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**Report of 22 November 2012**

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**East Malling &  
Larkfield**  
East Malling**569772 157943****8 August 2012****TM/12/02480/FL**

Proposal: Demolition of 5 houses and 36 x one bedroom flats and redevelopment to create 34 flats, 18 family houses and 4 bungalows of affordable accommodation

Location: Land Rear Of Bondfield Road Temple Way And Carnation Crescent East Malling West Malling Kent

Applicant: Russet

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**1. Description:**

- 1.1 Permission is sought to demolish 36 x one bedroom flats and 5 houses fronting Temple Way and Carnation Crescent and to redevelop the area to provide 34 flats, 18 family houses and 4 bungalows of affordable accommodation. The proposal will result in an increase of 15 units with all accommodation intended for offer as affordable housing. The redevelopment would involve a 3 storey block of a terrace of 6 houses fronting Temple Way, to the south of number 33; to the rear of this terrace would be a block of 6 x two storey houses on the former area of amenity space. These would be reached via an access road leading south from the new cut-through link road. Also accessed from this road would be two pairs of semi-detached bungalows. Car parking would be re-instated in small blocks and new street tree planting would take place.
- 1.2 Along the Carnation Crescent frontage it is proposed to construct two blocks of flats up to four storeys in height to provide 11 x 1 bed and 23 x 2 bed units with six houses. The flat blocks would be fan shaped with conchoidal and pitched roofs. Car parking would be re-instated. All the units would incorporate energy efficiency measures and renewable energy technology. The properties would be finished in a variety of materials including brick, metal roofs, and colour coated aluminium window frames.
- 1.3 The redevelopment also includes the provision of a new road running west-east, linking Temple Way with Carnation Crescent and thus also linking the Winterfield and Stepstile estates. The redevelopment also includes the renewal and upgrading of external works, new soft landscaping and boundary structures.

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

- 2.1 The application has been reported due to the general public and Member interest.

**3. The Site:**

- 3.1 The application relates to an irregular shaped area of land fronting Carnation Crescent to the east and Temple Way to the west with houses in Bondfield Road

to the south. The site also includes a small residents car park reached between terraces of houses in Temple Way and an area of amenity land running to the rear of residential properties in the three roads concerned.

- 3.2 The site has an area of 0.84 hectares and falls within the urban confines of East Malling. The residential accommodation was built as Local Authority Housing between the late 1950s and mid 1960s. The amenity land is identified on the Local Development Framework proposals map under policy OS1A as amenity space. A highways drain runs the length of the site.

#### 4. Planning History:

TM/97/01175/FL      Refuse      9 October 1997

creation of enclosed tarmac play area

TM/07/00384/FL      Application Not  
Proceeded With      18 May 2009

Demolition of 5 no. existing houses and development of 18 no. new houses and bungalows with associated external works

TM/12/01671/EASC      screening opinion EIA      15 June 2012  
not required

Request for Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 for 56 dwellings on land between Temple Way and Carnation Crescent

#### 5. Consultees:

- 5.1 PC: Acknowledges that there have been past complaints about lack of adequate sound insulation between floors and accepts the flats are out of date. There are concerns about the need for a link road between the two estates which could have detrimental impacts such as additional traffic and rat running through a quiet part of the estate. It has been requested that consideration is given to the new link road being blocked off to cars but available for pedestrians.
- 5.2 The design of the new homes is likely to be controversial as the design is considered to be out of character. The Council remain to be convinced that the parking provision for these proposals is adequate. It is accepted that there is a need for better pedestrian access between the two estates. The non planning issue of water pressure has also been raised.
- 5.3 KCC (Highways): Initially requested additional information about the access road, parking capacity and dimensions, visibility, dropped kerbs etc. In response to the additional information and updated Transport Statement KCC Highways has observed that a sufficient number of parking places (69) would be provided with a satisfactory layout.

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- 5.4 The opening of the link road between the two residential areas may lead to some additional traffic movements but would not lead to a significant number of diverted vehicle movements. As a result I would not wish to raise an objection on this issue. The traffic generated by the development proposals is not high and this could be accessed from a single access point off either Temple Way or Carnation Crescent with an emergency access between the two roads. The new access could still be adopted.
- 5.5 DHH: comments have been made about acoustic insulation between the units in the two blocks of flats and the need to ensure that there are compatible uses both vertically and horizontally.
- 5.6 A programme of dust/noise mitigating from the demolition and construction process will be required. Adequate refuse storage space will be required for each unit to accommodate the necessary wheelie bins and recycling boxes. Further details will be required of site investigation works to establish whether the site is contaminated.
- 5.7 Our partner Housing Association Russet Homes has engaged with the Councils Housing service in bringing forward the details of this application. The existing flats in Carnation Crescent are not of modern standards in terms of space and access arrangements and are to be replaced by units constructed to contemporary standards. The Housing Association is increasing their yield in line with their Affordable Homes Programme contract with the Homes and Community Agency and is offering a broad range of tenure types.
- 5.8 East Malling Conservation Group: Strongly object to the design proposals and consider that no regard has been had to the Village Design Statement. It is considered that the proposed scheme is totally unsympathetic to the village and the character of the area. The design is totally incompatible; in particular the “bland” housing fronting Temple Way and the “train carriage” type bungalows are devoid of any architectural imagination, features and character. There is an abundance of grey coloured aluminium elements. Careful consideration should be given to incorporating traditional details in the building with steeply pitched roofs, clay tiles or slates and red bricks.
- 5.9 Reference has also been made to the height of the four storey block of flats which will severely impact on the surrounding area and dominate the street scene. It is considered that the buildings should be no higher than the existing buildings.
- 5.10 There is concern that the new road will create a rat run and that lockable removable bollards are added to enable a period of live trials to take place to determine the optimum solution. Compensation for the loss of the open space within the village has been queried.
- 5.11 Kent Police Architectural Liaison Officer: Comments awaited.

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- 5.12 Mouchel: The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate contribution. Additional funds have been requested towards primary school places, libraries and community learning.
- 5.13 Private Reps: 134/0X/7R/0S + site notice + Press Notice. Representations have been received from 7 households and a petition of objection containing 46 signatures.
- Numerous comments have been made about the design being inappropriate overdevelopment and out of keeping with the density of this area. There is concern about the height of the flat buildings which would have a dominant and overbearing effect on the street scene and there could be overlooking from the balconies. The proposal is considered to represent a major re-development in a settled community. The applicants have given more consideration to maximising density rather than consider the quality of the environment for residents.
  - The creation of the new road will create a rat run and destroy the quiet environment.
  - The loss of amenity space will mean children will have play on the streets.
  - Loss of trees.
  - The additional units will create increased parking problems which may displace parking into the surrounding streets.
  - The existing water pressure/capacity already has severe problems and the extra houses will place a huge burden on the old pipework.

Reference has been made to the impact on property values which is not a planning matter.

## **6. Determining Issues:**

- 6.1 The site falls within the urban confines within East Malling Parish.
- 6.2 In accordance with good practice and Government's expectation as set out in the National Planning Policy Framework (NPPF), the application has been the subject of pre-application meetings and ongoing dialogue with the local community, including exhibitions and feedback. The application is supported by a Statement of Community Involvement describing this process.

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- 6.3 The existing flats to be demolished are considered to be unsuitable and in a poor condition. The replacement is proposed to be a socially diverse development with higher quality affordable accommodation. I do not doubt that the flat blocks are very outmoded in their accommodation and lack the amenities that would be expected in modern housing. In that respect I consider that there is in principle a strong justification for their replacement.
- 6.4 In terms of policy CP11 this site falls within an established residential area within the urban confines in East Malling parish. Consequently the proposed redevelopment is in accordance with policies CP11 and CP15. Although there will be an increase in the number of units from 41 to 56 this is, in my judgement acceptable in principle in this particular urban residential area, not least because it makes more effective use of some underused parcels of land.
- 6.5 The Supplementary Planning Document - Medway Gap Character Area Appraisal - covers the area of the application. This identifies the Stepstile estate as a public sector housing development built during the late 1950s and early 1960s that includes two storey semi-detached and terraced houses along with three storey town houses, flats and bungalows. The houses are constructed of red and brown bricks of several repeat designs and limited detailing. Personalisation has been kept to a minimum thereby preserving the original planned character of the development. The limited palette of materials creates unity and cohesion.
- 6.6 A key question, in light of this, is therefore whether the overall scale and aesthetic of the flats, in particular, are acceptable bearing in mind the CAA. There is no doubt that the overall aesthetic chosen, for both the flats and the new bungalows, is both unavowedly modern and quite distinct from the post-war design as described in the CAA. The NPPF was published after the CAA – it comments, in its endeavour to ensure high quality design and appropriate scale and design of development, that: “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”
- 6.7 The East Malling Village Design Statement (VDS) was adopted in 2004 by this Council as Supplementary Planning Guidance and applies to this site. The VDS makes a brief reference to this area: “Following the Second World War the developers of housing estates on Clare Park adopted an informal version of this approach [small terraced houses of artisan character]...”. The VDS anticipates that new housing should embrace village character and local materials. Of course this is a broad principle that is unimpeachable but each application must be considered in its contemporary context.

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- 6.8 It is relevant to consider the overall design aspects which are without doubt not a simple reflection of the existing modest neo-traditional but rather seeks to add an updated version of that simple aesthetic. One of the key issues is the relationship of the new flats to the open space on the opposite side of Chapman Way. This particular open aspect, within the urban area, is a key factor in providing a setting whereby the larger scale flat blocks sit happily, if more noticeably, in the street scene than the current buildings. The use of asymmetrical roof forms with modern roof materials is new, as is the format of the buildings; however I do not consider this a failing in the scheme but rather a beneficial introduction of contemporary styling to inject a new sense of variety to demonstrate the updating of the affordable housing provision here.
- 6.9 The siting of the proposed blocks of flats would be similar to that of the existing block, but clearly of greater height in parts. The existing three storey flats have an eaves height of 7.2m and a ridge at 10.2m. When the base plinth is taken into account, the eaves level is 8.6m and the ridge at 11.4m. The proposed three and four storey block would be 13.5m at the highest point. The three storey element would be 9m and the four stories 11.8m high. The impact of the height would however be lessened by the shape of the roof sweeping up from east to west. The building would face the open space of the amenity area to the east and it is considered that this part of the estate can accommodate a building of this height and scale.
- 6.10 I am aware that there is some concern with regard to the 3 storey units alongside existing 2 storey units. Ideally I would have wished to avoid this but in this particular case I can see the logic in this siting of the larger and therefore higher, family units. It would not be appropriate to site a group of such units at the end of a *cul-de-sac*, especially one where the opportunity is being taken to enhance the range of properties available by the imaginative redevelopment of small sites for bungalows. Such an arrangement would lead to management and conflict issues which are less likely to occur with the larger units sited as proposed. Clearly this is a balance of issues but I consider that the opportunity to provide an enhanced provision of family size housing is an opportunity not to be spurned.
- 6.11 It is also important to note that the wider context for the assessment of this design approach is that none of the buildings impinges on the important Conservation Area setting at Clare Park and Blacklands – that is not to say that design is unimportant but simply that the special character of the nearest Conservation Area is not directly affected by the development.
- 6.5 I consider that the design approach adopted is not inappropriate for the setting notwithstanding the wider aspirations the VDS. Moreover the design approach adopted with the flats, influencing the scale and therefore impact as it does, enables a vastly improved range and quality of living accommodation to be provided.

- 6.6 With regard to the choice of materials to be used in the construction of the proposed buildings, the applicants' agent has confirmed that the proposed brick colour will be changed from brown to red. This has the benefit of providing some continuity through the 1950s schemes to the current proposal.
- 6.7 Part of the site is currently a designated amenity space to which MDE DPD policy OS1 applies, and the proposed development will result in the loss of this area. The applicants in support of their proposal note that the amenity space has proven to be a location for anti-social behaviour, drug dealing and intimidation and that as a result, this small space does not provide a valuable amenity area for local children.
- 6.8 Annex D of the MDE DPD indicates that there is no deficiency in the quantity of provision of open space in East Malling. It is noted that that the existing amenity area is not overlooked by residential properties and for this reason is not favoured as a childrens play area. The nearby Stepstile Green amenity space would still be available and is a more open and inviting area for recreation. In this instance, given the unsavoury uses associated with the amenity space, it would be difficult to resist the loss of this small open area.
- 6.9 The proposal involves the creation of a link road between Temple Way and Carnation Crescent, which has again divided local opinion. In support of the access road, the agents state that *"at present vehicles take a circuitous route around either end of the estate to end points. This appears to be undesirably divisive and would in terms of best modern urban principles tend to be avoided wherever possible. The proposed development offers the chance to remedy this and promote a better sense of local community and social cohesiveness."*
- 6.10 There is some local concern that this access road will form a rat run, although in effect it is unlikely that it would provide a quicker route through this residential area. In the alternative it can be argued that this would open up a new and beneficial physical connection and a welcome open vista between the two roads. It has been suggested by some that part of the link should be provided for pedestrian use only and that a vehicular through route should be avoided.
- 6.11 Following initial consultations a revised Transport Statement report and a Stage 1 Road Safety Audit have now been received. The Transport Statement includes a new section to assess trip generation and traffic assignment. Either collapsible bollards to prevent vehicle access or permanent bollards can be included at the end of the narrow vehicular access off Bondfield Road, depending upon KCC requirements for this location. The detailed design can be completed in collaboration between the applicant and KCC.
- 6.12 KCC Highways has indicated that in their opinion the proposed link road will be unlikely to lead to a significant number of diverted trips and would not wish to raise an objection on this part of the scheme. However, it must be recognised that the traffic generated by the development proposals as a whole is not high and this could be safely accessed from a single access point off either Temple Way or

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Carnation Crescent with an emergency access/cycleway/footway between the two roads (3m in width). The new access road could still be adopted.

- 6.13 In light of the concerns amongst the residents, the applicants have indicated via their agents that they will, if the LPA requires it, commit to review the effectiveness of the road, and any issues raised following the opening, through consultation with local residents at 6 and 12 months after the scheme is completed.
- 6.14 It can be confirmed that a sufficient number of parking places would be provided for the proposed number of units.
- 6.15 A tree survey has taken place in association with the application and it has been stated that all trees within the existing amenity area are to be removed. I can see no objection to the removal of the poplars, and a comprehensive landscaping scheme will be required. The agents have confirmed that a management and maintenance programme will be prepared and this matter can be covered by a safeguarding condition.
- 6.16 The matter of possible noise transmission between flats, as mentioned by DHH, will be effectively controlled through the Building Regulations. It will be necessary to ensure that the issues of noise and dust do not become a problem during the construction phase. The DHH has recommended restricting the hours of working and this can, most appropriately, be covered by an informative.
- 6.17 It is important to ensure that the refuse storage areas for individual houses are large enough to accommodate two wheelie bins and a recycling collection box. The applicant's agent has indicated that sufficient space would be allowed for bins for each flat block and space for two wheelie bins and recycling boxes for each property. A railed corral would be provided at each garden gate to keep these items in place. This matter has been the subject of discussions between the applicants and the Councils Waste Management Officer. A safeguarding condition will be required to ensure satisfactory arrangements can be secured for each unit.
- 6.18 The comments of Mouchel on behalf of KCC have been noted and given careful consideration. In this case a considerable sum of money has been requested towards the extension of the primary school, libraries and community places. It is argued that an additional 15 units would be provided which may generate some additional demand for facilities. No details have been provided to demonstrate where the extra facilities/primary school places might be required within 2 miles of the site or that there are not adequate opportunities to meet the need at present. In the light of this, it is not appropriate to agree the requested contributions.
- 6.19 This proposal has been the subject of lengthy pre-application discussion in accordance with Government expectations and widespread consultation during the formal application procedures. The re-development of this part of the estate is acceptable in principle. The design has divided local opinion and is contemporary but in my view appropriate in this location. It has been demonstrated that the new



access road, whether for vehicles or pedestrian use only, is of acceptable standard and could be adopted. After detailed consideration it is recommended that the proposal be approved.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 08.08.2012, Planning Statement dated 08.08.2012, Statement dated 08.08.2012, Assessment dated 08.08.2012, Arboricultural Survey dated 08.08.2012, Desk Study Assessment dated 08.08.2012, Transport Statement dated 08.08.2012, Drainage Statement dated 08.08.2012, Floor Plan AA2427/2.3/204 B dated 08.08.2012, Floor Plan AA2427/2.3/205 B dated 08.08.2012, Floor Plan AA2427/2.3/206 B dated 08.08.2012, Floor Plan AA2427/2.3/207 B dated 08.08.2012, Floor Plan AA2427/2.3/208 B dated 08.08.2012, Location Plan AA2427/2.1/001 A dated 08.08.2012, Site Plan AA2427/2.1/002 A dated 08.08.2012, Site Layout AA2427/2.0/100 A dated 08.08.2012, Floor Plan AA2427/2.1/200 D dated 08.08.2012, Floor Plan AA2427/2.1/201 D dated 08.08.2012, Floor Plan AA2427/2.1/202 D dated 08.08.2012, Floor Plan AA2427/2.1/203 D dated 08.08.2012, Existing Elevations AA2427/2.1/300 A dated 08.08.2012, Proposed Elevations AA2427/2.1/301 C dated 08.08.2012, Proposed Elevations AA2427/2.1/302 C dated 08.08.2012, Proposed Elevations AA2427/2.1/303 C dated 08.08.2012, Proposed Elevations AA2427/2.1/304 C dated 08.08.2012, Proposed Elevations AA2427/2.1/305 C dated 08.08.2012, Proposed Elevations AA2427/2.1/306 C dated 08.08.2012, Proposed Elevations AA2427/2.1/307 A dated 08.08.2012, Sections AA2427/2.1/308 A dated 08.08.2012, Letter dated 08.08.2012, Notice dated 08.08.2012, Other dated 08.08.2012, Transport Statement dated 23.10.2012, Email dated 23.10.2012, 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 and appearance of the existing building or the visual amenity of the locality.

3. Prior to the development hereby approved commencing details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development.

Reason: In order to secure a satisfactory standard of development and in accordance with paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework.

4. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works or 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.

5. Notwithstanding the provision 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 any elevation of the buildings 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 and in accordance with paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework.

6. 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 roofs of the buildings 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 and in accordance with paragraphs 17, 57, 58, 61 of the National Planning Policy Framework 2012.

7. 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.

8. 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.

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

9. 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.

10. 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

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Planning (General Permitted Development) Order 1995 (or any order amending, revoking and 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 professional or adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with paragraph 35 of the National Planning Policy Framework 2012.

11. No building shall be occupied until the area shown on the submitted plan as a turning area 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 and 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 turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway and in accordance with paragraph 35 of the National Planning Policy Framework.

12. Prior to the development hereby approved commencing, details of provision of measures to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing. Such details as are agreed shall be carried out concurrently with the development.

Reason: In the interests of highway safety.

13. Prior to the development hereby approved commencing details of wheel washing facilities to be installed at the site, for the duration of construction, shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development.

Reason: In the interests of highway safety.

14. The cycling parking facilities shown on the submitted plans shall be provided prior to the use of the site commencing and shall be permanently maintained thereafter.

Reason: In the interests of highway safety.

15. The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

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16. Prior to the first occupation of the dwellings the following works between a dwelling and the adopted highway shall be completed:
- a) Footways and/or footpaths, with the exception of the wearing course
  - b) Carriageways with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Reason: In the interests of highway safety.

### **Informatives**

- 1 During the demolition and construction phase the hours of working (including deliveries) shall be restricted to Monday to Friday 0800-1800 hours, Saturdays 0800-1300 hours with no work on Sundays or Public or Bank Holidays. You are advised to contact the Environmental Health Pollution Control Team on [pollution.control@tmbc.gov.uk](mailto:pollution.control@tmbc.gov.uk) in advance of the commencement of works to seek the necessary consents required under Section 61 of the Control of Pollution Act 1974.
- 2 The use of bonfires could lead to justified complaints from local residents. The disposal of demolition waste by incineration is also contrary to Waste Management Legislation and therefore it is recommended that bonfires are not held at the site.
- 3 Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation ([www.kent.gov.uk/roads](http://www.kent.gov.uk/roads) and [transport.aspx](http://www.kent.gov.uk/transport.aspx) or telephone: 08458 247800) in order to obtain necessary Application Pack.
- 4 The Borough Council will need to create new street name(s) for this development together with a new street numbering scheme. To discuss the arrangements for the allocation of new street names and numbers you are asked to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to [nameandnumbering@tmbc.gov.uk](mailto:nameandnumbering@tmbc.gov.uk). To avoid difficulties, for first occupiers, 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.

Contact: Hilary Johnson

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SUPPLEMENTARY REPORTS

AREA 3 PLANNING COMMITTEE

DATED 22 November 2012

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East Malling & Larkfield TM/12/02480/FL  
East Malling

Demolition of 5 houses and 36 x one bedroom flats and redevelopment to create 34 flats, 18 family houses and 4 bungalows of affordable accommodation at Land Rear Of Bondfield Road Temple Way And Carnation Crescent East Malling West Malling Kent for Russet

Further views from PC: *Wish to make the following additional comments:-*

- 1. We are pleased that they support the aims of the Village Design Statement and recognise the important work that the Conservation Group carried out in preparing that document.*
- 2. The Parish Council accept that it would not be appropriate to try to introduce into the Stepstile/Winterfield Estates area a design that reflects the Conservation Area status of much of the village or the historic buildings that exist there.*
- 3. The Parish Council are of the view that the architect here has chosen the design with the intention of a radical statement rather than a design which would fit in more sympathetically to the existing estate.*

*The Parish Council do not seek buildings that replicate the existing social housing which as stated, particularly in the case of Stepstile which are replicated across Tonbridge and Malling Borough and elsewhere.*

*The Parish Council seek a design which more closely goes with the grain of the surrounding buildings but nevertheless using modern materials. Whilst we welcome the change of colour from brown to red (depending on actually seeing a sample) we feel akin to the original design in the applicant's newsletter of February 2012. The Parish Council incidentally never been consulted by Russet Homes and cannot understand why there appears to be a radical change of stance resulting in the present plans being put forward. It is understood that at the first exhibition around 45 people attended and 46 at the second exhibition. There are 1200 adults approximately on the two estates so whilst the consultation that took place was welcomed the level of responses is therefore quite low and therefore unreliable as a measure of public opinion.*

- 4. As an overall point we question the statement that in the last 10 years there has been a "more popular interest in contemporary design" as set out in No.6 actually looking at the design of houses on local developments, developers seem to stick with existing designs which are popular and sell.*

- 5. Overall these flats as designed will be so different to anything else that exists in East Malling and will go against the wish to more closely integrate "the village" and "the estates" and we repeat our request for a site inspection.*

6. *We feel that the roofline is particularly incongruous and overbearing and out of character with the surrounding buildings.*

7. *The Parish Council feel these buildings represent a townscape and would be more appropriate for say Chatham Dockyard.*

Police Architectural Liaison Officer: The scheme is open and designed with a layout that in my opinion is sustainable and will work for designing out crime. The link road is welcomed because, as the development stands today, access through the area is restricted and enclosed so therefore difficult to successfully police.

Private Reps: Two further representations have been received and a request made for a site inspection to be carried out before the proposal is considered by Committee Members, on the grounds that if a judgement is made just on the basis of the submitted plans then this would be misinformed and catastrophic to the local community.

It is also stated that the flats complex represents a clear contradiction of the Local Plan and would not contribute to the sense of continuity and belonging in the village. The application seems to be exempt from the established checks and balances and the Borough seems to be taking a sympathetic line toward the major part of this proposal.

DPTL: There is a formatting error on the report. Please be aware that on page 46 the paragraph numbers should run concurrently and not jump back from 6.11 to 6.5.

The comments regarding a site inspection are noted. Members will wish to consider whether they would wish to undertake a site inspection prior to the determination of the development.

The comments of the Architectural Liaison Officer are noted and would need to be given due weight when considering whether to open the access road. All other more specific detailed matters to do with designing out crime can be achieved through the applicant and their agent working closely in partnership with the police.

The comments made by the PC are in the majority with regard to design are dealt with in the body of report. With regard to the points made in respect of the Russet pre-submission consultation it must be remembered that this is entirely discretionary and the scale of development here is substantially below the "threshold" that has been talked-of, but never confirmed by Government, of 200+ units. While it is not an issue in the Council's decision on this case, I am advised that in excess of 790 letters were sent by Russet, posters were displayed and invitations sent to, amongst others, Local Borough Councillors, the Church, the Parish Council and the Police. Reports of the two public sessions in December 2011 and March 2012 are available from Russet. The Borough Council has, of course, carried-out *statutory* consultation in accordance with current practice.

To avoid any concern regarding building height in practice it is considered appropriate to add a condition requiring slab level details to be submitted approved and complied with.

**Amend recommendation to add the following condition:**

17. No development shall be commenced until details of the finished floor level of the ground floor of all the proposed buildings have been submitted to and approved by the Local Planning Authority. The submitted levels shall be shown in relation to a readily identifiable and verifiable datum. The buildings shall be constructed at the approved levels.

Reason: In the interests of the amenity of neighbouring residential properties and the locality in general.