
Snodland	570311 161949	10 August 2007	(A) TM/07/02859/CA
Snodland East		25 July 2007	(B) TM/07/02852/FL

Proposal: (A) Conservation Area Consent: Demolition of existing building
(B) Demolition of existing building and erection of three houses and two maisonettes with parking

Location: Church Of St Thomas Of Canterbury 28 Holborough Road
Snodland Kent ME6 5PB

Applicant: Father Peter Soper

1. Description:

(A) TM/07/02859/CA:

1.1 This proposal is for to the demolition of the existing Roman Catholic Church building within the Snodland Conservation Area. The applicant has submitted a justification for the demolition of the building which is available for Members Inspection.

(B) TM/07/02852/FL:

1.2 This application involves the demolition of the existing church building followed by the residential redevelopment of the site. The redevelopment scheme proposes a terrace of 3no. three bed dwellinghouses fronting onto Holborough Road, incorporating a double aspect unit on the corner of Holborough Road and Queens Avenue. These dwellings will be three storey units, with the second floor provided principally in the roof space. These dwellings range in height from 10m to 11.6m to the ridge, with unit 5 adjacent to No.26 Holborough Road being slightly lower than units 3 and 4. These dwellings will be served by rear gardens.

1.3 It is also proposed to erect 2no. two bed maisonettes above the garaging to serve the proposed development as a whole. The proposed garaging and maisonette block will front onto Queens Avenue and will be a 2.5 storey building, 9.3m at its highest point. The proposed windows in the rear elevation and the roof lights in the front elevation are to be obscure glazed.

1.4 The proposed design of the scheme is a relatively modern and contemporary form, with dormers, projecting bay windows and balconies. The buildings are to be finished externally in a mixture of yellow stock brick, white render and red feature bricks. The proposed roofs are to be plain terracotta roof tiles.

1.5 Five garage parking spaces are proposed to serve the development, which will be accessed from Queens Avenue. The proposed garage doors will be roller shutter doors, finished in white vertical panels with glazed top sections.

- 1.6 The applicant has submitted a justification for the scheme on the basis that the sale of the site for residential redevelopment will assist in the provision of new and enhanced nursery facility within the Grade II stable building at St Thomas More Church in West Malling to serve the wider Roman Catholic congregation within the Parish. The existing nursery is provided within the Priest's House and has been identified by Ofsted as being substandard. The stable building is currently derelict and the Snodland building requires further maintenance. The applicant indicates that it would not be possible to continue to run both the nursery school and Snodland site, particularly given that the Snodland site is only used once or twice a week. The applicant has indicated a willingness to submit a Unilateral Undertaking to ensure that the proceeds of the sale of the site are used to fund the nursery project.
- 1.7 The application site is approximately 0.05 hectares and therefore the proposed five residential units result in a density of 100 dwellings per hectare.
- 1.8 These applications are being reported to Committee as the Council has received a petition opposed to the development and also a request for the applications to be reported to Committee from Cllr Keeley.

2. The Site:

- 2.1 The application site lies within the urban confines and Conservation Area of Snodland. The site is located at the corner of Holborough Road and Queens Avenue. The building is a traditional red brick structure with slate roof. The front elevation facing onto Holborough Road has a rendered frontage and oval gabled front wall with cross on top. The property has steps up to its entrance in Holborough Road and includes a basement. The building occupies about half of the application site, whilst the rear section of the site in Queens Avenue is an overgrown grassed area, as is as the land between the church and No.26 Holborough Road.
- 2.2 The existing building is 6.5m tall at its highest (taking account of slight changes in ground level) and 21.5m deep by 7.8m wide. There is no vehicular access to the site from either Holborough Road or Queens Avenue.
- 2.3 To the south of the site lies a 1950s two storey dwelling and beyond this a parade of three storey Victorian shops along Holborough Road. To the north, west and east lie Victorian two storey terraced properties.
- 2.4 The building is identified within the Snodland Conservation Area Appraisal as a building which makes a positive contribution.
- 2.5 The following key policies apply to this site: PSS3: Housing; PPG15: Historic Environment; CP11 & CP24 of the Tonbridge and Malling Borough Core Strategy 2007; QL1, QL6 and QL11 of the Kent & Medway Structure Plan 2006.

3. Planning History:

TM/40/10022/OLD Grant with conditions 3 January 1940
(MK/4/40/3)
Conversion of Cinema to R.C. Church.

TM/49/10455/OLD Grant with conditions 27 January 1949
(MK/4/49/8)
Use of part of basement as snack bar.

4. Consultees:

(A) TM/07/02859/CA:

4.1 TC: No objection in principle.

4.2 Private Reps: 16/0X/1S/2R: Two letters received objecting on the following grounds:

- Loss of a historic building in Snodland;
- The building makes a positive contribution to the Conservation Area;
- Forms a reference point in the streetscene;
- Loss of building will harm the appearance of the street.

One letter received supporting the demolition of the church building, as it has been a congregation point for anti social behaviour.

4.3 A8 Site Notice: No response.

4.4 Press Notice: No response.

(B) TM/07/02852/FL:

4.5 TC: No objection. However TC observes that the building is in a conservation area. We observe that a number of street parking places will be lost. Would like to see trees added as part of the Avenue.

4.6 DHH: No objection subject to the imposition of the standard land contamination condition and informative. A collection point for individual refuse bins and recycling boxes will need to be agreed for this application.

4.7 KCC Highways: Based on the size and number of units, the overall parking requirement could be up to 10 parking spaces. In this location I would wish to see 1.5 parking spaces per unit, but on a communal basis, with 8 spaces of suitable

size. The plans show five covered parking spaces that seem to be provided under the building of plots 1-2 and would provide one parking space per unit.

4.7.1 However, the size of the parking bays seem to be compact, when scaling from the plans the length of the parking bays is acceptable, but the width of the three central bays scales 2.5m; I would expect to see a minimum bay width of 2.7m to enable optimum manoeuvring space in the confined area. Applicant to be advised that parking standards have recently changed and the preferred width for a new garage is now 3.6m, when taking into account of the potential use by the mobility impaired. Therefore, although in principle, I would raise no objections to a residential use; based on the submitted plans and the accommodation shown, I could not support this application due to inadequate parking space.

4.7.2 The amendments include a revised plan showing the covered parking spaces widened to an acceptable size; plus a highway statement justifying the proposed parking arrangements. I note that a similar development along Queens Road previously provided one space per unit, with two visitor spaces to serve eight units. The development was also closer to the town centre public car park than this proposal. Although a bus route passes the application site, I feel that some visitors parking should be provided. Therefore, following the previous example a provision of four units with one visitor parking space might be a more acceptable option. Comments on the revised garaging details are awaited.

4.8 Private Reps: 23/0X/2S/8R: Eight letters have been received, along with a petition with 89 signatures objecting on the following grounds:

- Development will overlook nearby dwellings and gardens;
- Lack of parking spaces in the local area, including on-street parking;
- Building should be retained and used for another community use;
- Too many houses in Snodland;
- Noise disturbance through extra traffic movements;
- One parking space per dwelling is insufficient in this location;
- The development is out of character with the locality;
- The proposed buildings are too high and should follow the height of those in Queens Avenue;
- The proposed dormers, balconies and small windows are not in keeping with the area;
- The new build does not respect the character of the Conservation Area;

- Overdevelopment of the site;
- The depths of the roofs look extra large compared to other properties;
- Loss of light;
- Noise and disruption that will be caused by demolition and construction works.

Two letters received supporting the development, as it will tidy the place up and stop anti social behaviour on the land.

4.9 A8 Site Notice: No response.

4.10 Press Notice: No response.

5. Determining Issues:

5.1 The main issues to be considered are whether it is appropriate to demolish the existing church building, whether the proposal new build will harm the character of the Conservation Area and whether the proposal will result in the hazardous highway conditions.

5.2 The site lies within the Snodland Conservation Area and Conservation Area Consent is required to demolish this building. The existing church building is not a Listed Building nor is it considered worthy of such statutory designation. It is a relatively simple single storey red brick structure with a slate roof and rendered oval gabled frontage. However, the building is identified within the Snodland Conservation Area Appraisal as a building which makes a positive contribution. PPG15: Historic Environment provides guidance on assessing applications for the demolition of buildings within the Conservation Area. The key areas to be assessed relate to:

- The condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use;
- The adequacy of efforts made to retain the building in use;
- The merits of alternative proposals for the site;
- The part played in the architectural or historic interest of the area by the building and in particular wider effects of demolition on the building's surroundings and on the conservation area as a whole.

- 5.3 The applicant has submitted a detailed supporting statement addressing all of the above points, which concludes:

“The cost of retaining the existing building for use as a place of worship (community facility), the provision of other community facilities, and the merits of the proposed scheme have all been considered by the Church and within the report. It is concluded that the cost of refurbishing and maintaining the current building is prohibitive; the redevelopment of this site would enable the implementation of improvements to the existing Parish nursery (at St Thomas More Church, West Malling); and the proposed scheme has been designed to preserve and enhance the character and appearance of the Conservation Area.”

- 5.4 The existing building, whilst being identified as making a contribution, is a relatively poor quality building with no real architectural or historic merit to justify its retention. This single storey building does not adequately address this highly prominent corner site and approach into the centre of Snodland. The existing building, apart from the rendered oval gabled frontage, is just a single storey utilitarian building.
- 5.5 The applicant has indicated that the existing church building is only used once to twice a week as a place of worship and that no other activities are carried out within the building. The main church services and activities are carried out at St Thomas More Church in West Malling. The sale of the church building is intended to fund the improvements and extension to the nursery facilities at the Grade II Listed stable building within the grounds of St Thomas More Church. Those works have planning permission. The Church is considering options for transporting villagers from Snodland to the nearby Church in West Malling. The existing building does need maintenance and there appears to be no future use for this building associated with the church, as the Church considers it is unable to continue to fund the necessary improvements and future upkeep of this building, whilst also seeking to provide acceptable nursery facilities for their parish, provided through the reuse of a currently derelict Grade II Listed Building. Therefore, on the basis of the information submitted and in the light of the relatively poor quality building in question, I am not opposed to its demolition, as a matter of principle, subject to an acceptable redevelopment scheme for the site, which I will discuss shortly. Should Members consider it appropriate, the applicant has indicated a willingness to provide a Unilateral Undertaking to ensure the funds received from the sale of the site are used on providing the nursery facilities at the stable building at St Thomas More Church.
- 5.6 The proposed demolition of the church building will result in the loss of a community facility within Snodland. Policy QL11 of the KMSP 2006 seeks to protect such facilities as long as there is a demonstrable need for them. The applicant indicates in their supporting statement that the level of church services and resident priests has significantly declined from the 1980s from having a resident priest to now only having one or two services a week. A suitable

alternative exists in West Malling and transport arrangements have been indicated to meet the needs of the Snodland residents. The site does not lie within the district centre of Snodland. QL11 does not require the applicant to demonstrate that it could not be used for an alternative community facility. In light of the circumstances presented, I am satisfied that the proposed loss of this community facility should not be resisted.

- 5.7 The principle of residential development on this site is acceptable, as it involves development of previously developed land within in urban area. Policies CP11 of the TMBCS 2007, HP4 of the KMSP 2006 and PPS3: Housing support more efficient use of land for residential use. Whilst the form of the development is quite intensive, it covers only a slightly larger footprint than the existing church building and therefore, I do not consider that the proposal would result in overdevelopment of the site.
- 5.8 As highlighted above, the site lies within a Conservation Area and under PPG15: Historic Environment, new development should either preserve or enhance the character or appearance of the area. CP24 of the TMBCS 2007 also requires new development to be well designed and of high quality and to respect the site and its surroundings.
- 5.9 The proposed scheme seeks to address this visually prominent corner site and approach into the centre of Snodland. Whilst the existing building is visually prominent, this is essentially due to its unusual frontage, rather than any intrinsic architectural or historic importance. The existing building fails to adequately address the corner plot nor is it a key building or focus point in terms of vistas along the street. The proposed scheme is a modern and contemporary scheme, which does not seek to replicate the Victorian terraced houses. However, the 3 storey dwellings pick up the vertical rhythm and emphasis of the 3 storey shops along Holborough Road, as well as incorporating dormers and projecting second floor elements. The ridge and eaves heights are very similar to the predominant pattern in Holborough Road, as is the use of brickwork and render on external finishes. Unit 3 of the three storey dwellings is also “double aspect”, as the Queens Road elevation is deliberately articulated to assist in making the building more visually successful in turning the corner and addressing both frontages. The use of balconies is not visually obtrusive in this urban location. Whilst the building has a contemporary style, it will preserve and enhance the character of the Conservation Area. Indeed, in my view it will make a substantially more positive contribution to prominent corner site in the Conservation Area than does the existing building.
- 5.10 The proposed garage/maisonette block has been slightly redesigned through the introduction of the garage doors with vertical panelling and glazing panels on top. The building is of a similar design and style to the main building block on Holborough Road and includes dormers and projecting bay windows at first floor. The roof form is very similar to the Victorian terraced properties to the east and will

be marginally taller than these neighbouring properties. The proposed external finishes will be yellow stock bricks and plain terracotta roof tiles, which are not out of keeping with this area. Whilst the building will be more prominent at the eastern end of the site, this will, I believe, make a more positive contribution to the streetscene to the rear of the church building, which is currently quite poor.

- 5.11 The combination of the 3 storey dwellings and garage/maisonette block will also help to screen the rather unattractive rear service areas of the shops and flats in Holborough Road to the betterment of the Conservation Area. Therefore, whilst the scheme does not seek to replicate the Victorian terraces of the adjacent properties, it is a high quality scheme which picks up on the key forms and patterns of development and characteristics of the Conservation Area. Therefore, I consider that this contemporary style is appropriate in this location and will not detract from the visual amenity of the locality. On the contrary, it will enhance the character of the Conservation Area.
- 5.12 In highway terms, the existing church building is not served by any off street parking spaces, but generates a requirement under of KVPS of 12-14 parking spaces based on a seating capacity of 60-70 in the building. The current proposal requires 10 parking spaces under the KVPS (6 spaces required for the 3 x 3 bed units and 4 spaces required for the 2 x 2 bed units). Therefore, there is a theoretical parking betterment as a lesser number of parking spaces are required for the residential scheme. The applicant is also proposing five garage spaces on site, but this will result in the loss of three on street parking spaces in order to allow access to the garage spaces. However, in a practical sense, the proposal will increase parking provision to this site over that which currently exists, albeit a minor net gain when the on-street parking spaces are taken into account. Therefore, given the lower parking requirement under the KVPS and the practical net gain in parking spaces in the locality, I am satisfied the level of parking provision is adequate.
- 5.13 The garage spaces are to be either 2.6m or 2.65m wide by 6.7m deep. KCC Highways have not raised an objection to this requirement, just commenting that the preferred dimensions under the KVPS suggest a greater width. The applicant has also changed the form of the parking by changing from carports to garaging and introducing roller shutter doors on the road frontage in the interests of protecting the character of the Conservation Area. It has been indicated that the roller shutter doors could be operated electronically and such details can be secured by condition. KCC Highways comments on this revised arrangement are awaited.
- 5.14 The proposed traffic movements will also be similarly lower than the permitted use of the building, particularly bearing in mind that the building could be used as a community hall (for example) on a daily basis without the need for any further planning permission.

- 5.15 The proposed development will not result in the loss of any sunlight or background daylight to neighbouring properties, due to the physical distance and separation with all the adjacent properties other than No. 26 Holborough Road. The proposed new build is sited to the north of No.26 Holborough Road and has been lowered in height. Also, the proposed unit 5 has been stepped forward to reduce the stagger at the rear to just 2m, which will ensure that this neighbouring property will not suffer any significant loss of background daylight.
- 5.16 Concern has been raised that the proposed development will result in the overlooking and loss of privacy to neighbouring properties. The front windows of proposed 3 dwellings face onto Holborough Road and the residential properties on the other side of Holborough Road, some 23m away. There are no windows in the south elevation facing towards No.26 Holborough Road. The rear windows face on to the side elevation of the proposed garage/maisonette block. The proposed windows in the north elevation face on the side wall of No.30 Holborough Road. The distance between the proposal and this neighbouring property is 13.5m and separated by Queens Avenue. The existing church building has windows in this elevation facing to the windows in the side wall of No.30 Holborough Road, which has a number of side windows. Whilst the existing windows may be obscure glazed, they are not required to be so by any planning condition and could be changed to clear glazing without the consent of the Local Planning Authority. The proposed first floor and second floor windows in the north elevation serve an ensuite bathroom, two landings and three bedrooms, however, these bedroom windows are secondary windows, with the principal windows being in the front and rear elevations. Therefore, I consider it appropriate for the first and second floor windows in the north elevation to be fitted with obscured glazing to protect the privacy of No.30 Holborough Road. This matter can be controlled by condition.
- 5.17 The proposed garage/maisonette block in Queens Road has a number of first and second floor windows in the rear elevation which are proposed to be fitted with obscured glazing. The side elevation includes a single first floor window serving a hall, which face onto the blank elevation of No. 2 Queens Road and will not result in a loss of privacy. The front elevation faces onto a detached garage and the rear section of the garden of No.30 Holborough as well as the front of No.1 Queens Avenue. The scheme proposes obscured glazing in two second floor windows on this elevation. To further limit the direct interlooking between the first floor windows and loss of privacy to neighbouring properties, I consider that the two windows at either end of the first floor front elevation, serving landings, should be fitted with obscured glazing. The remaining windows have more acute views across to neighbouring windows. Therefore, I am satisfied that subject to the imposition of conditions, that the privacy of the neighbouring properties can be adequately protected.

5.18 I note local residents concerns from noise disturbance from demolition and construction works, however, this is not a material consideration. In terms of the noise generated from the proposed use, DHH raises no objection, as the proposed use will not harm the residential amenity of nearby dwellings.

5.19 In light of the above considerations, I am satisfied that the proposed demolition of the church building is justified, that the proposal will make a positive contribution to the character of the Conservation Area and will not result in hazardous highway conditions, therefore, I support these proposals. As the acceptability of granting Conservation Area Consent for the demolition of the building depends, in part, on the acceptability of the replacement dwelling, it would be appropriate procedurally for Members to determine the planning application first, then the Conservation Area application.

6. Recommendation:

(B) TM/07/02852/FL:

6.1 **Grant Planning Permission** in accordance with the following submitted details: Supporting Statement dated 12.09.2007, Letter 1566/DL/AG dated 10.08.2007, Site Plan 1566-A-1000-D dated 25.07.2007, Elevations 1566-A-1002-A dated 10.08.2007 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. (Z013)

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 all 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. (D001)

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 The garage(s) shown on the submitted plan shall be kept available at all times for the parking of private motor vehicles. (P009)

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

4 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 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. (N015)

- 5 No development shall commence until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter. (R004)

Reason: To facilitate the collection of refuse and preserve visual amenity.

- 6 No development shall take place until details of the proposed roller shutter garage doors have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008)

Reason: To ensure that the development does not harm the character and appearance or visual amenity of the locality and in the interests of highway safety.

- 7 The first and second floor windows on the north elevation of plot 3 shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

- 8 The first floor windows serving the landings on the north elevation of plots 1 and 2 shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

- 9 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 any elevation of any of the plots 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.

- 10 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. 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. (L003)

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.

Informatives:

1. The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate number(s) to the new property/ies. To discuss the allocation of numbers you are asked to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or telephone Trevor Bowen, Principal Legal Officer, on 01732 876039. To avoid difficulties, 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. (Q050)
2. 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. (Q047)

(A) TM/07/02859/CA:

6.2 **Grant Conservation Consent** in accordance with the following submitted details: Supporting Statement dated 12.09.2007, Letter 1566/DL/AG dated 10.08.2007, Site Plan 1566-A-1000-D dated 25.07.2007, Elevations 1566-A-1002-A dated 10.08.2007 subject to the following conditions:

- 1 The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: In pursuance of Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To ensure that the demolition is carried out as a continuous operation with the redevelopment of the site, in the interests of visual amenity.

Contact: Aaron Hill