

## SUPPLEMENTARY REPORTS

AREA 1 PLANNING COMMITTEE

DATED 17 JANUARY 2019

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**Tonbridge  
Vauxhall**

**TM/18/02488/FL**

**Demolition of the existing Primrose Public House and redevelopment of the site to provide 4 no. dwelling houses and 2 no. apartments with associated access, parking, infrastructure and landscaping at Primrose Inn 112 Pembury Road Tonbridge**

Private Reps: 3 further letters of support have been received since publication of the main report. These were received from residents who previously objected to the scheme. The representations set out that the derelict pub has long been underutilised and a poorly maintained eyesore so anything that brings the redundant space back to life is welcomed.

TSC: Comments received and summarised as follows:

- Existing building is important within the townscape and should be retained/converted for residential use which would still contribute towards housing supply;
- CAA described the existing building as a “landmark”;
- One of the few surviving examples in Tonbridge of a white weather-boarded building, a building-type which is characteristic of Kent - neither sensible nor necessary to sacrifice this one;
- Not convinced by the developer's assertion that the building is in such poor condition that it cannot be saved;

DPHEH:

Officers are aware that the planning agent responsible for this application has circulated by email various documents in support of the proposal. The matters that these documents cover have already been addressed as necessary within the body of the main report.

For the avoidance of any doubt, the primary purpose of the CAA as SPD was to identify the various character typologies of Tonbridge and to assist character based assessments. It is ultimately a document that seeks to describe these character typologies and raise awareness of particular features.

The fact that the CAA references this building as a “landmark” simply draws reference to its physical appearance and relationship to the associated identified sub-character area. A landmark is plainly a recognisable feature that stands out from its near environment and is often visible from long distances. It is accepted that the building does stand out from its

near environment and is visible from longer distances (predominately due to the way land slopes down towards the town at this point). However, it does not automatically follow that just because it is referenced in this way, it must be retained. The salient point remaining that a detailed assessment of the impact of the development (including the demolition aspect) on the visual amenities of the locality (which includes an assessment of character) has concluded that the scheme is acceptable in all respects, based on the requirements of adopted policy.

Equally, simply because there might be a local *preference* to see the building retained amongst some, there is no policy basis upon which to require this, provided the scheme for redevelopment is in itself acceptable, which this has been assessed to be.

I would also caution that the statements by the TSC regarding the loss of weather boarded buildings around the town and the disagreement with the conclusions regarding the condition of the building have not been substantiated by any evidence and even if this were the case it would not be determinative because the adopted policy position does not require retention or demonstration of such circumstances.

## **RECOMMENDATION REMAINS UNCHANGED**

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**Tonbridge  
Medway**

**TM/18/02222/FL**

### **Rooftop extension to provide 8 additional 2 bed flats at Riverbank House Angel Lane Tonbridge**

Paragraphs 6.27 – 6.28: Since writing the main report, the applicant has now submitted a s.106 planning obligation in the form of Unilateral Undertaking. The applicant undertakes to pay the Borough Council a financial contribution amounting to £18,784 for the improvement of open spaces in the locality of the application site and complies with the requirements of policy OS3 of the MDE DPD.

Paragraph 6.29: Refers to the development being for 14 apartments. The development is, however for 8 additional apartments and it is on this basis that the assessment and recommendation has been made.

Paragraph 6.23: Officers have taken the opportunity to further consider how best to mitigate any impact to existing residents of Riverbank House during the construction phase and note that Condition 5 could be broadened out to address all matters of construction works, not just construction traffic, to further address this. As such, condition 5 can be amended as follows.

## **AMENDED RECOMMENDATION**

### **Amend Condition 5:**

**5. Prior to the commencement of the development hereby approved, arrangements for the management of all construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:**

- **The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;**
- **Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;**
- **Procedures for notifying the existing residents of Riverbank House as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination; and**
- **The specific arrangements for the parking of contractors vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.**

**The development shall be undertaken in full compliance with the approved details.**

**Reason: In the interests of residential amenity and highway safety in accordance with policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007.**

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**Tonbridge  
Castle**

**TM/18/02684/FL**

**Retrospective application for erection of a canopy attached to the Acorn building at Hilden Oaks School 38 Dry Hill Park Road Tonbridge**

Private Reps: 9 further representations have been received objecting to the proposed development on grounds that the canopy is an unsightly structure and detracts from the character of the Conservation Area. One representation includes photographs taken from a neighbouring property towards the development during both daytime and night-time hours.

*[DPHEH – it has been made clear within the main report that there is no right to a view in*

*planning terms and the fact that the development is visible from neighbouring properties in and of itself is not a material planning consideration. The primary consideration is whether there is a harmful impact on the character or appearance of the CA arising from the development in situ.]*

TCS: Letter of support received.

Paragraph 1.3: The Member's Site Inspection took place on 08 January and allowed Members to view the structure in situ. In particular, they were able to view the relationship between the canopy and the host building, with particular reference to its height relative to the eaves and ridge of the main building, its specific design and the materials utilised in its construction. In addition, the position of the canopy within the context of the wider site and neighbouring properties beyond was appreciated.

Paragraph 6.5: Should cite paragraph 193 of the NPPF as follows:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

Paragraph 6.9: To further clarify, Members should be aware that the limited visibility of the structure from public vantage points as set out in the main report is material. For example, a development that would be seen clearly within and as part of the public realm within a Conservation Area could, potentially have a more significant impact upon the character and appearance of that Conservation Area than one which is afforded appropriate screening.

However, it is equally important to view development within the context of the site and its surroundings as a whole and establish whether it is acceptable on that basis. The site as a whole is designated as Conservation Area and thus the statutory and policy tests as to impact still fall to be applied regardless of whether the development can be seen from the public realm.

**RECOMMENDATION REMAINS UNCHANGED**

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