

**East Malling & Larkfield**                      **569863 157776**    **17 September 2012**    **TM/12/02857/FL**  
East Malling

Proposal:                      Demolition of existing garages at Twisden Road and erection of 7 new 2 bedroom / 4 person houses with associated landscaping, gardens and car parking  
Location:                      Twisden Road East Malling West Malling Kent  
Applicant:                      Russet Homes

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**1. Description:**

- 1.1 This full application proposes the redevelopment of the courtyard of 30 garages, accessed from the east side of Twisden Road opposite nos. 5-13 Twisden Road, to provide two terraces of three no. 2 bedroom houses. An additional 2 bedroom house is proposed to be built adjoining 61 Lavender Road. A total of nine parking spaces are proposed fronting onto Twisden Road with the new dwelling fronting Lavender Road having one off-street parking space.
- 1.2 The redevelopment retains the pedestrian access through to Catlyn Close to the north of the public car park to the rear of the Twisden Road shops and also the private rear access to 59 & 61 Lavender Road. Replacement landscaping is proposed between the dwellings and the car park and also along the Twisden Road street frontage.

**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 currently a hard surfaced brick built garage courtyard accessed from Twisden Road and sloping down away from the road. The garages run perpendicular to the existing built form of the road and are separated from the street by a low brick wall. There are a number of poor quality trees around the edge of the site, some on the footway between the garages and the public car park behind the shops in Twisden Road.
- 3.2 The Lavender Road site is currently a side garden to no. 61, however consent has previously been granted for an additional dwelling. The grass verge on the junction of Lavender Road and Twisden Road is to remain.

**4. Planning History:**

TM/10/03527/FL      Grant with conditions      7 April 2011

61 Lavender Road - Erection of an attached two storey house for occupation by a family member

**5. Consultees:**

5.1 PC: No objections subject to adequate landscaping and suitable materials.

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

5.3 DHH: No objection subject to conditions.

5.4 EMCG: No objection subject to materials.

5.5 Private Reps: 50/0X/1R/0S + site notice. 1 objection received raising the following concerns:-

- Removal of garages will make worse the existing parking problem.
- Cars parked on the street are vandalised.
- Trees should not be removed as they are the only thing of beauty on the estate.
- Inadequate parking for visitors.
- Existing tenants needs should be attended to before compounding the problems.

**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 The new dwellings on the site of the garage courtyard are arranged in two terraces of three that face each other across a shared path. The rear gardens face out towards Twisden Road to the west and onto the path from Lavender Road to the east. The design enhances the streetscene of Twisden Road by creating a built frontage along the eastern side of the road. The design also creates a frontage onto the public car park to the rear of the shops in Twisden Road due to the addition of side windows into the terraces. There are currently a pair of trees positioned between the car park and the site. These trees, although not of significant merit, do break up the hard landscaped nature of the area. Given the nature of the development proposed the trees would have to be removed but it is considered necessary to seek appropriate replacement soft landscaping that should include some trees.
- 6.5 The issue of the loss of the garages is noted; however the application is supported by a parking survey that indicates that the garages are little used and that adequate on-street parking is available in the area as a whole. The development proposes adequate parking provision for the number of units proposed and so would not result in any objections from a highways point of view.
- 6.6 Overall it is considered that the replacement of the garages is welcomed as it would result in a development that would make a positive contribution to the street scene. Subject to suitable landscaping and relevant conditions the proposal is considered to be acceptable.

## **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 CODE FOR SUSTAINABLE HOMES dated 17.09.2012, Assessment PARKING dated 17.09.2012, Tree Report dated 17.09.2012, Tree Plan C353TCP dated 17.09.2012, Tree Plan C353TPP R1 dated 17.09.2012, Site Plan PL\_1003 A dated 17.09.2012, Site Plan PL\_0100 A dated 17.09.2012, Site Plan PL\_0130 dated 17.09.2012, Floor Plan PL\_1301 A dated 17.09.2012, Street Scenes PL\_0302 dated 17.09.2012, Elevations PL\_3006 dated 17.09.2012, Elevations PL\_3007 dated 17.09.2012, Site Plan PL\_1006 dated 17.09.2012, Street Scenes PL\_3002 dated 17.09.2012, Plan PL\_1302 A dated 17.09.2012, Plan PL\_1000 A dated 17.09.2012, Plan PL\_1201 A dated 17.09.2012, Plan PL\_1101 A dated 17.09.2012, Plan PL\_1102 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 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.

4. The windows on the flank (side) elevations of the new dwellings shall be fitted with obscured glass and apart from any top-hung light shall be non-opening. This work shall be effected before the relevant dwelling is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property in accordance with CP24 of the Tonbridge and Malling Borough Core Strategy 2007.

5. 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 space.

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.

### **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 Bank or Public Holidays.

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