
East Malling & Larkfield East Malling	569697 157210	03.06.2005	(A) TM/05/01719/FL (B) TM/05/01720/LB
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Proposal:	(A) Erection of iron security gates for vehicular access with associated posts and side panels (B) Listed Building Application: Erection of iron security gates for vehicular access with associated posts and side panels
Location:	Weir Mill Mill Street East Malling West Malling Kent ME19 6BU
Applicant:	Property Management Committee

1. Description:

1.1 Planning permission and listed building consent are sought to install metal gates across the entrance to the rear parking area. The gates are required for security purposes and would comprise double vehicle gates. The gates would be sited approximately 15m from the carriageway of Mill Street. They would be hydraulically operated, opening towards Mill Street. The submission of these applications follows an earlier refusal of planning permission and Listed Building Consent and the design chosen has been modified to give a more simple and industrial appearance.

2. The Site:

2.1 Weir Mill is a Listed Building situated within the Conservation Area and village confines on the south side of Mill Street. To the western side of the building is a vehicular access leading to a rear parking area adjacent to the Mill Pond. Along the western boundary is screening vegetation with a terrace of houses beyond.

3. Planning History:

3.1 TM/05/00464/LB and TM/04/00594/FL were refused 29.04.2005 for the erection of iron security gates for vehicular access and side gate for pedestrian access. The reasons for refusal concerned the inappropriate design of the gates and harm to the setting of the listed building. Members were also not satisfied that any evidence had been advanced to justify the provisions of the gates in principle.

4. Consultees (applications (A) & (B)):

4.1 PC: Views awaited.

4.2 KCC (Highways): No objections. The gates are shown suitably set back from the public highway. Access for emergency vehicles to be accommodated.

4.3 Private Reps: 46/0X/0S/0R.

4.4 East Malling Conservation Group: No response received.

4.5 Site & Press Notices: No response.

5. Determining Issues:

- 5.1 The principal issues are whether this revised scheme satisfactorily overcomes the reasons for refusing the previous proposal and thus whether the gates are of a style and design that would preserve or enhance the character of the Conservation Area and avoid harm to the setting and appearance of the listed building. It is also necessary to consider whether sufficient evidence has been provided to justify the provision of the gates as a matter of principle.
- 5.2 The applications must be considered in relation to the relevant Local Plan policies P4/1 (development affecting Listed Buildings) and P4/14 (development within the conservation area). I remain of the opinion that there is no “in principle” objection to the introduction of gates across the vehicle access in visual amenity terms. The gates would be positioned slightly further back into the site than those shown on the previous applications and as a result the posts would merge into the shrubbery, being less prominent than originally shown. As mentioned under the previous applications the introduction of gates in this position will not cause harm to the appearance of the street scene or character of the conservation area.
- 5.3 The proposed gates would be of hollow steel construction finished in matt black paint. The revised design is of a much simpler and less fussy design than that previously shown which was much more ornate and suburban in appearance. The style of the proposed gates would be appropriate in this location and will not harm the setting of the listed building or character of the conservation area.
- 5.4 Members will recall that, when I reported on the previous applications, I referred to the fact that crime reduction issues are a material planning consideration by virtue of S17 of the Crime and Disorder Act, but that no clear evidence had been presented at that time as to what precise crime/security issues might justify the erection of these gates. In support of the new applications the agent has now provided details as to the need for the gates. It is stated that the residents private car parking spaces at the rear of the site are being used by non residents due to recent car parking restrictions imposed by the Highway Authority on nearby roads. The site is not a public site and it is felt that security gates will help to keep the spaces available for residents of the apartments. In addition they will prevent local residents from using the site as a short cut to the development at the rear. Other unwanted unlawful events that have occurred include young men fishing from the Mill Pond and becoming abusive when asked to leave and members of the public picnicking by the pond on private land. The management company has identified the need to restrict access to the working water wheel and mill pond because of the potential danger to those trespassing into the site. In this general context, it is worth noting that Policy P4/11 of TMBLP acknowledges the legitimacy of seeking to archive appropriate levels of personal and vehicle security generally.

5.5 Comments have been previously that the provision of gated communities is undesirable but this does not represent a reason for withholding either planning or listed building consent. As mentioned previously there does not appear to be any reference on the files relating to historic applications of any requirement to retain access to view the mill wheel by members of the public.

5.6 I consider that the style of the proposed gates is now found to be acceptable, as they would relate satisfactorily to the industrial heritage of the listed mill building. For these reasons it is recommended that planning permission and listed building consent be now granted.

6. Recommendation:

(A) TM/05/01719/FL:

6.1 **Grant Planning Permission**, as outlined in the letter dated 01.06.2005 and drawings numbered 576a, 576b and site plan received 03.06.2005, 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. (Z001)

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 The gates hereby approved shall be finished and maintained in matt black paint.

Reason: In order to preserve the character and appearance of the Conservation Area and Listed Building.

(B) TM/05/01720/LB:

6.2 **Grant Listed Building Consent**, as outlined in the letter dated 01.06.2005 and drawings numbered 576a , 576b and site plan received 03.06.2005, subject to the following conditions:

1 The development and works to which this consent relates shall be begun before the expiration of five years from the date of this consent. (Z002)

Reason: In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The gates hereby approved shall be finished and maintained in matt black paint.

Reason: In order to preserve the character and appearance of the Conservation Area and Listed Building

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