase in traffic movements;

- Lack of parking spaces;
- Will they use the overflow car park serving the Oast house offices and Malling Court?
- Loss of privacy;
- Controls over lighting;
- Ragstone walls to be used as boundary treatment.

4.6 Press Notice: No response.

4.7 EMCG: We have studied this Application in detail and believe that the conversion of this important industrial building to residential use has been approached in a sensitive manner whilst still respecting its original use. We therefore only offer the following recommendation to the details, which as we all know can have a dramatic impact to the building and its environment, especially in a Conservation Area.

4.7.1 Kent Archaeological Report: The recommendations made in the KCC report dated 28th September 04 which are based on the report by the Canterbury Archaeological Trust dated 4th August 04 states that *the insertion of windows would make the building harder to 'read' in terms of its former use*. This report must be taken into consideration when assessing the application.

4.7.2 Windows: The conversion includes the addition of six windows and two doors into the existing structure which in general do not significantly change the appearance of the building. This is except for the 2 windows, door and steel bridge to the northern elevation. We therefore offer our recommendations, which would minimise their negative impact to the building. Details of the proposal are as follows: It is now common practice not to have windows in bathrooms, which are ventilated by extractors. Therefore this window could be removed to preserve the uninterrupted expanse of brickwork.

4.7.3 Increase the height of the existing Ragstone wall by 1 Metre over the length of the bridge. This will have the effect of hiding the steel bridge and the lower portion of the kitchen door, having the effect of minimising the disturbance of the expanse of brickwork. The additional height of Ragstone could be curved down to the top of the original wall. Details of the windows, especially the opening styles, have not been provided, which is not acceptable as it causes misunderstanding, which has been experienced with the affordable houses. We recommend that casement side hung or sash timber windows are specified. If this level of detail is currently not available this subject should be a condition to the base application.

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- 4.7.4 Doors: The front doors as proposed are a modern design with a vertical slit pane to one side and the rear door is a full glass pane which are both inappropriate for this building in a Conservation Area. These should both be changed to four panels with the top two glazed if required.
- 4.7.5 Bricks: The new brick enclosure on the west elevation should be built in imperial size bricks and match the existing brick texture and colour, but if possible it should be built from reclaimed bricks that will be removed when the new windows and doors are formed.
- 4.7.6 Vents and Grilles: All boiler and ventilator grilles must be sensitively located and coloured to minimise their visual impact.
- 4.7.7 Service Boxes: Gas meter boxes should be brown and at ground level. Electricity meter boxes should be brown and as low on the wall as possible.
- 4.7.8 Exterior Lights: The use of PIR's should be restricted and if required low level lighting should be provided, this would ensure that the ambience of the stream and surrounding environment are not compromised by light pollution. This practice was successfully introduced for Malling Court.
- 4.7.9 Drive surfaces: Tegular blocks or gravel should be used which are more appropriate for the location.
- 4.7.10 Mill Stream Banks: The Ragstone banks under and adjacent to the building should be rebuilt to their former design.
- 4.7.11 Boundaries, to the west: The boundaries are not well defined on the drawing for this elevation, we therefore recommend the following: The existing Ragstone wall which is a continuation from the bridge over the stream is in poor condition. The drawing indicates that the wall is terminated with a pier to form one side of the drive but there are no details for the other side of the drive. The drive should have piers on both sides to the design as recommended for plots 43 to 45. The ragstone wall should then continue from the pier to the garage.

5. Determining Issues:

- 5.1 The main issues to be considered are whether the proposal will detract from the visual amenity of the locality or whether it harms the character of the Conservation Area.
- 5.2 The principle of converting the ragstore building was accepted under the main planning permission TM/01/3099/FL for the redevelopment of the depot. Details of the refurbishment of the ragstore to residential unit were covered by condition. This proposal seeks to convert this building into two dwellings and the principle of

creating an additional residential unit is supported by Development Plan policies and Government Guidance. All parties support the reuse of the ragstore/mill building.

- 5.3 The proposed alterations are relatively sympathetic to the character of this former industrial building. The extent of the new openings, external and internal alterations are limited and will allow for the industrial heritage of the building to be retained. I note concern has been raised by EMCG and a local resident regarding the north elevation and in particular, the number of new openings and visibility of the external metal bridge. This elevation contains a “1892” wall plate and faces towards Mill Court and Mill Street beyond. It has been suggested that the adjacent ragstone wall be raised to screen the external metal bridge to the north. Whilst the appearance of the metal bridge is functional in design, appropriate to this former industrial building and will over time weather in its appearance, I accept that its screening could be beneficial in the wider visual aspects, as well as also serving to limit the extent to which two new ground floor openings would be visible. The extent of the boundary alteration, i.e., height and length of extended ragstone wall can be controlled by condition. Concern is still raised over the creation of an opening at first floor in the north elevation, which serves a bathroom to unit 2. It is acknowledged that bathrooms need not necessarily be served by windows. This window is sympathetic in form and is relatively small in comparison to the existing openings. It is accepted that the insertion of windows could potentially make the building harder to ‘read’ in terms of its former use, however I do not consider that this first floor will so significantly harm the character of the building or the “reading” of its former industrial use.
- 5.4 I note the EMCG reference to the style of proposed doors and windows for the conversion. Whilst the proposed windows are relatively modern and partly industrial in appearance, I am satisfied in principle that they will not detract from the historic character of the building, subject to attaching a joinery condition, to control the precise detail of these windows. I feel that a four panel door would be rather domestic and less appropriate than more robust solution as indicated here.
- 5.5 The proposal also includes the erection of a double garage and store to the west of the mill building. This has been designed in a sympathetic manner, which will not harm the setting of this former industrial building or the character of the Conservation Area.
- 5.6 The EA have raised no objection, subject to matters such as soakaways being controlled by condition. In terms of contamination, this matter has been covered by the approval of contamination, remediation and validation reports approved under TM/03/3039/RD and TM/04/02290/RD. In terms of flooding, this is an existing building with sleeping accommodation provided at first and second floor levels.

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- 5.7 The proposal will not result in the loss of any privacy to neighbouring properties and the creation of new openings meets the recommended distance of 21m set out in Kent Design.
- 5.8 In highway terms, the proposal provides two parking spaces per dwelling, which meets the maximum requirement under KCCVPS. Access to the parking and garaging will be via an existing access into the rear parking area of the Oast offices and an overflow parking for Mill Court. The KCC (Highways) raises no objection to these arrangements and the proposal will not constitute a highway hazard.
- 5.9 Local concern has been raised over external lighting, however this matter can be controlled by condition to protect the visual amenity of the locality and the character of the CA. Concern has also been raised over the surfacing of the driveway and treatment of the riverbank, however, again these matters can be controlled under a landscaping condition. The EMCG has raised concerned over the potential colour of vents, grilles and service boxes. Such details would not normally be subject to control by the LPA as normally classed as *de-minimus*, however, I have attached an informative requesting the use of sympathetic colours.
- 5.10 Details of the siting and sizing of the refuse storage points can be controlled by condition.
- 5.11 In light of the above considerations, I am satisfied that the proposal will not detract from the visual amenity of the locality and will not harm to character of the Conservation Area, therefore I support this proposal.

6. Recommendation:

- 6.1 **Grant Planning Permission** as detailed in letters dated the 8 February 2005, design statement dated the 23 December 2004 and building survey report dated October 2004 and by plans 03, 04, 02A, 01A subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five 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 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.

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.

- 4 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.

- 5 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.

- 6 The garage(s) shown on the submitted plan shall be kept available at all times for the parking of private motor vehicles.

Reason: Development without the provision of adequate vehicle parking space is likely to lead to hazardous on-street parking.

- 7 No development shall take place until details of soakaways have been submitted and approved by the Local Planning Authority and carried out in strict accordance with the approved details.

Reason: To prevent pollution of controlled waters.

- 8 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, C, D, E, G and H of Part 1 and Class A of Part 2 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In the interests of the retaining the historic nature and setting of the Mill Building/Ragstore within the Mill Street Conservation Area.

- 9 No external lights to the building shall be installed without the written approval of the Local Planning Authority.

Reason: In the interests of the retaining the historic nature and setting of the Mill Building/Ragstore within the Mill Street Conservation Area.

- 10 No development shall take place until details of the raising of the ragstone wall partially, on northern boundary, to screen the metal bridge, have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and appearance British Standard Code of Practice (or EU equivalent).

Informative:

1. The applicant is advised to use sympathetic colours, rather than white for the finishes for the vents, grilles and service boxes.

Contact: Aaron Hill