

**Aylesford**  
Aylesford

**572899 158814 26 October 2007**

**TM/07/00289/FL**

Proposal:                      Erection of two new dwellings  
Location:                     Brassey Community Centre Station Road Aylesford Kent ME20  
                                      7QR  
Applicant:                    The Brassey Trust

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**1. Description:**

- 1.1 Members will recall that consideration of this application was deferred at the APC3 May meeting in order for the applicant to provide a Flood Risk Assessment (FRA) and elevation plans showing the effect of mitigation measures proposed through the FRA on the height and appearance of the proposed dwellings. At the APC3 November meeting the application was deferred again pending a Members Site Inspection which was carried out on the 26<sup>th</sup> November 2007.
- 1.2 A copy of my May and November reports, and associated supplementary reports are attached as Annexes.

**2. The Site:**

- 2.1 The application site comprises the domestic garden of Rosalinds Cottage. Site boundaries adjoin the railway line to the south, the Crossing Keepers Cottage to the west, Rosalinds Cottage 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 flood plain.

**3. Planning History:**

- 3.1 As per my May report.

**4. Consultees:**

- 4.1 No further consultation responses received.

**5. Determining Issues:**

- 5.1 The determining issues are set out in my previous main and supplementary reports to the APC3 meetings in May and November 2007. As outlined above, the application was deferred to allow a Members Site Inspection, at which no new issues were raised.

- 5.2 As noted in the supplementary report to the November meeting, the proposal has the potential for adverse effects on the privacy and overlooking of adjoining properties, particularly as a result of raising the finished floor level of ground floor rooms to 1.8m above ground level and the setting of the ground level at effectual first floor level, and the first floor at effectual second floor level. Following the Members' Site Inspection where the applicant had pegged the outline of the two proposed dwellings within the site, and further inspection of the plans, it is noted that the siting of the proposed dwellings will be offset from Crossing Keepers Cottage. Accordingly, any windows at ground and first floor level on the north west elevation of the closest new house will only provide an oblique view of Crossing Keepers Cottage and its rear garden. I also note that the approved dwelling, under TM/03/00035/FL, is sited closer to the boundary with Crossing Keepers Cottage and at a similar finished floor level (300mm lower). In relation to Rosalinds Cottage, both proposed dwellings are sited so as to be in front of only the extremities of the Rosalinds Cottage building. In view of this and taking into account the limited windows on the north east elevations of the buildings, the location of parking areas immediately to the north east of the two dwellings, and the separation distance between buildings, I note that any views into Rosalinds Cottage and its outdoor areas will be oblique views. For these reasons, I consider that any potential adverse effects relating to the loss of privacy and overlooking of adjoining properties will be minor.
- 5.3 It is noted that under planning applications TM/07/00274/FL and TM/07/00273/LB the applicant has also provided further information justifying the need for the proposed development for the conversion of Rosalinds Cottage into two dwellings based on raising funds for The Brassey Trust, a registered charity, to allow for the refurbishment and maintenance of Rosalinds Cottage and to allow for the continuation of the Trust's activities. The figures provided by the applicant outline that the conversion of Rosalinds Cottage into two dwellings and the development of two dwellings within the curtilage will cover the cost of all works and result in a surplus to allow the Trust to continue its activities, and form the basis of a contingency fund for any further works that might be required as a result of flooding. It is concluded that the proposals being considered under this permission and TM/07/00274/FL and TM/07/00273/LB will provide a more secure future for the Listed Building and The Brassey Community Trust
- 5.4 All other assessment remains as per my previous reports.
- 5.5 In conclusion, although the FRA has identified mitigation measures which would overcome any adverse effects relating to flooding, I consider that these mitigation measures will in turn create undue adverse effects on the setting of the adjoining Listed Buildings, and the character and appearance of the Conservation Area. Accordingly, I consider that the proposal is contrary to the relevant policies (see paragraphs 5.2 of my main report to the May meeting; and paragraphs 5.3 to 5.6 of my main report to the November meeting) which seek to ensure that development is of a quality that enhances the local environment.

**6. Recommendation:**

**6.1 Refuse Planning Permission** for the following reasons:

1. The site is included within a designated Conservation Area and within the grounds of a Listed Building, and the proposed development by virtue of its raised slab level height would detract from the visual amenities of the Area, the character, setting and appearance of which it is desired to preserve and enhance, and also detract from the setting of the Listed Building. Accordingly, the proposal is contrary to PPG 15, policies QL1, QL6 and QL8 of the Kent and Medway Structure Plan 2006, and policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007.

Contact: Kathryn Stapleton