

Aylesford Aylesford	572890 158805	14 September 2007	(A) TM/07/00274/FL (B) TM/07/00273/LB
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Proposal: (A) Conversion of Rosalinds Cottage into two dwellings incorporating alterations
(B) Listed Building Application: Conversion of Rosalinds Cottage into two dwellings incorporating alterations

Location: Rosalinds Cottage 466 Station Road Aylesford Kent ME20 7QB

Applicant: The Brassey Trust

1. Description:

1.1 Members will recall that consideration of these applications was deferred at the APC 3 May meeting in order for the applicant to provide a Flood Risk Assessment (FRA) for the site. This information has been provided by the applicant and circulated for consultation.

1.2 A copy of my May report, and associated supplementary report, are attached as Annexes.

2. The Site:

2.1 The application site comprises Rosalinds Cottage and part of its existing domestic garden. Site boundaries adjoin two new proposed residential dwellings to the south, Crossing Keepers Cottage to the south west, Brassey Community Centre to the north and Medway Court to the east. The application site also includes the existing access point to Station Road, and the proposed access to the bridge approach of Station Road along the eastern boundary.

2.2 Both Rosalinds Cottage and Crossing Keepers Cottage are listed buildings. The site lies within a Conservation Area, Area of Archaeological Potential and a floodplain.

3. Planning History:

3.1 No relevant planning history.

4. Consultees:

4.1 PC: No objection.

4.2 EA: The Environment Agency **objects** to the proposal as it will result in additional dwellings in a flood risk area which has been recognised in the Flood Risk Assessment (FRA) as being potentially liable to flooding.

4.2.1 The FRA has indicated the existing floor level of the building is only 4.4m ODN and this compares with the predicted flood level of 5.68m ODN. It is recognised that the site is protected by existing defences but these would not be sufficient to withstand the predicted tide levels to 2110. Whilst these defences may be improved in the future, there is no guarantee that this will be the situation and we can not assume this will be the case. The FRA has indicated that alternative flood protection measures have been proposed, such as constructing a secondary bund around the property or providing flood resistant devices such as stop boards across windows and doors. Both these options are not proposed at the present time and would only be applied if the 'risk becomes manifest in the future'. If planning permission is granted under the current proposal, there would be no obligation for these flood resistant measures to be included at a later date.

4.2.2 The inclusion of flood resilient materials would be deemed an improvement to the existing situation but this would not be sufficient to overcome our principle concerns in relation to the existing building.

4.2.3 In conclusion, the Environment Agency is **opposed** to the conversion of the existing building into two dwellings due to the flood risk that will exist at this location in the future.

4.3 Kent Highways: The submitted drawing number 09 Rev B shows amendments to the [overall site] layout. Using turning circles the parking and turning arrangements seem acceptable.

4.4 Private reps: 1 additional consultation in opposition raising the following points:

4.4.1 Relating to the drawings on elevations proposed drawing number 11: Looking at the new height of the building we feel that this would block considerable light to our house and garden, it also looks like the new buildings would also block Rosalind Cottage.

5. Determining Issues:

5.1 The determining issues are set out in my previous main and supplementary reports to the APC 3 meeting in May 2007. Deferral was recommended to request further information from the applicant, particularly requiring the submission of a FRA, as detailed in paragraph 1.1 above.

5.2 The key issues relating to whether the proposal will adversely affect the Listed Building and its setting, the character and appearance of the Conservation Area, the amenities of neighbouring residential properties and the safety and functioning of the public highway (application A); and whether the proposal will adversely affect the fabric, character and setting of the listed building (application B) remain as discussed in my previous main and supplementary reports to the May meeting.

- 5.3 Outstanding issues pertaining to flooding will be discussed in detail in a supplementary report that will be provided prior to the APC 3 meeting. This will be issued following further clarification which is now being sought.
- 5.4 The Tonbridge and Malling Borough Core Strategy was adopted on 25 September 2007. The development plan for the application site therefore now comprises the Regional Spatial Strategy for the South East (RPG9 as amended), the Kent and Medway Structure Plan 2006 (KMSP), the Tonbridge and Malling Borough Core Strategy 2007 (TMBCS) and the saved policies from the Tonbridge and Malling Borough Local Plan 1998 (TMBLP).
- 5.5 Policy P4/11 of the TMBLP 1998 was “saved” by GOSE. It is now superseded by policy CP24 of the TMBCS 2007. Policy CP24 sets out the general criteria for all new development including a provision that development must respect the site and its surroundings and that it will not be permitted where it would be detrimental to the built environment and amenity of an area. These issues were discussed in some detail in my report to the May meeting.
- 5.6 Policies P4/1 (Listed Buildings), P4/4 (Development affecting Conservation Areas), P5/3 (Maximising residential accommodation), and P7/18 (Vehicle Parking) of the TMBLP 1998 have not been saved and are not superseded by any policies within the TMBCS 2007. These policies are therefore no longer relevant to these applications.
- 5.7 With regard to Listed Buildings, the relevant policy remains QL8 of the KMSP 2006 and PPG 15: Planning and the Historic Environment; for Conservation Areas, the relevant policy remains QL6 of the KMSP 2006 and PPG 15; with regard to maximising residential accommodation, the relevant policy remains HP2(C) of the KMSP 2006; and in relation to vehicle parking, the relevant policy remains TP19 of the KMSP 2006, KMSP 2006 Supplementary Planning Guidance (SPG4):Vehicle Parking Standards and PPG 13: Transport. These issues were discussed in some detail in my report to the May meeting.

6. Recommendation:

- 6.1 (A) Recommendation to follow in supplementary report.
- 6.2 (B) Recommendation to follow in supplementary report.

Contact: Kathryn Stapleton