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**East Malling & Larkfield**                      **569995 158229**    **17 September 2012**    **TM/12/02844/FL**  
East Malling

Proposal:                      Demolition of existing garages at Carnation Close and the erection of 2 new 3 bedroom / 5 person houses with associated landscaping, gardens and car parking  
Location:                      Carnation Close East Malling West Malling Kent  
Applicant:                      Russet Homes

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**1. Description:**

1.1 This full application proposes the demolition of a 'u' shaped garage block to the south of the existing houses in Carnation Close and the construction of a pair of two storey three bedroom semi-detached houses. The application also proposes the removal of some grassed areas to the north and east of Carnation Close to provide parking bays for the existing houses in place of the informal parking that currently occurs on the verges

**2. Reason for reporting to Committee:**

2.1 The application is reported to committee due to the general public interest created by the redevelopment plans for the area in general.

**3. The Site:**

3.1 The site is within the urban confines of East Malling. Carnation Close is a cul-de-sac in the north eastern corner of the Stepstile estate which is characterised by two storey terraced houses arranged around the north and east sides of the road. The land slopes gently down to the south towards the garage block to be redeveloped. To the east of the site is a tree belt running along the western edge of New Road, to the south of the site is a terrace of bungalows and to the east is a row of two storey red brick houses.

**4. Planning History:**

4.1 None relevant.

**5. Consultees:**

5.1 PC: No objection to design of the dwellings which appear to fit generally with the surroundings. There are, however, concerns regarding parking for the existing dwellings as it is a known problem with residents parking on grassed areas. The path to the A20 should be retained and the signage replaced. A condition should be attached to seek replacement trees and landscaping.

5.2 KCC (Highways): No objections, subject to conditions.

- 5.3 DHH: No objections subject to conditions and informatives.
- 5.4 EMCG: Support the application, subject to conditions.
- 5.5 Private Reps: 22/0(X)/05(R)/0(S) + site notice. Five letters of objection raising the following concerns:
- Lack of parking for existing residents, need the garages especially at weekends.
  - Tenants did not want to surrender garages.
  - Adequate parking for the proposed houses but no plans for improving the parking for the existing residents.
  - Access road not wide enough to serve the development.
  - Inadequate water pressure in the area that will be made worse by building more houses.
  - Lighting is inadequate, especially given the path used by schoolchildren.

**6. Determining Issues:**

- 6.1 The site falls within the urban settlement confines of East Malling and therefore development is acceptable in principle, subject to compliance with all other relevant development plan policies and other material considerations.
- 6.2 As the site is within the urban area the main policies for consideration are policy CP11, locations for development, and CP24, design and quality development of the TMBCS. The application proposes residential development within the urban confines of East Malling and therefore meets the intentions of policy CP11.
- 6.3 With regard to policy CP24, the new dwellings have been designed to be of a similar scale and height to the existing houses in the road and be finished in brick with a tiled roof. The dwellings are therefore considered to be in keeping with the character of the local area.
- 6.4 It is not considered that the addition of two dwellings in place of the garages would have a detrimental impact on the overall character of the street scene. The development would replace a poor quality 'U' shaped garage court and would enhance the appearance of the area by completing the southern end of the Close. The dwellings are proposed to be sited in such a way that they would not result in a loss of light or privacy to the existing properties surrounding the site.
- 6.5 The redevelopment of the garage block would result in the loss of 19 garages; these though are of a poor quality and given their size are not suitable for the parking of modern cars. The applicants are aware of the concerns of the local

residents and have therefore proposed the provision of formal parking bays in place of the grass verges at the northern end of Carnation Close. These verges are currently used on an informal basis and their more formalised use with engineered parking spaces would tidy-up the overall appearance of the Close whilst also benefitting existing residents by providing parking in closer proximity to existing properties. In total the development proposes 21 parking spaces to serve the existing and proposed houses. This provision is considered to be acceptable and is a welcomed improvement over the existing arrangements.

- 6.6 Concerns have been raised about the retention of the pedestrian access to New Road and the quality of lighting in the vicinity. The pedestrian access is shown to be retained on the submitted drawings. No details of lighting have been submitted with the application, and these should be controlled by condition.
- 6.7 The issue of tenants having to surrender their garages is not a planning consideration as it is a private matter between the two parties. The grant of planning permission does not override any private rights enjoyed by tenants. Similarly the water pressure issue is not something that can be a determining factor in an individual planning decision.
- 6.8 Overall, subject to conditions, the proposal is considered to be acceptable and will bring some beneficial improvements to the area.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 17.09.2012, Planning Statement dated 17.09.2012, Statement AFFORDABLE HOUSING dated 17.09.2012, Assessment PARKING dated 17.09.2012, Assessment CODE FOR SUSTAINABLE HOMES dated 17.09.2012, Site Plan PL\_0100 dated 17.09.2012, Site Plan PL\_0120 dated 17.09.2012, Site Plan PL\_1000 A dated 17.09.2012, Site Plan PL\_1002 dated 17.09.2012, Floor Plan PL\_1201 A dated 17.09.2012, Street Scenes PL\_0300 dated 17.09.2012, Street Scenes PL\_3000 dated 17.09.2012, Elevations PL\_3005 dated 17.09.2012, Tree Report C352AIA dated 17.09.2012, Tree Plan C352TCP R1 dated 17.09.2012, Tree Plan C352TPP r1 dated 17.09.2012, Plan PL\_1005 dated 17.09.2012, Plan PL\_0100 A dated 17.09.2012, 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.

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 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.

Reason: To ensure that the development does not harm the character, appearance or visual amenity of the locality in accordance with Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007

- 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. 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.

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 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 or 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 spa

Reason: Development without the provision of adequate vehicle parking space is likely to lead to hazardous on-street parking and therefore be contrary to Policy SQ8 of the Managing Development and the Environment Development Plan Document 2010 and the Kent Design Guide Interim Guidance Note 3 2008.

- 5 No development shall take place until a scheme of external lighting has been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details and retained thereafter

Reason: To ensure that the development does not harm the character, appearance, visual amenity or security of the wider area in accordance with CP24 of the Tonbridge and Malling Borough Core Strategy 2007.

- 6 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 in accordance with paragraph 121 of the National Planning Policy Framework 2012.

### **Informatives**

1. During the demolition and construction phase the hours of working (including deliveries) shall be restricted to Monday to Friday 08.00 - 18.00, Saturday 08.00 - 13.00 with no work on Sundays or Public or Bank Holidays.

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