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| Ditton Ditton | 570947 157849 | 03.06.2005 | TM/05/01013/FL |
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| Proposal: | Demolition of existing industrial buildings and erection of new residential development comprising 6 one bedroom flats, 21 two bedroom houses, 62 three bedroom houses, and 7 four bedroom houses; total 96 units; 186 garage/car port/surface parking spaces, new estate roads, open space and associated landscaping |
| Location: | New Road Business Estate New Road Ditton Aylesford Kent |
| Applicant: | Asprey Homes Limited |

1. Description:

1.1 This is a revised application to demolish all existing industrial buildings and re-develop the site for residential purposes in the form of 96 units comprising:-

- 6 x 1 bedroom flats
- 21 x 2 bed houses
- 62 x 3 bed houses
- 7 x 4 bed houses together with 186 garage/car port/surface parking spaces, new estate roads, open space and landscaping. This scheme replaces an earlier layout showing 125 dwellings. A public footpath crossing the site in a roughly north-south direction would be re-routed around the houses, but would remain within the site. In support of the application statements have been received covering contamination, transport, road safety and design.

1.2 The proposed introduction of 96 units on a site having an area of 1.8 hectares represents a density of 53 dwellings per hectare.

2. The Site:

2.1 The application relates to an irregularly shaped parcel of land situated off the south western side of New Road within the confines of Ditton. It is adjoined to the west, north and east by existing residential properties with open countryside to the south, identified as a green wedge.

2.2 The site is approximately 1.8 hectares (4.4 acres) in size and is in use as a business estate. Within the estate are a mixture of buildings of different styles and sizes including a former oast house. The existing buildings have a combined floor space of approximately 8000 square metres.

2.3 The site is identified in TMBLP as being suitable for residential development subject to an overall improvement in the environment with no adverse impact associated with the level of traffic generation. In addition there should be a reduction in noise, dust, smell or vibration etc and subject to the investigation and treatment of any land contamination.

2.4 Relevant policies include:

P5/2b site identified for residential development subject to satisfactory de-contamination, P5/12d redevelopment constraints should improve residential environment, P4/4 land adjoining conservation area, P4/11 general standards, P4/15 refuse collection specifications. P7/18 parking provision, P8/2 open play space provision, P8/1 availability of infrastructure for new development. The site is also identified in the Tonbridge and Malling Preferred Options Consultation as a Firm Housing Allocation with an estimated capacity of 90 units.

3. Planning History:

3.1 No previous applications in respect of residential redevelopment. The site has a long industrial history and has in the past, been the subject of numerous complaints with regard to noise breakout and noise from HGVs etc.

4. Consultees:

4.1 PC: Object for following reasons:

- Overintensification of site.
- Concern about access and increased traffic on New Road.
- Retention of footpath as close to original line as possible.
- Retention and refurbishment of oast building.
- Lack of infrastructure.
- Adequacy of drainage and sewerage.
- Care in removal of contaminated materials.

4.2 Social Services: No comments received.

4.3 Environment Agency: No objections but recommends conditions covering contamination of foul and surface water disposal.

4.4 Southern Water: Require details of proposed means of disposal of surface water and recommend a condition.

4.5 KCC PROW: Diversion order required before development commences. Concerns have been expressed about the PROW being diverted alongside vehicular access which it is felt misses an opportunity to improve the amenity and likely enjoyment of the path. It is considered that the route should be amended to provide a landscaped route segregated from traffic and overlooked from adjacent properties to provide natural surveillance.

4.6 KCC Education: Require a contribution towards library and youth and community facilities. The demand for extra primary and secondary school places can be accommodated within local schools.

4.7 DHH: Require details of adequacy of bin storage and collection locations.

Recommends that a condition is imposed covering land contamination.

4.8 DL: From an open space point of view it is considered that the layout is disappointing and level of POS is not adequate and is concerned about its location close to houses and the access road. Proposal does not meet the space requirements set out in local plan policy.

4.9 DHH: Affordable Housing - 30% of total number of units has been achieved and level of shared ownership and renting has been satisfactorily finalised.

4.10 KCC (Highways): No objection to the principle of the redevelopment as the proposal will involve a reduction in vehicle movements associated with the site.

4.11 Ramblers Association: No representations received.

4.12 Mid Kent Water: No response received.

4.13 Private Reps: The application has been advertised on site and in the press together with individual household notifications. Approximately 52 letters of representation have been received, the majority raising objections, although a little support for housing instead of industry has been received. Objections include:

- Removal of oast house.
- Loss of employment site.
- Density of development.
- Increased volume of traffic/narrow access and need for an alternative/congestion and pollution.
- Inadequate parking provision.
- Lack of services and infrastructure.

- Boundary treatment details.
- Height of buildings, close proximity to neighbours and loss of privacy.
- Small rear gardens.
- Design out of keeping with surroundings.
- Harmful impact on the conservation area and urbanisation of the area.
- Impact on the drainage system.
- Removal of asbestos.
- Site should be returned to open space.
- Air pollution.
- Impact on water supply.

5. Determining Issues:

- 5.1 The main issue is whether the redevelopment of this site for residential purposes in the form shown is acceptable, having regard to all material considerations and relevant policies.
- 5.2 Principle: The principle of residential development is accepted bearing in mind the long standing designation in TMBLP and considering that the site is surrounded on 3 sides by existing dwellings. As a matter of principle this must be an improvement bearing in mind that this site was previously a food production site and latterly split into smaller units, generates much HGV traffic and noise emissions. The form of the development and nature of the layout has been the subject of detailed discussions and various revisions in order to secure a high standard of development. In general the introduction of housing will represent an improvement to local amenity when compared to the existing use as industrial.
- 5.3 Density: The proposal is for a density (53 dwellings/hectare) at the upper recommended density levels for sites such as this of between 30-50 dwellings as outlined in PPG3. The estimated maximum number of units for a site of this size would be 90, slightly below the proposed number of 96. Notwithstanding these guidelines the reduction by 29 units has produced a scheme of an acceptable high density. The key is that densities lower than the guidelines will normally be unacceptable but at higher densities the 'performance' of the scheme as a whole will be the critical test.
- 5.4 Layout: Revisions have taken place to the layout of the development. There would be a single entrance to the site, via the existing access, leading around the site to the north eastern and south eastern corners. Rows of housing backing onto and in

close proximity to Wilton Drive have been replaced with smaller blocks at right angles to this road. The current proposals would have a site coverage of 21% compared to the existing 45% coverage. The new buildings have been arranged to respect the extent of existing footprints especially along the north eastern boundary and western side. The height of the development at the site has been reduced by the removal of a 3 storey block of flats.

- 5.5 In general the reduction in the number of units and revised layout has resulted in an improved scheme with the entrance being enhanced by the removal of one of a pair of double garages. The relationship with neighbouring houses in Wilton Drive has also improved with the revised layout.
- 5.6 Oast Building: The existing former oast house building within the site stands out as a slightly more interesting feature than the functional and uninspiring industrial buildings on the site. Closer inspection reveals that it has, however, been altered and adapted over time and has little architectural value. In this instance it is not considered justified in resisting the removal of the oast house or refurbishing it.
- 5.7 Design: The applicants appear to have chosen a design style that does not directly reflect any of the nearby residential development. Indeed the site is surrounded on 3 sides by residential properties from different eras, so the agents have produced a stand alone design which draws on elements of different styles. The applicants consider that the development would enhance the character of the adjacent Conservation Area due to an overall improvement of the appearance of the site. Whilst the style of the proposed housing will be different from that of adjacent developments this is acceptable and I believe that the residential redevelopment will be of benefit to the adjacent CA.
- 5.8 Landscaping: The landscaping arrangements both within and around the development are important in securing a high quality environment for the redevelopment of this site. The revised plan shows a greater amount of open play space, although overall this is still on the small side. An existing hedge would be retained along the eastern boundary and some new tree planting is proposed. In my view the level of landscaping is quite sparse and there is scope for increased planting and this should be encouraged. This matter can be dealt with by condition.
- 5.9 Affordable Housing: Confirmation has now been received about the number and locations of the affordable houses and flats. A total of 29 units (30%) would be available for social rented and shared ownership and these would be dotted around the site rather than grouped together. Discussions have taken place about the percentage of each and a satisfactory arrangement has now been reached and will be covered by condition.
- 5.10 PROW: This proposal directly affects the PROW running through the site and would result in the need for its diversion. Under the wider obligations the developers should not commence until a satisfactory diversion order has been

agreed. KCC is responsible for ensuring that the PROW should not be obstructed. The comments of the PROW officer are noted in particular the request to find a more attractive route. The proposed route of the PROW has been altered so that it makes use of a secondary access and footway in the south eastern part of the site. The line of the proposed route seems to be the most suitable for this site and is considered satisfactory. Given the setting of the path at present I consider the proposal to be an overall improvement.

- 5.11 Open Play Space: The provision of open play space and playing pitch provision has been a major issue during the determination of the application. This level needs to be in accordance with policy P8/2 which states that there should be 60 square metres of open play space per dwelling. The DHH notes that whilst the amount of space has been slightly increased, there is a significant shortfall when compared to adopted guidelines. As a result a sizeable off site financial contribution to appropriate facilities would be required in lieu of on site space which will be covered by condition.
- 5.12 Contamination: Policy 5/26 clearly states that this site would only be considered suitable for residential development if there is a reduction in noise, dust, smell etc and subject to satisfactory treatment of any land contamination. The submitted soil analysis identifies several potentially contaminated land issues on site and methods of treatment. Provided that these are investigated and treated in an appropriate way then no objections are raised. This matter can be covered by condition.
- 5.13 Developer Contributions: In this instance there has been no request for financial contributions to primary or secondary school places. There is however a request for a contribution towards libraries, youth and community facilities. This has been calculated as £149.50/dwelling for libraries and £498.00/dwelling for youth and community. It is recommended that this matter is covered by condition.
- 5.14 Highways: There is no overall objection to the redevelopment of this site for residential purposes. The layout and detailing of the scheme has been the subject of discussions with the agent to ensure a satisfactory arrangement, vision splays, parking provision etc. It is concluded that the proposal will involve a decrease in traffic movements which will be of benefit in this established residential area.
- 5.15 Conclusion: The redevelopment of this site has been the subject of detailed and lengthy consideration. The current scheme showing a reduction in the number of units and revised layout is found to be acceptable having regard to all material considerations and relevant policies of the Local Plan. It is recommended that planning permission is granted subject to various safeguarding conditions.

6. Recommendation:

6.1 **Grant Planning Permission** as outlined in the submitted information including Stage 1 Road Safety Audit dated July 2005 received 22.09.2005; Contamination Testing Report dated 08.07.2005 received 11.07.2005; Design Statement received 20.07.2005; Transport Statement received 20.07.2005; drawing number 182 01H received 28.09.2005; drawings numbered 03, 04A, 05, 06D, 10A, 11A, 14A, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A, 27A, 35, 36A, 37A, 38B, 39, 40, 41, 42, 43, 44, site and tree surveys received 20.07.2005, 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.

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

- 2 All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

- 5 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of pollution prevention.

- 6 None of the buildings shall be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: In the interests of pollution prevention.

- 7 No development shall take place until details of the drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development.

Reason: In the interests of pollution prevention.

- 8 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a suitably qualified or otherwise responsible 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.

Prior to the first occupation of the development hereby permitted (or, where the approved scheme provides for remediation and development to be phased, the occupation of the relevant phase of the development):

(c) the approved remediation scheme shall be fully implemented (either in relation to the development as a whole or the relevant phase, as appropriate), 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.

- 9 Soakaways shall only be used in areas on site where they would not present a risk to groundwater. If permitted their location must be approved in writing by the Local Planning Authority.

Reason: To prevent pollution of controlled waters.

- 10 Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

Reason: The site is contaminated/potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.

- 11 Prior to being discharged, all surface water drainage from parking areas and hardstandings shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the separator.

Reason: To prevent pollution of the water environment.

- 12 Prior to being discharged, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment.

- 13 No development shall take place until details of the existing and proposed slab levels of the buildings have been submitted to and approved in writing. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the area.

- 14 The existing buildings shall be demolished and all materials resulting therefrom shall be removed from the land before development commences, or within such period as shall have been agreed in writing by the Council.

Reason: To safeguard the appearance of the area.

- 15 Development shall not begin until a children's play space/formal play provision scheme, to demonstrate compliance with Tonbridge and Malling Borough Local Plan policy P8/2 has been submitted to and approved in writing by the Local Planning Authority; for the purposes of this condition such a scheme is one which:

- a. ensures the provision of the necessary land and physical facilities both on and off site;
- b. secures the safe implementation of the works and ensures that they are made available to the public before the occupation of any dwelling on the site: and
- c. identifies arrangements, including financial arrangements, for long term maintenance, inspection and insurance of the facilities such that they are available to the public in perpetuity.

Development shall be carried out in accordance with the approved scheme.

Reason: In order to ensure a satisfactory standard of development.

- 16 Prior to the development hereby approved commencing details shall be submitted to and approved in writing of the refuse storage facilities and collection points.

Reason: To safeguard the appearance of the area.

- 17 No development shall commence until an arrangement has been submitted to and approved in writing by the Local Planning Authority relating to the provision of a suitable contribution towards library and youth and community facilities in accordance with Kent County Council requirements for developer contributions.

Reason: To ensure a satisfactory standard of development.

- 18 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.

- 19 At no time shall any car port hereby approved within the site be converted to garages without the prior consent in writing of the District Planning Authority.

Reason: In the interests of highway safety.

- 20 The use shall not be commenced, nor the premises occupied, until vehicle parking space in accordance with the adopted Kent County Council Vehicle Parking Standards has been provided on site. 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 the reserved parking area. (P007)

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

- 21 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.

22 The development shall not begin until an affordable housing scheme has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition such a scheme is one which:

a) ensures the provision and implementation of 20 social rented properties and 9 shared ownership properties, which shall be occupied by persons in need as defined in the affordable housing scheme:

b) secures the involvement of a registered social landlord as defined in the Housing Act 1996: and

c) identifies a specified alternative arrangement (such as low cost market housing) in the event that funding for the affordable housing has not been secured within 2 years of the development commencing.

Reason: To ensure a satisfactory standard of development.

23 The affordable housing shall not be used other than for the provision of housing accommodation which meets the objectives of the registered social landlord, provided that if within 2 years of the date the development begins, funding for the affordable housing has not been secured, the 29 units may be used for the alternative specified in the approved affordable housing scheme.

Reason: In order to secure a satisfactory standard of development.

Informatives:

1 With regard to the diversion of footpath/bridleway, the applicant must consult the Director of Leisure, Tonbridge & Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ. Tel: (01732) 844522.

2 The applicant is advised to contact the Chief Administrator, Tonbridge & Malling Borough Council, at an early stage to discuss the appropriate road naming regime for the development hereby permitted.

3 You are recommended to take full account of the advice given by the Department of the Environment, Transport and the Regions in PPG 23 Planning and Pollution Control. This advice (in Paragraph 14 of Annex 10) indicates that "the responsibility for safe development and secure occupancy of the site rests with the

developer." You should note that this Council, acting as Local Planning Authority, has determined the application on the basis of the information available to it - this does not mean that the land is free from contamination.

- 4 With regard to works within the limits of the highway, the applicant is asked to consult The Highway Manager, Engineering Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ. Tel: (01732) 844522. (Q006)
- 5 In connection with the above conditions the applicant is advised that no surface water should drain onto the adopted highway.

Contact: Hilary Johnson