

West Malling **568093 157783** **20 August 2015** **TM/15/02739/RD**
West Malling And
Leybourne

Proposal: Details submitted pursuant to condition 18 (Construction Management Plan) of planning permission 13/01952/FL for Development comprising of 4 no. two bedroom town houses and one retail unit plus associated parking and external works
Location: Mill Yard 26 Swan Street West Malling Kent ME19 6LP
Applicant: Bedlars Holdings UK LLP

1. Description:

- 1.1 The application is a reserved details application for condition 18 of TM/13/01952/FL in respect of a Construction Management Plan for the development of 4 no. two bedroom town houses and one retail unit plus associated parking and external works.
- 1.2 Application TM/13/01952/FL was originally reported to A2PC on 5 March 2014 and was deferred to allow Officers to investigate the strategy for management of construction traffic. A draft construction method statement was submitted identifying the use of Swan Street for all construction related traffic. This additional information was reported back to A2PC on 16 April 2014 and permission approved by Members.
- 1.3 This reserved details application has been submitted following detailed discussions with Officers. It has been identified through further investigations that it is not practicable or desirable to solely use Swan Street for construction related traffic and it is now intended to use the public car park for construction access with all deliveries taking place between 7.00 am and 8.15am with 6 car parking spaces being dedicated for off-loading during construction.
- 1.4 A detailed Construction Management Plan has been submitted with the application but some aspects of the condition were not fully clarified in the original submission, being the specific access route into the site for construction traffic and contractors' vehicles, areas shown to be set aside for materials storage and specific pedestrian safety measures across and adjoining the site. This additional information was requested and has now been submitted.
- 1.5 The additional information clarifies the route through the public car park, manoeuvring of larger vehicles on to the site from the car park and clarification of storage areas and lack of pedestrian access through the site during the construction period.

2. Reason for reporting to Committee:

- 2.1 To report back to Members following the previous committee decision and access concerns.

3. The Site:

- 3.1 The application site is situated at the southern end of Mill Yard, off Swan Street in West Malling. The site is within the central area of West Malling which is a district centre as defined by Policy CP22 of the TMBCS 2007. The site also lies within a retail policy area as defined by Policy R1 of the DLADPD 2008. The site lies within the West Malling Conservation Area. The site is also situated within the historic core of West Malling and in an Area of Archaeological Potential.
- 3.2 Mill Yard is currently a small collection of commercial units with a variety of different occupiers. The buildings comprise traditional single and two storey weatherboarded buildings that are stained black. Adjoining Mill Yard and the northern boundary of the application site is the West Malling Post Office.
- 3.3 The site currently comprises unused land around the existing Mill Yard buildings that has been largely unkempt and overgrown for a significant period of time. This land is partly hardsurfaced and used as informal private car parking or forms the footpath route through the site between the public car park and Swan Street. A band of trees and shrubs that extended along the southern boundary have been removed under approval.
- 3.4 Directly to the west of the site are the rear yards of properties in the High Street. These buildings are between two and three storeys in height and most of them are Grade II listed or of local interest. Most of these buildings have also been significantly extended with small rear yards serving the commercial uses that occupy the ground floor. There is some residential accommodation on the upper floors.
- 3.5 To the south of the site and forming the southern boundary of the proposed development is a public car park (managed and partly owned by TMBC); this car park is heavily used and also forms the main car parking serving the nearby Tesco store on the High Street. There is also a local recycling centre adjacent to the south eastern corner of the proposed development. A pedestrian route used by the public also runs across the site and links the car park to Mill Yard and Swan Street; this is closed by a gate overnight.
- 3.6 To the east of the site are the gardens of residential properties on Swan Street. These also adjoin the northern boundary of the application site. There are five residential properties adjoining the site (3 dwellings and 2 flats). Further east and within close proximity are the grounds of St Mary's Abbey, which is a Scheduled Ancient Monument, and also a Grade I listed wall that adjoins the south eastern corner of the application site.
- 3.7 The levels on the site vary, resulting in a steep drop behind the existing car park wall on the southern boundary of the site. The drop in level can be appreciated by the relatively steep ramped section of pathway.

4. Planning History (relevant):

TM/03/03673/FL Refuse 20 October 2004

Demolition of existing glasshouse and erection of 4 residential units and a commercial unit (Class A1) with parking, revised access and associated works

TM/05/03034/FL Refuse 27 July 2006

2 no. 2 bedroom houses and 1 no. commercial unit (Class A1) with parking, revised access and associated works

TM/06/02830/FL Approved 22 December 2006

Retail unit to replace recently demolished greenhouse

TM/06/02832/FL Approved 22 December 2006

Retail unit to replace recently demolished greenhouse

TM/10/00991/FL Approved 14 June 2011

Erection of a mixed use development comprising 7 no. ground floor retail units, 5 no. 2 bed apartments with associated car parking and public space

TM/13/01952/FL Approved 25 April 2014

Development comprising 4 no. two bedroom town houses and one retail unit plus associated parking and external works

5. Consultees:

5.1 Any representations received shall be reported fully in the Supplementary Report.

6. Determining Issues:

6.1 The reserved details application is submitted in respect of a formal construction management plan, as required under condition 18 of TM/13/01952/FL. It varies from the details which were discussed during the determination of the original application.

6.2 *Condition 18 requires:*

No development (including demolition of the existing building) shall take place until details of a management plan to address the physical practicalities of carrying out the demolition and construction work on this tightly constrained site have been

submitted to and approved in writing by the Local Planning Authority. The plan shall specify access routes into the site for construction traffic and contractors' vehicles, areas to be set aside for materials storage and maximise vehicle parking within the site and measures to protect adjoining properties whilst the development is under way. In addition, the plan shall specify pedestrian safety measures across and adjoining the site. The development shall be carried out in strict accordance with the details approved.

6.3 The details that have been submitted accord with the requirements of the above condition and address the physical practicalities of carrying out construction work on this constrained site. It is noted that there is very limited demolition, but levelling of the site and clearance will be required. Some of the key points of the Construction Management Plan are:

- Large vehicular deliveries to the site will be via the public car park between the hours of 7.00am – 8.15am and strictly controlled.
- Smaller deliveries will still use the Swan Street access.
- The allocation of 6 dedicated parking bays by vehicles for the delivery and collection of materials.
- Access routes for construction vehicles to be fully signposted.
- An independent construction traffic co-ordinator is to be appointed to control and monitor larger vehicles collecting from and delivering to the site.
- Contractors to use the public car park for parking their smaller vehicles.
- Communication will be ongoing with local residents, including a complaints process and relevant telephone numbers available on site; these details will be provided to the Local Planning Authority.
- Regular meetings to be set up with all relevant parties to discuss and respond accordingly to any issues.
- Possibility of a web-site set up to provide better communications.
- Site fully secured and pedestrian access closed during the entire construction process.
- A dedicated storage and welfare area to be sited to the rear of 75-77 High Street.
- Emissions, Lighting and Noise and Vibration addressed and the potential for impact on neighbouring properties fully considered.

- 6.4 The main alteration from the access details previously discussed is the use of the public car parking for access by larger construction vehicles. This has been discussed in some detail with the relevant departments within the Council and considered in principle to be feasible, subject to Committee and agreement with landowners.
- 6.5 The revised construction management plan has been developed as it became clear that the only way to use the Swan Street access for all vehicles would have resulted in stop and go signs to control larger vehicles gaining access into Mill Yard. This clearly would have resulted in a significant impact on the traffic in West Malling and caused considerable congestion for businesses and residents in West Malling. Consequently, alternative options were considered. Smaller vehicles will still use Swan Street to access the construction site but these should have less impact on local traffic and the town.
- 6.6 The use of the car park during the hours specified (7.00am – 8.15am) will minimise the impact on the car park during its busiest hours and reduces the impact on users of the car park. At this time of the day the car park is fairly empty and allows more scope for the movement of construction vehicles across the car park without affecting users of the car park. The route plan submitted is therefore an indicative plan to show the intended route. This overall approach is considered to work better on a practical level, resulting in less disruption and congestion within West Malling and offers a sensible solution to the construction needs on this constricted site in the centre of West Malling.
- 6.7 The application is therefore reported to A2PC with a recommendation for approval, but subject to the expiry of the relevant consultation periods and the receipt of supportive comments.

7. Recommendation:

7.1 Delegate authority to the DPHEH to Approve Reserved Details, as detailed in:

Report received 20.08.2015, Email received 16.09.2015, Email received 15.09.2015, Aerial Photo ROUTE received 16.09.2015, Proposed Layout 12397F/003 B received 16.09.2015, Management Plan 12397F/REF 2 received 16.09.2015 **Subject to:**

- expiry of the consultation period, and
- no objections being received raising new material land use considerations

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