

Hildenborough **557098 149183** **29 August 2012** **TM/12/02640/FL**
Hildenborough

Proposal: Demolition of the former school buildings (part of which are currently occupied by the Raphael Centre for Class C2 care use and part of which are vacant) and redevelopment with a two storey building (plus ancillary basement) to provide a 44 bedroom specialist care facility together with associated landscaping and car parking provision

Location: Raphael Medical Centre Coldharbour Lane Hildenborough
Tonbridge Kent TN11 9LE

Applicant: Raphael Medical Centre

1. Description:

- 1.1 Planning permission is sought for the demolition of the former school buildings which occupy the site and its redevelopment with a two storey building to be constructed around a landscaped courtyard. The building would accommodate a total of 44 bedrooms with en-suite facilities, consulting and therapy rooms and associated medical and communal facilities over two floors with laundry and ancillary facilities located in a basement area.
- 1.2 The building would have what can loosely be described as a curved formation with a monopitched roof with a low eaves level to the courtyard elevations and a higher eaves level, equivalent to an additional ½storey, to the outer facades. The higher side of the roof is around the outer edge of the curve and is 9.1m above ground level at its highest point. The footprint of the building is some 1970sq.m.
- 1.3 The palette of materials includes facing brickwork and timber to walls with copper standing seam roofs.
- 1.4 The location of the building would broadly respect the positioning of existing school buildings and would be set within the extensive treed landscape.
- 1.5 Access would be via the existing access from Coldharbour Lane which serves the centre complex as well as other private residential properties located on the northern side of the access road. 16 additional parking spaces are proposed to serve the new development.
- 1.6 An initial Needs Assessment includes information which suggests that there is an urgent need for facilities such as this, with many patients either on waiting lists or being treated 'out of area'. Since the original submission, a further supporting document pertaining to the need for the facility in this location has been received and this has been available to view on the Council's website for some months now. Both statements regarding the need for the facility have been reproduced in full as an Annexe to this report to allow Members to absorb this information fully.

- 1.7 A Transport Statement has also been submitted and this sets out the likely traffic generation to the site and compares this to the lawful use of the site as a school. The parking provision has been derived from the KVPS SPG 2006 and includes a survey of the current provision. The Statement is augmented by a Travel Plan which includes a number of measures to encourage a modal shift towards walking, cycling and the use of public transport and the provision of sustainable travel information in the foyer for visitors.
- 1.8 An Arboricultural Report includes a survey of the trees and discusses the removal of the trees necessary to facilitate the development (20 individual trees and 3 groups).
- 1.9 Further reports have been submitted covering ecology, sustainable design and construction energy efficiency and contamination. A Statement of Community Involvement summarises comments from a locally held exhibition for residents and local organisations and includes the feedback forms.

2. Reason for reporting to Committee:

- 2.1 As requested by Councillors Rhodes and Smith due to local concerns and a significant development in the Green Belt.

3. The Site:

- 3.1 The site lies within the Metropolitan Green Belt although the village confines of Hildenborough are located to the south of the application site.
- 3.2 The Raphael Centre and its associated housing (St Michaels Court and Raphael Court) occupy a substantial area of land on the western side of Coldharbour Lane.
- 3.3 The application site comprises 1.37 hectares of land immediately abutting Coldharbour Lane and was formerly Hardwick Park School and latterly Fosse Bank School. It encompasses a former school building, part of which provides facilities for the Raphael Centre to the north west of the site, and the remainder of which has a lawful use as a school. It also contains two demountable school buildings which were subject to temporary planning permission.
- 3.4 Residential properties in Hardwick Road are located to the south west of the site and to the north east there are a number of detached residential properties in substantial plots. To the south east is open countryside.
- 3.5 The site is subject to an extensive TPO.

4. Planning History:

- 4.1 The site has an extensive planning history, most of which relates to works to trees. The most relevant planning applications are set out below.

TM/02/01798/FL Approved 8 November 2002

Change of use from educational to residential institution and single storey extension

TM/98/02236/FL Approved 26 March 1999

Two prefabricated classrooms

- 4.2 In light of the planning history, it should be made clear that there are two distinct elements of built form: that which is permanent; and the classroom provision approved under a temporary permission and which should have been removed by 31.03.2004. The former amounts to 1505.5sq.m and forms the baseline for any judgement on the footprint of the proposal scheme. The remainder, temporary facilities, amounts to some 112.5sq.m but, in accordance with the NPPF, does not form part of the relevant context when assessing the proposal footprint against Green Belt policy. The height of the permanent school buildings also forms a datum against which the current proposal must be assessed and is overall some 5.7m above ground level.

5. Consultees:

- 5.1 PC: Considers the proposal to be inappropriate development:

- Special circumstances need to be demonstrated.
- There is a need for such facilities but is concerned about the size for which there does not seem to be any justification.
- Concern over traffic generation and would like the BC to consider these issues very carefully.
- Concerns raised over drainage and again concern over the impact during the construction phase would like the BC to consider this issue very carefully when assessing the application.
- Would ask that the removal of the trees is justified.

5.1.1 Should the BC consider the application favourably would like to see robust conditions:

- Tree protection and arboricultural supervision
- Drainage
- Construction method statement to ensure minimal impact on residents
- Robust travel plan to include construction, occupation and annual review
- External lighting
- Plant and machinery
- Management protocol for the facilities including patient provision

5.2 KCC (Highways): I have studied the applicant's Transport Statement and made my own study of injury crash records in the area. I note that there have been no injury crashes on Coldharbour Lane, which is a dead end road, and that from observation and surveys undertaken, the locally generated traffic volume is low and traffic speeds are low. I am sceptical of the anticipated modal split to be generated by this development given in Table 7, page 16 of the Transport Statement, in particular the amount of pedestrian access forecast to/from this secluded location. However even with a more robust consideration of vehicular movements, the traffic generated, whilst high in proportional terms to existing flows on Coldharbour Lane, is low in real terms. Due to the nature of the development and level of care required it is noted that peak activity is not anticipated to coincide with typical peak or rush hour periods. The development will not generate levels of traffic that will cause significant levels of congestion. It is further considered that the parking levels proposed are suitable and adequate.

5.2.1 On behalf of the Highway Authority I do not consider that any form of objection in highway terms could be sustained or upheld and I write to confirm that I have no objection to this proposal. It is understood that whilst the internal layout is to be re-arranged the access onto Coldharbour Lane is to remain unchanged. However should works in the highway be required applicants should contact Kent County Council - Highways and Transportation.

5.3 Private Representations: 44/0X/40S/51R + site & press notice. Objections made on the following grounds:

- Loss of privacy
- Detrimental to visual amenity
- Significant increase in traffic

- Highway safety – walkers, children, dog walkers, horse riders
- Loss of TPO trees
- Design not in keeping
- Will destroy rural character
- Contrary to Green Belt objectives
- Insufficient parking
- Increase in unsupervised patients wandering around
- Application flawed
- Building is too large
- Special circumstances do not apply
- Building works will cause disruption
- Not appropriate to site such a facility in a village
- Access dangerous on narrow part of road
- Drainage problems in the area
- Ambulances at unsocial hours

Of the 40 letters of support 31 have come from residents of Hildenborough who have not disclosed their addresses. It must be pointed out that these are not standard 'round robin' letters.

6. Determining Issues:

6.1 The site lies outside the rural settlement confines of Hildenborough as identified by the LDF and lies with the Metropolitan Green Belt where very restrictive planning policy applies. The NPPF sets out the national planning policy for Green Belt land. It states that new buildings within the Green Belt are considered to be inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are however specific exceptions to this, the most pertinent to this proposal, being:

- *“The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; or....*

- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”*

- 6.2 It is recognised that the proposed facility does replace existing buildings on the site and that part of the site already falls within the C2 use class (residential institution), although the rest of the site has a lawful use of D1 (non residential institution). However, it is quite clear that the proposed building is significantly larger than the permanent building it replaces, let alone when taking into account the temporary classrooms (as in paragraph 4.1 of this report) and where planning permission has lapsed and enforcement investigations are ongoing and dealt with elsewhere in on the Committee Agenda.
- 6.3 The applicant has advanced the opinion that the proposal does not amount to inappropriate development. While it should also be recognised that the site can, in part, be regarded as previously developed land with permanent buildings given the criteria set out above, the proposal must in reality be considered to have a greater impact on the Green Belt due to its greater size in terms of both footprint and height and its associated scale and massing. The footprint is suggested by the applicant to be 21% greater than existing but because the reckonable, permanent existing footprint is substantially less that suggested by the applicant, the increase in footprint is, in reality, some 30%. The height of the proposed building is some 3.4m higher than the existing permanent buildings.
- 6.4 With these factors in mind, the proposal quite clearly falls outside the policy exceptions and, accordingly, it would constitute inappropriate development within the Green Belt. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and such development should not be approved, except in very special circumstances. In view of the presumption against inappropriate development, substantial weight is attached to the harm to the Green Belt when considering any planning application concerning such development. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is therefore necessary to consider whether the development causes any other harm and whether there are any other considerations relevant to the overall balance that would amount to very special circumstances.
- 6.5 In addition to the harm caused by virtue of the inappropriate nature of the development, I consider that the physical form of the building would also cause demonstrable harm to the openness of the MGB. Although I appreciate that the building has largely been designed around the layout of the existing buildings, the proposed building would have a far greater footprint than the existing development and would be considerably taller than the existing buildings which are single storey. This would result in a building of a far greater overall scale which would

undoubtedly cause harm to the open character of the Green Belt. The sylvan landscape will help to screen the development to some extent but this will not overcome the degree of harm caused in this respect given its relative transient nature.

- 6.6 In establishing whether any other harm exists, the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development and is indivisible from good planning (paragraph 56). It also stresses the need for development to respond positively to local character, reflecting the identity of local surroundings whilst not discouraging appropriate innovation (paragraph 58).
- 6.7 Furthermore, policy CP24 of the TMBCS requires that development must respect the site and its surroundings and that it will not be permitted where it would be detrimental to the built environment and amenity of a locality. This is supported by policy SQ1 of the MDE DPD (2010) which states that all new development proposals should protect, conserve and where possible enhance:
- the character and local distinctiveness of the area including any historical and architectural interest and the prevailing level of tranquillity;
 - the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views.
- 6.8 The harm caused by the building in terms of the openness of the Green Belt by virtue of its footprint, height and scale has already been identified but, in addition to this, I consider that the proposed building would also cause harm to the visual amenities of the rural locality. The site itself does not fall within one of the character areas as defined by the Hildenborough Character Area SPD because it lies outside of the built-up confines. However, regard must still be given to this document insofar as the development relates to the adjoining rural settlement to the south. The SPD recognises that the respective characters of Hardwick Road and Coldharbour Lane are such that there is a general cohesiveness in terms of built form (particularly in Hardwick Road), with a general dominance of landscape over buildings and a private, secluded ambiance being highlighted as features of positive distinctiveness. In light of the policies cited above, it is fundamental that the proposed development, as a neighbouring building, should take into account these characteristics and I do not believe that this has been achieved for the following reasons:
- 6.9 Although the building and particularly its roof form is architecturally interesting as a stand-alone structure, it results in a high eaves level which only serves to add to its visual prominence, resulting in an obtrusive building. Additionally, the walls are proposed to have a very light tone whereas use of an alternative material could have assisted in reducing its visual impact to some extent. I appreciate that certain aspects of the built form, such as its layout, are more conducive to the creation of

a therapeutic and safe environment for patients. This may also be true of the types and tones of materials proposed to be utilised here. However, this is a rural location that requires the building to sit 'quietly' within the site and not jar with its surroundings. I would draw Members' attention to the MCCH scheme in Vines Lane whereby contemporary buildings have been constructed recently and have provided an excellent facility for assisted living for people with severe autism but that in no way jars with its surroundings. I would stress that there are no other direct comparisons that could be drawn between the Raphael Centre and the MCCH site in terms of service provision but it does indicate that unobtrusive buildings can still provide for contemporary architecture in rural situations that meet specific needs in terms of specialised care.

- 6.10 Trees will need to be removed to accommodate the development which is regrettable. However only one of the trees proposed to be removed is considered to be of value (a Wellingtonia). This tree is a magnificent specimen but there are a number of other similar, healthy Wellingtonia trees on the site and suitable replanting is proposed, including a replacement Wellingtonia. The detailed landscape proposals are acceptable and appropriate. Although there is no objection to the tree removal in principle, the dominance of the building combined with the removal of such a large number of trees would be at odds with the established character of the area being one where there is a recognised dominance of landscape over buildings. This would heighten the obtrusive nature of the building to the overall detriment of the rural locality.
- 6.11 With the above in mind, it is necessary to establish whether very special circumstances exist which outweigh the degree of harm caused by the proposed development by virtue of its inappropriate nature and its physical impact on openness and all other harm identified. The very special circumstances in this case hinge on the suggested need for the development and then if the need can be demonstrated whether it is essential to have a building of this size and in this location in order to satisfy this need.

Need for the facilities within Kent and Medway:

- 6.12 The submission states that there is a general need for acquired brain injury facilities in the UK generally but also within Kent and Medway because there is an underestimation and under diagnosis of such conditions, meaning that there are not enough neuro-rehabilitation places available. The applicant states that there is a particular lack of provision in areas of acquired brain injury needing longer term, more specialist rehabilitation. As a result, the applicant has argued that the facilities are urgently needed due to this lack of specialised facilities to treat acquired brain injury patients.

Benefits from utilising the existing site:

- 6.13 The applicant states that the proposal is an extension of the existing facilities provided at the Raphael Centre, highlighting the fact that an existing team of health care professionals that are leading experts in their field of neurological rehabilitation and neuropsychology already operate from this site. The Statement goes on to say that the Raphael Centre is the only provider of Level 1A neuropsychiatry and has the facilities to meet Level 1 and 2 needs. The resources available at the Raphael Centre, cited as a Centre of Excellence, allow for multi-disciplinary care, involving physiotherapy, occupational therapy, and speech and language therapy, 7-days a week.
- 6.14 It also submits that co-location allows for links to step down community rehabilitation in a number of self-contained units within the main grounds of the Raphael Centre which are used by patients being progressed to independent living with minimal support.
- 6.15 It claims that the centre in Hildenborough is well positioned and easily accessible from all parts of Kent and Medway and within easy reach of the Neuroscience centre for Kent and Medway at Kings College Hospital.
- 6.16 In addition, it is argued that the extensive grounds set within the Kent countryside provide the peace and quiet necessary for patients with neurological problems.
- 6.17 It should be borne in mind that this proposal is not being made on behalf of the NHS *per se* but rather by a service provider (who currently provides services to the NHS), and in light of the new landscape for service provision in the NHS including the option for service providers to promote their services. Officers have gone to great lengths over many months to seek to obtain independent advice that might verify the "statements of need" provided by and on behalf of the applicant (including letters from a consultant Neuropsychiatrist operating in the NHS).
- 6.18 As a result, we understand that the Kent and Medway Commissioning Support Unit (KMCS) are now charged (post the 01 April 2013 reorganisation of the NHS) with assessing the need for facilities of this type on behalf of a consortium of 8 GP Clinical Commissioning Groups (CCGs). These, in essence, cover the areas of Kent and Medway through the Kent and Medway NHS and Social Care Partnership Trust (KMPT), who are one of the providers of Neurological rehabilitation services, particularly in West Kent.
- 6.19 The KMCS is required to report on overall need for this type of facility by August/September, with the further key decision on the mode of provision (to be made by clinicians of the joint CCGs) to follow on from the meeting that considers the overall scale of need. It is my understanding that any study of need would look not only at the overall amount of need within Kent and Medway but also the level of "high order" need. This is important because, while most need would be met through the joint CCG programme, the "high order" need is the responsibility of the

NHS centrally. Unless and until the clear overall need is identified it cannot be confirmed both how much and how that need is to be met, for instance by individual CCGs or more comprehensively across the area. I would stress that even if the KMCS identifies a need across Kent and Medway, there is no guarantee that the provision would automatically need to be secured on this site. As such, there could well yet be an opportunity to accommodate any eventually identified need elsewhere in Kent and Medway, potentially outside of the Green Belt.

- 6.20 Indeed, Members will note that even the letter of support from Dr M. Bodani (the consultant mentioned above) dated March 2013 acknowledges that there is no more than a consensus amongst stakeholders in the management of patients with acquired brain injury that, for the population of Kent and Medway, there is a requirement for at least 70 inpatient beds. The letter states that *'these are likely to be commissioned within the imminent future either by the National Commissioning Board for England and Wales or local Clinical Commissioning Groups.'* This highlights that whilst there may be a consensus amongst professionals in the field that shortfall exists, there is absolutely no certainty at this time as to what that level of need might be and where or how this might be provided for in the future.
- 6.21 I can therefore only conclude that the submission has been somewhat premature in its assertions, particularly when bearing in mind the complex processes that the NHS health care sector must undergo in the first instance to define need. Officers met with the applicant and his planning agent back in July and these matters were discussed at some length. However, since the meeting and despite an indication from the applicant to investigate whether any further evidence of need could be supplied at this time, particularly in respect of the Level 1 care, no further communication has been received. As a result, I must conclude that, at this time, a sufficient case of very special circumstances has not been put forward by the applicant that would outweigh the substantial degree of harm to the Green Belt that would be caused by the proposed development by virtue of its inappropriate nature, and the clear harm caused to openness by its physical form and the other harm identified as a result of its physicality and the expansion of the use.
- 6.22 Notwithstanding the conclusions drawn above, it should be noted that, in terms of the impacts of the physical structure itself on the neighbours, the building is to be located some distance away from the nearest residential properties and I am satisfied that there will be no adverse impact on residential amenity in terms of either loss of privacy or overshadowing.
- 6.23 I recognise that the site does lie outside Hildenborough but on the periphery of the confines of Hildenborough and is not in a wholly isolated location. Hildenborough is accessible by public transport albeit this site being some distance from Hildenborough Station. I have noted that one of the main concerns raised by the residents relates to traffic generation. It must be remembered that the site was previously occupied by a school, which operated as a special school at one time,

and later a private school where pupils tended to be delivered to site by vehicle rather than as a conventional primary school with a proportion of walking pupils. If that part of the site re-introduced its lawful use, for which planning permission would not be required, then there would be generated traffic attributed to that use. The applicants have demonstrated that the traffic generated by the proposal is likely to be less than its lawful use and I think that even on a common sense basis this is likely to be true. Kent Highways has agreed this stance and state that there are no grounds to warrant refusal on grounds of traffic generation.

- 6.24 Concern has also been raised over the access to the site and that of highway safety especially as there are no footways in this part of Coldharbour Lane and that it is used by walkers, children and horse riders. Given the assessment set out in the previous paragraph and that the lawful use of the site could give rise to a greater level of traffic generation there would be no justification for refusing the application on these grounds.
- 6.25 In the event that planning permission were to be granted, the demolition and construction phases would inevitably result in disruption to nearby residents. The construction process cannot be controlled through the planning system but, had the proposed development otherwise been acceptable, I would have recommended that Informatives could be imposed relating to hours of work and deliveries in an attempt to minimise these impacts on residents.
- 6.26 The PC and residents have also raised concern over the drainage of the site which has been an ongoing issue in Coldharbour Lane for some time. Given the overriding objection to the principle of the proposed development and the lack of very special circumstances, I do not consider it appropriate to require any further details in this respect at this stage. Had the principle of the proposed development been otherwise acceptable, I am comfortable that a planning condition could have been imposed requiring details of drainage to be submitted.
- 6.27 The submitted Ecology Survey did not identify any evidence or potential for any legally protected species to be present within the site but suggests that further survey work is required and mitigation measures proposed. Again, it would be onerous and unnecessary to require such detail at this stage when there is such an overriding objection to the principle of the development at this time.
- 6.28 One further issue raised by local residents centres on the specific nature of the use of the site, particularly in respect of ambulances arriving at unsociable hours and concerns about unsupervised patients. In normal circumstances these matters would be operational issues, not for assessment or control through the planning system, and I would maintain that the arrival of ambulances at unsociable hours would not be a matter for such control. However, the management of patients and the various historic experiences by members of the community suggest that this is a significant *concern* amongst local residents. In their representations, a large number of local residents have expressed considerable anxiety about incidents of

patients wandering unsupervised into Coldharbour Lane or adjoining properties and using aggressive or disruptive behaviour to residents and their children. Instances of anti-social behaviour in the street and on buses, along with theft from nearby properties where items have been traced back to the Centre, have also been described. There is no clear and identified scale of these incidents.

- 6.29 In such circumstances, it is important to recognise that the planning system plays an important role in maintaining and enhancing well being amongst individuals and communities and that fear is well documented as being an important contributory factor to diminished levels of well being. Indeed, paragraph 69 of the NPPF states that planning decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 6.30 In establishing whether this concern can reasonably be said to be a material planning consideration in this instance, regard should be given to the case of *West Midlands Probation Committee v Secretary of State for the Environment*. In this case the High Court in 1997 dismissed an application to quash a decision of the Secretary of State whereby he dismissed an appeal by the West Midlands Probation Committee against a refusal by Walsall Metropolitan Borough Council to grant planning permission for the extension of a bail and probation hostel in Aldridge. Part of the initial refusal, which was eventually upheld in the High Court, rested on the conclusion that the expansion of such a use would be unsuitable within a residential area and that the historic experiences of residents in terms of anti-social behaviour and crime and the *genuine fear* [TMBC emphasis] from such activities would be accentuated by the proposed development to a point that would noticeably impair the living conditions that residents might reasonably expect to enjoy in such an area.
- 6.31 Although the nature of the use at the Raphael Centre is not causing the same type of disturbance and fear as the bail centre was, it is still clear that residents do consider that they experience situations which cause them to feel intimidated and fearful. Residents are evidently concerned that the intensified use of the site would exacerbate current management problems and thus their fear is heightened. Although this may intrinsically be a management issue to be resolved by the applicant, in light of the High Court decision outlined above it can be reasonably considered as a material planning consideration. I have no doubt that, if properly managed, the intensified use of the site could integrate well with the local community, notwithstanding the remaining issues pertaining to the principle of such development within the Green Belt. However, in the absence of any supporting information explaining how the new, enlarged facility would be managed, I consider that the intensified use of the site as proposed would exacerbate the fear of local residents which would adversely affect the living

conditions they may reasonably expect to enjoy in this rural location. It can therefore be concluded that the proposal fails to meet the requirements of paragraph 69 of the NPPF, policy CP24 of the TMBCS and policy SQ1 of the MDE DPD.

6.32 In light of the above assessment, I conclude that the proposal constitutes inappropriate development within the Green Belt, which is by definition harmful, and would also cause material harm to the open character and function of the Green Belt, the visual amenities of the rural locality and the residential amenities of the surrounding neighbours. No very special circumstances have been advanced which would outweigh the degree of harm the development would cause and, as such, the proposal is contrary to the requirements of the NPPF, policies CP3 and CP24 of the TMBCS and policy SQ1 of the MDE DPD and the following recommendation is put forward:

7. Recommendation:

7.1 **Refuse Planning Permission** for the following:

Reasons:

- 1 The site lies within the Metropolitan Green Belt where there is a strong presumption against permitting inappropriate development, as defined in the National Planning Policy Framework 2012 (paragraph 89). The proposed development comprises inappropriate development which is by definition harmful. In addition, the overall footprint, height and scale of the proposed building would cause substantial harm to the open characteristics of the site. No very special circumstances have been advanced sufficient to outweigh the degree of harm caused to the Metropolitan Green Belt. As such, the proposed development is contrary to the requirements of Section 9 of the National Planning Policy Framework (2012) and policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007.
- 2 The proposed development by virtue of its overall height, scale and massing and the proposed palette of materials would not respect the site or its surroundings and its resultant external appearance would result in harm to the character and local distinctiveness of the area and the visual amenities of the rural locality. The proposal is therefore contrary to paragraphs 58, 60 and 64 of the National Planning Policy Framework 2012, Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and Policy SQ1 of the Tonbridge & Malling Borough Managing Development and the Environment Development Plan Document 2010.
- 3 The residents of the area and the adjoining properties now experience material problems and instances arising from the existing use of the site. In the absence of any evidence detailing how the expanded use would be managed, the proposed expansion of the use has the potential to further exacerbate these problems, to the

detriment of the amenities which local residents could reasonably be expected to enjoy in a location such as this. As such, the proposal is contrary to the requirements of paragraph 69 of the National Planning Policy Framework (2012), policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Managing Development and the Environment DPD 2010.

- 4 The Local Planning Authority does not consider that there is any justification, in the circumstances of the present application, for overriding the planning policy objections.

Contact: Emma Keefe