

**East Malling &
Larkfield**
East Malling

570291 157081 31 May 2013

TM/13/01650/FL

Proposal: Erection of a single storey detached building to be used as a parish room
Location: Church Of St James Church Walk East Malling West Malling Kent
Applicant: Mrs Anna Ashbee

1. Description:

- 1.1 Members will recall that this application was deferred from the meeting of Area 3 Planning Committee on 10 October 2013 for a Members' Site Inspection. The inspection is scheduled to take place on 29 April 2014. Any points arising from that inspection will be dealt with in a Supplementary Report.
- 1.2 It was also requested by Members that further information be sought with regard to the potential impact of the construction process on the stability of the adjacent listed buildings. This information has now been received.
- 1.3 For ease of reference a copy of the previous report is attached as an Annex to this report for information.

2. Consultees:

- 2.1 No further representations have been received at the time of drafting this report. Any comments received will be reported in the supplementary report.

3. Determining Issues:

- 3.1 The main issues are set out in my report of 10 October 2013.
- 3.2 With regard to the potential impact of the construction process on the adjacent listed buildings (Bothy and boundary wall to Court Lodge), the applicants have submitted further information indicating foundation details. The details indicate the use of a piled foundation set in sleeves to below the bottom of the boundary walls and the Bothy. Sleeving the top portion of the piles would ensure that the proposed building does not put any lateral load into the ground that is supported by the adjoining walls. This method of construction is considered, in principle, appropriate as it would ensure that the building would not damage the adjacent listed structures.
- 3.3 With regard to the actual piling process itself, it is considered appropriate in this instance to attach a condition requiring details of the method of piling to be submitted to and approved prior to the commencement of construction on site. This is to ensure that the construction process used is appropriate such that

machinery movement and the act of auguring the sleeves and pumping the pile materials does not damage the existing listed boundary walls and attached Bothy.

- 3.4 Subject to the above and the issues raised in the original report it is considered that the works would be acceptable.

4. Recommendation:

- 4.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 09.09.2013, Report SITING OF PROPOSED PARISH ROOM dated 09.09.2013, Survey 31/SY-02A dated 09.09.2013, Proposed Plans 31/L-08A dated 09.09.2013, Proposed Elevations 31/L-11A dated 09.09.2013, Letter dated 31.05.2013, Design and Access Statement dated 31.05.2013, Site Plan 31/SY-04 dated 31.05.2013, Proposed Elevations 31/L-09 East dated 31.05.2013, Proposed Elevations 31/L-12 North dated 31.05.2013, Proposed Elevations 31/4-14 South dated 31.05.2013, Email dated 05.07.2013, Letter dated 05.07.2013, Tree Report dated 05.07.2013, subject to the following:

Conditions / Reasons

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. The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

4. The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.
 - (e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.
 - (f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

5. The existing trees and shrubs shown on the approved plan, other than any specifically shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed with or without such consent shall be replaced within 12 months with suitable stock, adequately staked and tied and shall thereafter be maintained for a period of ten years.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

6. The development shall be constructed at the level indicated on the approved drawing.

Reason: In the interests of amenity and privacy.

7. The building hereby approved shall be used only as an ancillary facility for the functioning of the church and for no other purposes.

Reason: To limit the noise and disturbance experienced by nearby residential properties.

8. Prior to the commencement of development details of all external lighting existing and proposed, shall be submitted to and approved by the Local Planning Authority. Any scheme shall be then permanently retained and not be varied without the prior written approval of the Local Planning Authority.

Reason: The protection of the locality and residential properties from light pollution in accordance with Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007

9. Prior to the commencement of construction, full details of the method of undertaking the piling for the foundations, including details of all machinery and vehicles engaged therein, shall be submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details and not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the works do not have an adverse impact on the integrity of the adjacent Listed structures.

Contact: Robin Gilbert