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

1. Description:

- 1.1 This application was deferred from the meeting of the Area 3 Planning Committee on 22 November 2012 for a Members' site inspection. The inspection took place on 11 December 2012 and further discussions have since taken place with the applicants' agents.
- 1.2 A copy of my report to the 22 November meeting is attached as an Annex for ease of reference.

2. Reason for reporting to Committee:

- 2.1 The application is reported again to Members following the Committee site visit on 11 December and the receipt of revised plans showing amendments to some design matters and further details about materials and the need for the applicants to upgrade the accommodation in the area. These documents include changes that have been made in response to comments received from local stakeholders and interested parties, both as a result of the site inspection and in discussions between the applicant and local stakeholders since that time.

3. The Site:

- 3.1 The application relates to an irregularly 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 between the terraces of houses in Temple Way and an area of amenity land 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. A highways drain runs the length of the site.

4. Planning History:

4.1 As 22 November report.

5. Consultees:

5.1 East Malling Conservation Group: Welcomes the use of red toned bricks instead of brown and the lightening of the colour of exposed metalwork to give an overall brighter finish to the buildings. The change to a conventional pitch of the roof of the three storey houses adjoining the flats is more sympathetic and the use of interlocking tiles whilst not ideal is acceptable in this instance. The further changes to the roofs of the proposed houses in Temple Way and new road to a hipped style are appropriate and the added features to the bungalow roofs will add interest. The commitment by the applicants to monitor the through traffic on the link road would need to be well defined and controlled by conditions.

5.1.1 The Group recommends that the application is approved with detailed conditions as appropriate.

5.2 PC: Supports the concept of a wide, well planned pedestrian link between the two estates as shown. There is however local concern that residents will use the new road to avoid traffic calming humps in Chapman Way or avoid parked cars associated with St James school.

5.2.1 The Parish Council continues to question the rationale for a vehicular link and would prefer a 12 month period of monitoring.

5.3 With regard to design it is considered that, in general, the revisions have improved the scheme and in particular the changes to the roof of the three storey houses and the colour of the bricks. Concern remains that the roofs of the bungalows will have an industrial appearance.

5.4 The issue of the height of the flats in Carnation Crescent remains of great concern and would prefer the slab level to be as near as possible to Carnation Street level. There is still concern over the 4th/5th storey of the Carnation Crescent flats and its design.

5.5 DHH (Housing): Russet Homes the applicants have worked closely with Council officers to explore how best to regenerate the Winterfield estate. This scheme allows a welcome increase of 15 affordable dwellings to the existing provision in the area and also the opportunity to construct homes of a higher environmental standard incorporating energy efficiency measures.

- 5.5.1 The new homes would be subject to an extensive local lettings plan which would seek to guide child densities, levels of economic activity and prioritising local connections for new residents. The scheme would include four bungalows (allowing opportunities for existing occupants to downsize) and would represent a valuable addition to meet this Council's housing need.
- 5.5.2 The scheme would help to provide a balanced and sustainable community with a mix of tenures and family types but all sharing the same level of design. The proposed supply of affordable housing will assist in the regeneration and modernisation of the housing stock in the area.
- 5.6 Private Reps: Any additional comments received will be set out in a Supplementary Report at the Committee meeting.

6. Determining Issues:

- 6.1 As mentioned above the main issues of principle are set out in my November report. The further comments from DHH, as set out above, indicate clearly how the project as a whole contributes to the strategic housing needs of the Borough as they relate to this community and area. As a matter of principle this project makes a very positive contribution to increasing the number of dwellings, and through use of a variety of styles, mix and design principles will add to the stock in a way that only improves environmental credentials of that housing stock. The key issues are matters of aesthetic design and the function of the new link road.
- 6.2 The following additional observations are made:
- 6.3 The overall height of the new flats is greater than that of the existing flats. A drawing showing comparative heights and massing of the existing and proposed buildings shows this and will be displayed at the meeting.
- 6.4 The existing flats have an overall height (ridge) of approximately 11.4m above the back edge of pavement level of Carnation Crescent. The new flat block would have an overall height (apex of roof) of 13.4m. The new flats would be set further forward of the general building line and would sit at a slightly lower level, closer to road level. The design of the new flats would continue to incorporate sweeping fan-shaped roof forms, the two blocks lying either side of the new large opening (in the form of the new link road route) which will create vistas and a new sense of spaciousness. While the blocks are closer to Carnation Crescent the form of the blocks has been devised to create a set-back at the top floors which relieves the potential for becoming overbearing.
- 6.5 Some concern has been expressed about the mono-pitch roof shape and sheet metal covering for the proposed houses in Temple Way and the new road and the visual transition from the new development to neighbouring houses. Following a design review these roofs have been altered to hipped roofs with red clay tiles which appear in plain tile format, and which have an historic continuity with the

locality. Both the proposed three storey terrace in Temple Way and two storey houses facing the new road would incorporate this revised roof treatment. In addition the pitch of the roof of all the terraced houses will be set at 35 degrees. The use of a natural clay interlocking tile will replicate the appearance of a traditional clay tile while being an effective and economical roof covering.

- 6.6 The design of the three storey houses adjacent to the flats in Carnation Crescent has also been revised to a tiled roof form at the same pitch and with the same roof covering as outlined above for the other houses in the scheme. Such an arrangement will have a satisfactory relationship with the more contemporary style and materials of the flats and will provide a useful element of visual unity between the various elements of the overall renewal project.
- 6.7 With regard to the proposed bungalows, the opportunity for a review of roof coverings has been taken. In this case, because of the format of the buildings it is proposed to retain the metal roof covering as it allows for the formation of a very low roof pitch. This enables the height and visual impact of the bungalows to be kept to a minimum, reducing intrusion into the outlook from the rear of properties in Carnation Crescent. In order to add some variation within the roof design of the bungalows, two slim parapet features along the party wall line extending upwards in the form of chimneys have been introduced. In addition small dormered roof lights are shown offering lighting to the entrance hallways. These changes soften the appearance of the roof line. It is considered that the bungalows have a satisfactory relationship with the two storey terrace of new houses that they would face. The creation of new bungalows in this location will improve the supply of such properties in the area and thus meet a known local need as identified by DHH.
- 6.8 Various changes have been put forward in relation to the previously identified materials and colour choices. Instead of subdued greys and browns it is suggested that an orange/red brick similar to local historic bricks might be more appropriate. The precise choice of materials would need to be the subject of further discussion with all relevant parties in due course. It is recognised that the finish of the chosen sheet metal to the roof of the flat blocks and bungalows will be important to ensure it complements the choice of bricks. The use of a bespoke metal sheet in a green-grey zinc coated aluminium rather than a pre-formed profiled sheet should provide an acceptable external finish to the roof of the flat blocks.
- 6.9 The proposed new road between the two estates has been the subject of a certain amount of debate, with some being in favour of providing a pedestrian/vehicle link and others considering it will create a rat run. It is proposed that this area will be attractively finished with appropriate materials, lighting and trees and will provide valuable parking spaces. Members will recall that both the Police Community Support Officer and Police Architectural Liaison Officer have agreed that there are no problems with the provision of a link road. There remain however differences of opinion locally as to whether the link should open as a through vehicle route or be

divided by bollards to restrict through traffic. Kent Highways is satisfied that the road link is entirely appropriate in highways safety terms but that it could be used either as a through route or as a no-through route.

- 6.10 The applicants have indicated that there could be a period of review on completion of the road works to enable usage to be monitored and the operation of the road reviewed if appropriate. If this approach is agreed then criteria for assessment and a review methodology would need to be established to ensure the best outcome and long term benefits for local residents: that could be required by planning condition and the terms of the draft monitoring scheme subject to consultation in due course.
- 6.11 As Members will be aware the Local Authority has a broad corporate duty, through both its housing and planning powers and duties, to enable affordable housing to be delivered. A range of unit types and tenure split would be provided by this project in response to housing needs in the area, to ensure a sustainable community. The provision of high quality accommodation in an attractive environment cannot but enhance the area. It is a general precept in matters of affordable housing that there should be no obvious visual distinction between dwellings of different tenure type. All units meet this aim by enjoying the same level of design.
- 6.12 With regard to the three storey terrace of houses fronting Temple Way it is proposed to set these back from the footway and create a frontage area for car parking. Each house would have a small private front garden enclosed by low railings with space for refuse storage. Beyond would be the shared frontage which would not incorporate physical subdivision. A continuous footway would however be provided. Such an arrangement combines the need to provide off-street parking whilst maintaining individual amenity areas for each unit set back from the highway.
- 6.13 Generally, existing rights of way are to be preserved across the site with the exception of the route behind the proposed bungalows. Access would be retained to the rear of houses in Carnation Crescent but will be restricted to these householders. In the interests of enhanced security a lockable gate would be provided at either end of that access route.
- 6.14 Additional comments have been received from EMCG and Parish Council. I agree that the choice of materials in the external finish of the new buildings needs to be given very careful consideration and this matter can be covered by a safeguarding condition. The use of a carefully specified and installed sheet metal finish on the bungalow roofs should result in a subdued, rather than a harsh industrial, appearance and the additional design features should embellish the overall appearance. I can see no objection, in design terms, to the latest drawings.

- 6.15 The particular concerns of the Parish Council about the height of the flats is understood but I do not consider them to be overriding; the design solution is, in my view, appropriate and acceptable. The PC is quite right that a condition should be applied controlling precise slab levels. The additional drawing received, comparing the heights of the proposed flats in relation to the existing, demonstrates the change in heights of the eaves, ridge and sweeping roof lines. Whilst these give a representation of the change in scale, it should be remembered that the fan shaped roof will sweep back away from Carnation Crescent and the gap provided by the link road will open up the building frontage and create a sense of openness. The East Malling Conservation Group appears to be far more comfortable with the design and increase in height of the flat blocks.
- 6.16 Various discussions and meetings have taken place between the applicants/agents/interested groups and Borough Council Planning and Housing Officers since the application was considered at the November committee meeting. These further discussions have brought forward design amendments and what is now suggested is a more contextual approach to the choice of external finishes. The commitment of the applicants to providing high quality housing to meet local needs has also been re-inforced by this approach of revision of the scheme in light of communication with local stakeholders.
- 6.17 In my view the revisions should be considered appropriate for this location and in many respects can be seen to be beneficial, notwithstanding that I was able to lend support to the earlier scheme.
- 6.18 The outstanding issue, if Members are minded to grant consent, is whether the proposed link road between the two estates should, in the final analysis, become a complete through-route for vehicles and pedestrians or whether it should be partially blocked by bollards to allow a pedestrian route only with access to car parking. The logical approach would be to allow the road to be created and opened as a through-route which could then be monitored as described in principle above. If evidence emerged of anti-social vehicular rat running then arrangements could be put in place to stop through traffic. Of course it is not possible to partially open the road and then test as there would, of necessity, be no opportunity for through-traffic. The recommendation includes a condition for a monitoring regime.

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 E dated 23.01.2013, Proposed Elevations AA2427/2.1/302 E dated 23.01.2013, Proposed Elevations AA2427/2.1/303 E dated 23.01.2013, Proposed Elevations AA2427/2.1/304 E dated 23.01.2013, Proposed Elevations AA2427/2.1/305 D dated 14.01.2013, Proposed Elevations AA2427/2.1/306 F dated 23.01.2013, Proposed Elevations AA2427/2.1/307 C dated 23.01.2013, 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, Elevations AA2427/2.1/310 dated 14.01.2013, AA 2427/2.1/311 dated 23.1.2013, AA2427/2.1/315 dated 23.1.2013, AA2427/2/1/316 dated 23.1.2013, AA 2427/2.1/317 dated 23.1.2013 subject to:

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 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.

16. Prior to the first occupation of the dwelling 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.

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.

18. Prior to the commencement of the use of the link road between the two estates, a scheme of monitoring and assessment to review the operation of the road shall be submitted to and approved in writing by the Local Planning Authority. Such monitoring details as are agreed shall be carried out for a period of one year from an agreed date. The final details regarding an open or closed vehicular link shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in order to secure a satisfactory outcome for local residents.

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@tmhc.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 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. 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