

**East Malling &
Larkfield**
East Malling

569747 157114

22.08.2006

TM/06/02749/RD

Proposal:

Details of landscaping submitted pursuant to condition 3 of planning permission TM/05/00405/FL: 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 East Malling West Malling Kent ME19 6BF

Applicant:

D C Hudson And Partner

1. Description:

- 1.1 These details relate to the landscaping and boundary treatment (excluding the ragstone wall details) for the conversion of the mill building/rag store. The proposed landscaping involves planting a winter flowering cherry tree, the removal of an existing cherry tree affected by the approved walkway, grassed gardens and the use of buff gravel on a tarmac forecourt. The proposed boundary treatment involves the erection of a 1.5m high picket fence fronting onto Upper Mill road to the west of the mill building, which is reduced to 1m high in front of part of the mill building. To the east of the Mill building and fronting onto Upper Mill road it is proposed to erect a 1.8m high brick wall. In addition, a 1.8m high close boarded fence is proposed in the rear garden to House 2, which separates the building from the former site office (40 Upper Mill). The erection of a 1.8m high brick wall to the east of the mill building and fronting onto Upper Mill road was previously approved under boundary details for the Hillreed's development under TM/05/00294/RD.
- 1.2 This application follows enforcement investigations regarding works to the cherry tree and commencement of development prior to approval of details.
- 1.3 Details of the ragstone walls are covered by a separate reserved details application TM/06/03106/RD, which is still subject to consultations.

2. The Site:

- 2.1 The application site lies within the Mill Street Conservation Area and within the rural settlement confines of East Malling. The site lies within the former Council Depot site which was recently redeveloped for housing by Hillreed Homes. The Mill building formed part of the original planning permission, but was sold onto the

applicant for the conversion works. The conversion and renovation works have commenced on the mill building. The property is a three storey brick built structure which sits over the stream. The mill building is not a listed building.

3. Planning History (most relevant):

- 3.1 TM01/03099/FL Approved 27.06.2003
Residential development comprising 63 new build and 2 refurbished dwellings and associated external works, access, landscaping, parking, garaging and traffic management proposals.
- 3.2 TM/05/00405/FL Approved 01.06.2005
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.
- 3.3 TM/05/00294/RD Approved 01.04.2005
Revised details of fencing and walls submitted pursuant to condition 7 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.
- 3.4 TM/06/02451/RD Approved 19.09.2006
Details of external materials and joinery submitted pursuant to conditions 2 and 4 of planning permission TM/05/00405/FL: 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.
- 3.5 Details of the surface water drainage (TM/06/02850/RD), ragstone walling (TM/06/003106/RD) and external materials for the walkway (TM/06/03105/RD) are still under consideration.

4. Consultees:

- 4.1 PC: Wall to the south of the stream is not specified in height or materials. It should be ragstone (as is) and to height of the wall to the north.
- 4.2 KCC (Highways): No objection.

- 4.3 East Malling Conservation Group: *Landscaping*: A tarmac forecourt for parking would not enhance the appearance of the building or its setting within the CA. The group originally recommended gravel or tegular blocks which would be more in harmony with its surroundings.
- 4.3.1 *Boundary Treatments*: There is no information on the drawing with this application to define which section of the ragstone wall is to be increased in height to hide the bridge which is approved as part of the original application.
- 4.3.2 *1.8m high Close Boarded fencing (between the mill building and former site office)*: This would be acceptable as it can only partly be seen from public areas.
- 4.3.3 *Wall to be built up to 1.1m in height*: This is an existing ragstone wall with BOE capping. If this is to be increased in height the capping should be removed, ragstone added and the capping replaced.
- 4.3.4 *New access: This proposed access is through a ragstone wall, we are aware that it is in very poor condition, no more than 300mm height remains, but it is part of the historic boundaries in the CA. Therefore, the complete removal as proposed is unacceptable.*
- 4.3.5 *1.8m high close boarded fence (southwest corner)*: The boundary is in line with the remains of the above ragstone wall and is in clear view from the public area, therefore, a wooden fence is unacceptable. I propose that a ragstone wall is specified to the same height as the wall to the south which provides the boundary to the footway.
- 4.3.6 *Boundary wall/treatment by Hillreed*: As this wall has not been built and I assume that Hillreed have vacated the site, it would appear that its ownership and responsibility to erect maybe in question, which I am sure you will have to resolve. But if I recall, it should be a ragstone wall and was to be built to the same standard as the other walls built by Hillreed. As can be seen from the drawing this will also have an effect on 40 Upper Mill and work on the termination of this feature is already in progress which can only add to the importance of resolving the issue.
- 4.3.7 *Garages*: The drawing fails to show the garages that were approved as part of the original application. Have they now been deleted, would this not be subject to a further application? We would not have any issues if they were deleted, as this would release space for car parking which would be a benefit.

5. Determining Issues:

- 5.1 The main issues to be considered are whether the proposed landscaping and boundary treatment details will help to soften the development and respect the character of the Conservation Area.

- 5.2 The existing cherry tree is sited in the northwest corner of the site. The approved walkway would necessitate some impact upon the cherry tree, as it would be necessary to raise the canopy of the cherry tree in order to accommodate the walkway. Works to remove branches have been carried out in order to accommodate temporary site structures, i.e., scaffolding and a gantry. The applicant has stated that they will plant a replacement cherry tree in the garden to the east and that the existing cherry tree will be removed once the new cherry tree is established. The proposed replacement cherry tree will ensure the character of the Conservation Area will not be harmed.
- 5.3 The applicant does not intend to erect the timber garages that were included in planning permission TM/05/00405/FL and is proposing instead to provide buff colour gravel over a tarmac forecourt for the parking area for these two units. KCC Highways raises no objections to these revised parking arrangements, however, a formal variation of the parking layout is required should the applicant not construct the timber garages. Members will note that the applicant initially sought just a tarmac surface, but has amended this detail to include gravel, in line with the EMCG suggestion.
- 5.4 As the garages are no longer proposed to be built, the southern boundary treatment is altering from the rear face of the weather boarded garages (2.2m high to the eaves) to 1.5m high picket fencing. Members will note that the picket fencing replaces the 1.8 close boarded fencing that the EMCG opposed. Whilst the use of picket fencing is prevalent in the adjoining development, it has tended to be a lower height, around 1m. However, the proposed 1.5m fencing is less of a visual screen than the approved garages and will not unduly detract from the visual amenity of the locality. It will also allow greater views of the mill building than approved scheme, to the enhancement of the Conservation Area.
- 5.5 The EMCG requests that the low level ragstone wall by the vehicular entrance should be retained as much as possible. However, this is a very low level ragstone wall of less than 300mm in the majority of places. The original planning permission TM/05/00405/FL does not show the retention of this wall, as this area is the access to the parking and garaging serving the converted building. Members will also be aware that no planning or conservation consent is required to remove this low level section of ragstone wall, therefore, I am unable to support the EMCG request.
- 5.6 In terms of the EMCG comments on the ragstone walling, as discussed above, this detail is covered by a separate application (TM/06/03106/RD) which is still subject to consultations. That application relates to the 1.1m high ragstone wall, the southern wall to the garden of house 1 (PC comments relate) as well as the raising of the height of the ragstone wall by the Mill Court car park.

5.7 The EMCG has also requested that the south eastern wall fronting onto Upper Mill should be a ragstone wall. However, this wall has been subject to a previous approval (TM/05/00294/RD) as part of the boundary treatment details for the former Council Depot site. Under the approved scheme, a 1.8m high brick screen wall was agreed in this location. This wall has not been built, as the site was sold on to the applicant. Therefore, the responsibility for providing this approved brick wall falls with the landowner, i.e., the applicant. The applicant under this application is seeking to implement the approved scheme.

5.8 In light of the above considerations, I find these details acceptable.

6. Recommendation:

6.1 **Approve Details** as detailed by letters dated the 22 September 2006, 7 September 2006 and the 21 August 2006 and by plan 1582/12B.

Informatives:

- 1 The applicant is advised that this approval does not provide consent for the ragstone wall details.
- 2 The applicant is advised that the erection of the 1.8m high brick wall to the east of the mill building and fronting onto Upper Mill road is the responsibility of the applicant as the landowner.
- 3 The applicant is advised that formal consent for the variation of the approved parking arrangements, involving the deletion of the garages, is required.

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