

SUPPLEMENTARY REPORTS

AREA 1 PLANNING COMMITTEE

DATED 29 June 2017

**Tonbridge
Vauxhall**

TM/17/00525/FL

Development of an artificial turf playing field including fencing and floodlights, car parking and pavilion and land grading at Tonbridge Grammar School For Girls Deakin Leas Tonbridge for Tonbridge Grammar School

Amended Plans: Since publication of the main report, the proposal has been formally amended through the deletion of the new car park which was previously shown to be located within the north east corner of the site. The existing parking is to be retained other than 9 spaces which will be removed. These 9 spaces are now proposed to be provided along the existing access road.

Private Reps: 8 further representations have been received raising the following issues:

- The development will still cause noise disturbance to local residents;
- The submitted drawing misrepresents the extent of the residential curtilages of the dwellings in Vauxhall Gardens;
- The bollard lighting for the car park will cause light pollution;
- The application has been watered down from the original submission. However, it is likely that, if permitted, the school will apply for the use of the AWP in the future for community use;
- Loss of view from neighbouring residential properties; and
- Sport England has objected to the proposed development.

KCC (SUDS): No objections to the revised surface water drainage details.

Sport England: Confirmation has now been received that SE objects to the proposed development. I understand that since this confirmation, SE have contacted the school and their agents directly seeking to further justify their continuing objection to the development on the basis that, in their view, the playing field is a flexible community resource which would be restricted by the provision of the artificial pitch, for which there is no directly identified need. Sport England states that its objection would be removed in the event that a condition is imposed requiring the submission of a community use agreement to ensure the community use of the proposed facility is secured.

DPHEH:

Deletion of the car park:

Removal of this element of the proposed development was received after publication of the main report but all those who had already made representations up to that point in the process were notified of the change to the scheme for information purposes.

Omitting the car park and including the replacement car parking bays in front of the school buildings will mean that the car parking arrangements will remain very much as they are at the moment. The omission of the car park will result in no further detriment to the amenity of residents living in Vauxhall Gardens, Pembury Road and Taylor Close arising from car movement to and from the school.

Now that the car park has been omitted from this submission, the issue of how it would be illuminated no longer needs to be considered.

Sport England objection:

Concerning Sport England's latest comments, as set out within paragraph 6.23 of the main report, this means that the application will need to be referred to the Secretary of State before a final decision can be made. The discussion concerning the objection raised by Sport England is set out at paragraph 6.5 of the main report and the conclusions drawn remain.

Sport England's latest assertion sent direct to the school that the playing field is "a flexible community resource" which would be restricted by the provision of the artificial pitch is essentially incorrect. The school playing fields are not currently available for public use and as such it is wrong to suggest that the artificial pitch would restrict such use by not being available to the wider public.

I note that Sport England have suggested that its objection would be removed in the event that a condition is imposed in order to secure community use here. However, it would be manifestly unreasonable to seek to impose such a condition in these circumstances given that the school have expressly stipulated that the pitch will be solely for school use and given that the current playing field is not used for such purposes now. As such, the recommendation has not been amended to reflect this suggestion and it will be necessary to refer the application to the Secretary of State as set out at paragraph 7.1 of the main report.

Commentary on further representations received:

To clarify, the applicant is not required to show the layout of the adjoining residential properties as part of their submission but rather it is for officers to make a thorough assessment of those relationships by scrutinising the plans alongside factors on the ground by undertaking site visits. Residents within Vauxhall Gardens are concerned as their rear gardens, which were extended to the school' eastern boundary many years ago,

are not shown on the submitted location plan. However, I was aware of the layout of the adjoining dwellings at the time of writing the report.

Members will be aware that the right to a view is not a material planning consideration and as such cannot be taken into account in making a decision on this planning application.

Local residents believe that, if planning permission is granted for the new pitches, the school will apply at a later date for the community use of the all-weather pitch. This cannot be a consideration of the current planning application because no community use is proposed at this time. In the event that the school do wish to expand upon the use of the pitch, they would need to formally apply for permission to do so (given the terms of condition 5 of the recommendation). The impacts of any such use would then be fully assessed entirely on its own merits and within the context of fresh public consultation.

I am also aware that Members of the Planning Committee have been contacted directly by objector who has set out various concerns regarding the submission of late and amended information along with the quality of the submission itself. The application documents are considered to be accurate and of a sufficient quality to enable a thorough assessment of the scheme to take place, culminating in the recommendation to grant planning permission.

The amendments that have taken place – removing the community use of the pitches and deleting the new car park to the north of the pitches – have been a direct consequence of Officers negotiating with the applicant in light of objections raised during the consultation process. This is, in my view, a positive and proactive way in which to seek to address concerns raised during the consultation process and whilst I appreciate it can be frustrating for residents to be faced with changing circumstances during the life of a planning application, this is quite normal practice.

Drainage:

KCC as the lead local flood authority have no confirmed that they raise no objections to the proposed development. Condition 11 as drafted requires that the development be undertaken in accordance with the submitted sustainable drainage strategy and associated plan. For the avoidance of any doubt, this strategy sets out that:

- An 85mm deep “permavoid” sub layer would be installed beneath the new, levelled grass pitch, with a collector conduit around its perimeter;
- The water from the grass pitch would be drained to the all-weather pitch, where it will be collected within a tank;
- In addition to the collection tank, a 150mm deep plastic sub-base layer (permavoid suds sport) will be installed beneath the all-weather pitch. Water would be attenuated here and also within the 300mm deep sub base beneath the permavoid layer;

- Any water runoff that that does not infiltrate the ground will be collected within a conduit with control gates. These will control the run off rates to no more than 5 litres per second.

The proposed drainage strategy has been designed to deal with a 1 in a 100 year storm event plus a 30% allowance for climate change.

Planning conditions:

Since publication of the main report, Officers have taken the opportunity to review the recommended planning conditions (pages 24 – 27 of the main report). Having undertaken this exercise, I consider that it would be prudent to afford stricter control over the use of the pitches and operation of the floodlights by making clear that the floodlights must be switched off by 18:30 and that the pitch must be completed vacated by the stipulated time rather than matches just having finished by then.

Furthermore, now that the car park has been omitted from the proposed development, condition 10 as previously recommended is no longer required and can be deleted from the recommendation.

AMENDED RECOMMENDATION

Amend Conditions 4 and 6:

4. The floodlighting hereby permitted shall be completely extinguished when the facilities are not in use and, when the all-weather pitch is in use, shall be completely extinguished by no later than 18.30 Monday - Saturdays.

Reason: In the interests of residential amenity.

6. The all-weather pitch shall be used only between the hours of 08.30 to 18.30 Mondays to Fridays, 10.00 to 18.30 on Saturdays and shall not be used on Sundays, Bank or public holidays and the all-weather pitch shall be vacated by all persons using it by the times specified within this condition.

Reason: In the interests of residential amenity.

Delete Condition 10 and remaining conditions to be renumbered accordingly.

**Tonbridge
Medway**

TM/16/03530/FL

New build Jaguar Land Rover showroom and aftersales facility. The application includes a new showroom, drive-in service lane, 20 bay workshop with MOT facility, external valet structure and associated external works at Land North and South of Woodgate Way Tonbridge for Mr Stephen Pettyfer & Mr Harry Teacher

Private Reps: Two further representations have been received, setting out the following concerns:

- The Board of Governors of The Schools at Somerhill object to the application as it has a detrimental impact on the listed Somerhill estate. We are working with Natural England on a 10 year plan for the restoration of the listed parkland, and have entered into a partnership with the new Bishop Chavasse Primary School to enable pupils to enjoy the parkland and to benefit from other educational facilities yet to be determined. The proposed development would prevent the easy management of this arrangement. It also endorses the views of Kent Wildlife Trust and considers this application will have an increased visual impact on this entrance into Tonbridge and the appreciation of the historic parkland. There is also some concern raised that there is no mention within the report of an earlier application in the area for a car dealership;
- Tonbridge Civic Society raises concerns in respect of car transporters – noting potential conflicts with other vehicles delivering to adjoining dealerships (Mini, Porsche, etc.). Some question is raised about whether the proposals could result in a preclusion of a crossing point across the A26 for pupils of Bishop Chavasse Primary School walking to The Schools at Somerhill. There is also concern over the impact of roof top car parking, the loss of trees/vegetation within the site, noise and smells from the dealership and a potential adverse effect on elderly residents in the new Barnes Lodge Care Home.

In addition, I am aware that Members have been sent an email directly raising concerns with the main report, including the officer assessment of the proposals in the context of the AONB, criticising the design of the proposed dealership building and the proposed treatment of the southern boundary of the site adjoining Woodgate Way (in the context of wider visual impact and ecological matters). In dealing with these criticisms directly, and for the avoidance of any doubt, the site does fall within the AONB. The detailed and extensive commentary contained at paragraphs 6.10 – 6.33 of the main report addresses all aspects concerning the AONB.

DPHEH:

I am satisfied that the issues raised within the additional representations received since publication of the main report have already been fully addressed. I would however like to provide some clarification on the following matters:

Concerns have been expressed that the proposals could prevent or restrict pupils from the new Bishop Chavasse Primary School using the parkland of the Schools at Somerhill. The application site has a long-standing employment designation (for the last 23 years) and therefore there has always been a prospect of some form of development taking place on this site. There is no reason to suggest that the development of this site would impede access of pupils from the new Primary School gaining access to the nearby Somerhill Parkland which in any event could either be via existing roadside footways or via vehicular transport.

I have also taken the opportunity to review the wording of several planning conditions set out within the main report in order to ensure clarity and precision and also consider it appropriate to include an additional condition controlling levels and a further informative reminding the applicant of their duties in respect of the Wildlife and Countryside Act 1981.

AMENDED RECOMMENDATION

Amend Conditions 2, 9 and 10:

2. The development shall be carried out in accordance with the following approved plans and documents:

Technical Specification received 07.02.2017, Other APPENDIX 1 received 30.11.2016, Site Plan 3199-010 Existing Site Plan received 30.11.2016, Existing Elevations 3199-015 Existing Site Sections received 30.11.2016, Sections 3199-019 Proposed Building Sections received 30.11.2016, Proposed Elevations 3199-020 Proposed Valet _ Bin Store received 30.11.2016, Proposed Plans and Elevations 3199-021 Bin Store received 30.11.2016, Proposed Floor Plans 3199-040-H Proposed Ground Floor received 30.11.2016, Proposed Floor Plans 3199-041-H Proposed First Floor received 30.11.2016, Proposed Roof Plan 3199-042-E Proposed Roof Plan received 30.11.2016, Proposed Floor Plans 3199-045-C Floor Plan Areas received 30.11.2016, Proposed Elevations 3199-061-D Proposed South and East received 30.11.2016, Proposed Elevations 3199-062-D Proposed North and West received 30.11.2016, Topographical Survey CM/16639 received 30.11.2016, Location Plan 3199-001 received 30.11.2016, Letter STAGE 1 ROAD SAFETY AUDIT LETTER received 01.12.2016, Acoustic Assessment BS4142 ASSESSMENT REPORT received 30.11.2016, Report STAGE 1 ROAD SAFETY AUDIT V1 received 01.12.2016, Flood Risk Assessment NOVEMBER 2016 received 30.11.2016, Transport Statement ADL/CC/3329/04A April 2017 received 04.04.2017, Travel Plan ADL/CC/3329/04A April 2017 received 04.04.2017, Archaeological Assessment REPORT NO 17/14 received 10.04.2017, Tree Report TCL-K2-TL/AIA received 06.04.2017, Ecological Assessment EXTENDED PHASE 1 Final Report V5 31.3.17 received 06.04.2017, Other LANDSCAPE AND VISUAL IMPACT April 2017 received 10.04.2017, Design and Access Statement APRIL 2017 received 10.04.2017, Lighting 50707-E01 T3 received 07.04.2017, Lighting 50707-E02 T3 received 07.04.2017, Proposed Elevations 3199-016 B Context South _ East Elevations received 10.04.2017, Sections 3199-018 B Proposed Site Sections received

10.04.2017, Parking Layout 3199-030 M Proposed Site Plan received 10.04.2017, Planting Plan 16-61-PL-202 REV E received 09.06.2017, Planting Plan 16-61-PL-201 REV E received 09.06.2017.

Reason: To ensure that the development is carried out in accordance with the plans and documents hereby approved.

9. The development hereby permitted shall not be commenced until such time as a scheme to ensure suitable flood compensation strategy (to offset raising of ground levels in the area shown to be within Flood Zones 3 of the Environment Agency Flood Map) has been submitted to, and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be fully implemented as part of the development hereby permitted.

Reason: To prevent an increased risk of flooding elsewhere beyond the application site, in accordance with the guidance contained in the National Planning Policy Framework (paragraph 103).

10. The development hereby permitted shall not be first brought into use until details of the arrangements for deliveries to the site by car transporter vehicles has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include movement of such vehicles entering and exiting the site, arrangements for the management of entrance gates, together with management measures in the event of out-of-hours deliveries to prevent parking on the adjoining highway. Thereafter, the site shall be operated at all times in strict accordance with the approved details.

Reason: In the interests of highway safety and to ensure a successful integration of the development within the surrounding highway network including adjacent Primary School and Somerhill Green residential development.

Additional Condition 17:

17. The development hereby permitted shall be constructed at the levels details on 'Proposed Site Sections' (drawing 3199-018B).

Reason: In the interests of visual amenity and in order to protect surrounding residential amenity and the character of the High Weald Area of Outstanding Natural Beauty.

Additional Informative 4:

4. The applicant is reminded that, in undertaking the works hereby approved, due regard should be had to the provisions of the Wildlife and Countryside Act 1981 (as amended) relating to the protection of species and habitats. The applicant is recommended to seek further advice from the Natural England, County Hall,

Spetchley Road, Worcester, WR5 2NP or via <https://www.gov.uk/topic/planning-development/protected-sites-species>

**Tonbridge 16/00385/WORKM
Higham**

Alleged Unauthorised Development at 11 Barchester Way Tonbridge Kent TN10 4HP

No supplementary matters to report.
