

SUPPLEMENTARY REPORTS

AREA 1 PLANNING COMMITTEE

DATED 22 February 2018

**Tonbridge
Judd**

TM/17/02468/FL

Demolition of existing building and erection of a new 3 storey medical centre incorporating a retail pharmacy, with associated parking and landscaping at Tonbridge Teen And Twenty Club River Lawn Road Tonbridge for Assura HC Limited

CCG: The CCG recognises that Tonbridge Medical Group has outgrown the existing general practice premises and is supportive of the practice seeking a premises solution to meet the future needs of the growing population. It is important to ensure that the practice is able to provide sustainable general practice services for this population in the future. Tonbridge Medical Group submitted a project initiation document to NHS England in 2014 which was given approval to proceed to full business case development. The CCG are now the responsible body and following the granting of any planning consent the practice will submit the full business case as part of the final stage of the CCG governance process for new premises developments.

DPHEH:

Paragraph 6.100 of the main report makes reference to the National Air Quality Plan (2017). On 21 February 2018, the High Court made an Order declaring that part of that Plan is unlawful and made a further Order requiring the urgent production of a supplement to that plan. However, the Court's declaration does not impact upon those parts of the Plan relevant to TMBC.

Paragraph 6.101 of the main report summarises detailed technical advice we received from Environmental Protection during the course of the assessment. For the avoidance of any doubt, set out in full below is the advice from EP regarding impacts of this proposal on the existing AQMA which was received on 30 January 2018.

"The proposed development is reasonably close to the Tonbridge Air Quality Management Area: around 65-70m as the crow flies, and all of the motor vehicles arriving at and leaving the site must enter the Tonbridge AQMA. Following the 'screening checklist' found on page 6 of the Kent and Medway Air Quality Planning Guidance Document, this proximity is enough to warrant a closer look through the 'Air quality and emissions mitigation assessment checklist'.

Question (answer all questions)	Yes	No	Recommendations
Q3. Does the development require an Environmental Impact Assessment (EIA)?			If any question is answered = YES , Go to Section 5 standard mitigation for all developments and contact the Air Quality Officer to confirm whether an air quality (AQ) assessment and / or emission mitigation assessment is also required. OR If all questions are answered = NO , and the development is a major development then Go to Section 5 standard mitigation for all developments and undertake an emissions mitigation assessment.
Q4. Will development type likely become large scale major development**? (either on its' own or as part of several separate cumulative planned developments.)			
Q5. Is there vehicle parking in the development: >100 (outside AQMA) or >50 (within or adjacent to AQMA)?			
Q6. For existing roads with >10,000 Annual Average Daily Traffic (AADT) does the development: Introduce extra vehicle movements (>5%), is it likely to cause congestion or introduce > 15 extra heavy duty vehicle movements per day?			
Q7. Will the development introduce new sensitive receptors into an AQMA?			
Q8. Are there any other proposed developments in the vicinity of this development which could have a cumulative effect on air quality?			
Q9. Is the development introducing biomass energy/heating plant into an urban environment?			

We can easily answer 'no' to all the questions apart from Q6, which requires some calculation. If we assume that Tonbridge High Street has exactly 10,000 AADT (this would be worst case scenario for the percentage increase in vehicle movement caused by the development) and that the hours between 10:00 – 16:00 all have 40 vehicle movements per hour, in line with the highest reported estimate provided by the developer for the hour between 09:00 – 10:00, we have the following data:

Time	Vehicle Movements
8:00 – 9:00	27
9:00 – 10:00	40
10:00 -11:00	40*
11:00 -12:00	40*
12:00 – 13:00	40*
13:00 – 14:00	40*
14:00 – 15:00	40*
15:00 – 16:00	40*
16:00 – 17:00	20
Total	327

*figure is assumed as worst-case

Using this data, 327 as a percentage of 10,000 is 3.27%. As this is considerably below 5%, and represents a worst-case scenario, we can safely rule out a significant impact. The developers are therefore pointed towards the standard mitigation measures”

Because TMBC have not adopted the Kent & Medway guidance, we cannot require the developer to provide the “standard mitigation measures” by planning condition or obligation. However, Informatives 10 and 11 of the main report encourage the developer to

consider such measures.

Members should be aware that this site, along with large proportions of the town overall fall within an area of archaeological potential. Given the fact that this site is previously developed, the likelihood of finding any archaeological remains is considerably limited but a condition should be imposed requiring that should any such remains be uncovered, development should stop until a watching brief can be formally agreed.

Additionally, since publication of the main report Officers have taken the opportunity to review the recommended conditions and informatives set out in the main report (pages 52 – 61 inclusive) and would suggest that Condition 12 be amended to more robustly secure approval of the LPA should any modifications be required following the initial 12 month period of implementation, monitoring and establishment of the forum.

AMENDED RECOMMENDATION:

Amend Condition 12:

12. The measures for implementation and monitoring arrangements as set out in the Travel Plan (Reference 618753-MLM-ZZ-RP-TP-002, received on 01 February 2018) and Car Park Management Plan (Reference 618573-MLM-ZZ-RP-TP-003, received on 01 September 2017) hereby approved shall be fully adhered to.

After 12 months of the commencement of the use hereby approved, a monitoring report shall be submitted to the Local Planning Authority for approval. This report shall demonstrate to the reasonable satisfaction of the Local Planning Authority how the travel plan and car park management plans have been implemented during the previous 12-month period and shall include:

- **Measures introduced and actions taken to promote the travel plan and effective management of the car park;**
- **A statistical summary of the modal split of employees/residents/users disclosed by the monitoring surveys;**
- **The progress of the travel plan in achieving targets and identifying any amendments in the event that targets are not achieved;**
- **A plan for future actions to be implemented and a timescale for such implementation.**

Reason: In the interests of the proper management of traffic and highway safety and in order to encourage more sustainable modes of transport to/from the site by staff and visitors.

Additional Condition 27:

27. If during construction, items or features of archaeological and/or historic importance are discovered, all development shall cease until such time as the applicant, or their agents or successors in title, have submitted a scheme to the Local Planning Authority for approval which suitably secures the implementation of a watching brief to be undertaken by an archaeologist for the duration of the works as necessary.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Additional Informatives 14 & 15:

14. The applicant is advised that in connection with the submission of a flood management and evacuation plan as required by Condition 20, they liaise with the designated Flood Warden for the area.

15. 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) particularly in respect of nesting birds. Should any further information be required in this respect, the applicant should contact Natural England.

Alleged Unauthorised Development

**Hadlow (Hadlow) 16/00309/WORKM
Hadlow And East Peckham**

Land West Of Laxton Farm Common Road Hadlow Tonbridge Kent

No supplementary matters to report.
