

TM/82/10831/FUL grant with conditions 20 January 1982

Use of land as car park and amended access.

TM/89/11547/ADV grant with conditions 4 January 1989

Internally illuminated corporate lamp.

5. Consultees:

5.1 TC: No objection in principle but would prefer to see hard standing used as car parking.

5.2 KCC Highway: Comments awaited.

5.3 DHH: Require condition for noise mitigation and land contamination condition and informative.

5.4 Private Reps: 23/0X/1R/0S + ART8 + PRESS. One letter of objection received raising the following concerns:

- Use would potentially attract 12 additional cars to the area and would lead to intensified on-street parking which is already stretched.
- Nearby public car park cannot be used for residents parking due to restrictions on the hours of operation and the weekly market held every Friday.
- Parking should be provided on the existing hardstanding to the rear which could provide parking for two to three vehicles.
- The submitted design and access statement states that the windows are to be made of uPVC. This type of material is considered to be out of character for the main elevation.

6. Determining Issues:

6.1 The site is within the urban confines of Snodland and as such there is a presumption in favour of development. The principle considerations with this application are therefore considered to be the principle of the conversion of the public house to residential, the impact of the works on the Conservation Area and street scene in general, the impact on the surrounding buildings and highway issues.

6.2 The site is within the urban confines but outside the retail and business area of Snodland. Given the siting of the site the location is considered acceptable for a residential use in principle, subject to compliance with all other relevant policies in the local plan.

- 6.3 The application proposes the conversion and extension of the existing building to form six flats. Given the size of the site and the location of the site in the town centre and close to the railway station it is considered that six flats in this position would be acceptable.
- 6.4 The building is currently in a poor condition and has fallen into a state of disrepair as the building has been closed for a number of years since the purchase by KCC for the then approved Snodland bypass widening scheme. The works involve the replacement of the flat roof extension to the rear of the building with a two storey extension with an additional 2.9m flat roof addition to the rear with roof terraces above for two of the three first floor flats. To the front facing onto the High Street it is proposed to replace the single storey element to the west side of the building with a two storey addition set back from the original front elevation by 0.5m. The proposed works would enhance the appearance of the building within the street scene and the Conservation Area and would also see the building brought back into use in this important position in the Conservation Area.
- 6.5 Concerns have been raised regarding the windows being proposed of uPVC. It is considered though that these details can be requested by condition.
- 6.6 Given the nature of the surrounding buildings to the west, which are deeper than the proposed works, there would be no loss of residential amenity to the adjacent buildings. The overall height of the ridge is not being increased and so there would be no additional impact on the properties opposite.
- 6.7 The close proximity of the bypass to the development has raised concerns regarding the potential impact of traffic noise on the occupants of the flats. The design of the building is such that it minimises the number of windows on the east elevation without creating an entirely blank wall in the Conservation Area. Given the concern it is considered appropriate to request details of a scheme of acoustic protection for the habitable rooms that would potentially be affected.
- 6.8 The proposed development indicates the provision of cycle storage for each unit but no on-site parking provision. Although concerns have been raised regarding this it is considered that the historic use of the building as a public house of its size could have attracted a parking requirement for at least 11 spaces with the proposed flats attracting between 6 and 9. Given the central location and the availability of public transport it is considered that there would be no requirement for on-site provision in this locality.
- 6.9 Overall the proposal is therefore considered to be acceptable subject to conditions.

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 12.08.2008, Planning Statement dated 12.08.2008, Noise Assessment dated 21.07.2008, Existing Plans THE-RED-LION-01 B dated 12.08.2008, Existing Plans THE-RED-LION-02 A dated 21.07.2008, Proposed Plans THE-RED-LION-03 C dated 12.08.2008, Proposed Plans THE-RED-LION-04 B dated 21.07.2008, Proposed Plans THE-RED-LION-05 A dated 21.07.2008, subject to:

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 all 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 No development shall take place until details of joinery, windows and doors have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality and the Conservation Area.

- 4 To safeguard the situation in the event that significant deposits of made ground or indicators of potential contamination are discovered during development:

(a) If site significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease immediately and an investigation/remediation strategy shall be agreed with the Local Planning Authority and implemented by the developer.

(b) Any soils and other materials taken for disposal shall be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought on site should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed use.

(c) A closure report shall be submitted by the developer delineating (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

- 5 No development shall be commenced until full details of a scheme of acoustic protection of habitable rooms having windows that will be exposed to a predicted level of road traffic noise in Noise Exposure Categories B or C as set out in Policy P3/17 of the Tonbridge and Malling Borough Local Plan have been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 30 L_{Aeq} dB in bedrooms and 40 L_{Aeq} dB in living rooms with windows closed. If, with one window open in any room, predicted noise levels exceed 48 L_{Aeq} dB in living rooms during the day, or 40 L_{Aeq} dB in bedrooms during the night, additional ventilation will be required. The additional means of ventilation shall be sufficient to maintain comfortable conditions in summer, without the need to open windows. Additional ventilation shall also be provided to bedrooms having openings into facades that will be exposed to a predicted level of road traffic noise in excess of 78 L_{Amax} (Slow) time weighting. Day time noise levels will be assessed over a 16 hour period 07.00-23.00 hours and night-time noise levels will be assessed over an 8 hour period 23.00-07.00 hours. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be maintained at all times thereafter.

Reason: To safeguard the aural amenity of the occupiers of the dwellings hereby approved.

- 6 Before any works commence on site, arrangements for the management of demolition and construction traffic to and from the site (including the hours of operation) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme unless any variation has been agreed by the Local Planning Authority in writing beforehand.

Reason: In the interests of residential amenities and highway safety.

Informatives

- 1 You are recommended to take full account of the advice given by the Department of the Environment, Transport and the Regions in PPG 23 Planning and Pollution Control. This advice (in Paragraph 14 of Annex 10) indicates that “the responsibility for safe development and secure occupancy of the site rests with the developer”. You should note that this Council, acting as Local Planning Authority, has determined the application on the basis of the information available to it – this does not mean that the land is free from contamination.

- 2 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate number(s) to the new property/ies. To discuss the allocation of numbers you are asked to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or telephone Trevor Bowen, Principal Legal Officer, on 01732 876039. To avoid difficulties, 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.
- 3 To reduce the severity of domestic property fires and the number of injuries resulting the Fire Officer recommends that consideration should be given to the installation of a sprinkler system in all new properties.
- 4 The applicant is advised to note the provisions of the Control of Pollution Act 1974 with regard to noise and disturbance from construction works. Works should be undertaken between the hours of 7.30am and 6.30pm Monday to Friday; 8am to 1pm Saturday, with no working on Sundays or Bank Holidays. Advice regarding this matter may be obtained from the Director of Health and Housing, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ. Tel: (01732) 844522.

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