

## TONBRIDGE & MALLING BOROUGH COUNCIL

### AREA PLANNING COMMITTEES

#### Report of the Director of Planning, Housing & Environmental Health

#### Part I – Public

#### Section A – For Decision

#### DEVELOPMENT CONTROL

In accordance with the Local Government Access to Information Act 1985 and the Local Government Act 1972 (as amended), copies of background papers, including representations in respect of applications to be determined at the meeting, are available for inspection at Planning Services, Gibson Building, Gibson Drive, Kings Hill from 08.30 hrs until 17.00 hrs on the five working days which precede the date of this meeting.

Members are invited to inspect the full text of representations received prior to the commencement of the meeting.

Local residents' consultations and responses are set out in an abbreviated format meaning: *(number of letters despatched/number raising no objection (X)/raising objection (R)/in support (S))*.

All applications may be determined by this Committee unless (a) the decision would be in fundamental conflict with the plans and strategies which together comprise the Development Plan; or (b) in order to comply with Rule 15.24 of the Council and Committee Procedure Rules.

---

#### GLOSSARY of Abbreviations and Application types

#### used in reports to Area Planning Committees as at 16 August 2013

AAP	Area of Archaeological Potential
AODN	Above Ordnance Datum, Newlyn
AONB	Area of Outstanding Natural Beauty
APC1	Area 1 Planning Committee
APC2	Area 2 Planning Committee
APC3	Area 3 Planning Committee
ASC	Area of Special Character
BPN	Building Preservation Notice
BRE	Building Research Establishment
CA	Conservation Area
CBCO	Chief Building Control Officer
CEHO	Chief Environmental Health Officer

CHO	Chief Housing Officer
CPRE	Council for the Protection of Rural England
DEFRA	Department for the Environment, Food and Rural Affairs
DETR	Department of the Environment, Transport & the Regions
DCLG	Department for Communities and Local Government
DCMS	Department for Culture, the Media and Sport
DLADPD	Development Land Allocations Development Plan Document (part of the emerging LDF)
DMPO	Development Management Procedure Order
DPD	Development Plan Document (part of emerging LDF)
DPHEH	Director of Planning, Housing & Environmental Health
DSSL	Director of Street Scene & Leisure
EA	Environment Agency
EH	English Heritage
EMCG	East Malling Conservation Group
FRA	Flood Risk Assessment
GDPO	Town & Country Planning (General Development Procedure) Order 1995
GPDO	Town & Country Planning (General Permitted Development) Order 1995
HA	Highways Agency
HSE	Health and Safety Executive
HMU	Highways Management Unit
KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards
KDD	Kent Design (KCC) (a document dealing with housing/road design)
KWT	Kent Wildlife Trust - formerly KTNC
LB	Listed Building (Grade I, II* or II)
LDF	Local Development Framework
LMIDB	Lower Medway Internal Drainage Board
LPA	Local Planning Authority
LWS	Local Wildlife Site
MAFF	Ministry of Agriculture, Fisheries and Food
MBC	Maidstone Borough Council
MC	Medway Council (Medway Towns Unitary Authority)
MCA	Mineral Consultation Area
MDEDPD	Managing Development and the Environment Development Plan Document
MGB	Metropolitan Green Belt
MKWC	Mid Kent Water Company
MLP	Minerals Local Plan
MPG	Minerals Planning Guidance Notes
NE	Natural England
NPPF	National Planning Policy Framework
ODPM	Office of the Deputy Prime Minister

PC	Parish Council
PD	Permitted Development
POS	Public Open Space
PPG	Planning Policy Guidance Note
PPS	Planning Policy Statement (issued by ODPM/DCLG)
PROW	Public Right Of Way
RH	Russet Homes
RPG	Regional Planning Guidance
SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (prepared as background to the LDF)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document (a statutory policy document supplementary to the LDF)
SPN	Form of Statutory Public Notice
SSSI	Site of Special Scientific Interest
SWS	Southern Water Services
TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan
TCG	Tonbridge Conservation Group
TCS	Tonbridge Civic Society
TMBC	Tonbridge & Malling Borough Council
TMBCS	Tonbridge & Malling Borough Core Strategy (part of the Local Development Framework)
TMBLP	Tonbridge & Malling Borough Local Plan
TWBC	Tunbridge Wells Borough Council
UCO	Town and Country Planning Use Classes Order 1987
UMIDB	Upper Medway Internal Drainage Board
WLP	Waste Local Plan (KCC)
AGPN/AGN	Prior Notification: Agriculture
AT	Advertisement
CA	Conservation Area Consent (determined by Secretary of State if made by KCC or TMBC)
CAX	Conservation Area Consent: Extension of Time
CNA	Consultation by Neighbouring Authority
CR3	County Regulation 3 (KCC determined)
CR4	County Regulation 4
DEPN	Prior Notification: Demolition
DR3	District Regulation 3
DR4	District Regulation 4
EL	Electricity
ELB	Ecclesiastical Exemption Consultation (Listed Building)
ELEX	Overhead Lines (Exemptions)

FC	Felling Licence
FL	Full Application
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Assessment
FOPN	Prior Notification: Forestry
GOV	Consultation on Government Development
HN	Hedgerow Removal Notice
HSC	Hazardous Substances Consent
LB	Listed Building Consent (determined by Secretary of State if made by KCC or TMBC)
LBX	Listed Building Consent: Extension of Time
LCA	Land Compensation Act - Certificate of Appropriate Alternative Development
LDE	Lawful Development Certificate: Existing Use or Development
LDP	Lawful Development Certificate: Proposed Use or Development
LRD	Listed Building Consent Reserved Details
MIN	Mineral Planning Application (KCC determined)
NMA	Non Material Amendment
OA	Outline Application
OAEA	Outline Application with Environment Assessment
OAX	Outline Application: Extension of Time
ORM	Other Related Matter
RD	Reserved Details
RM	Reserved Matters (redefined by Regulation from August 2006)
TEPN56/TEN	Prior Notification: Telecoms
TNCA	Notification: Trees in Conservation Areas
TPOC	Trees subject to TPO
TRD	Tree Consent Reserved Details
TWA	Transport & Works Act 1992 (determined by Secretary of State)
WAS	Waste Disposal Planning Application (KCC determined)
WG	Woodland Grant Scheme Application

**Hildenborough                      TM/13/03930/FL**  
**Hildenborough**

**Shed to house a mobility scooter in front garden at 46 Riding Park Hildenborough  
Tonbridge Kent TN11 9JE for Mrs Sylvia Beevis**

Amended Plans:

The size of the proposed shed has now been amended from 2m by 2m by 2.5m high to 2.4m (long) to 1.8m (wide) to 2.3m (high at apex). Clarification has also been submitted that states that the shed will be freestanding with a felt roof.

DPHEH:

I consider that the proposed floor area is not substantially greater than that originally proposed and which was subject to a detailed assessment within the main Committee report. Furthermore, it should be recognised that the height of the proposed shed is now slightly lower than previously proposed.

Having further considered the proposal, it is felt that painting the structure a colour to match the main house could assist in reducing its visual prominence within the street scene. A condition can be imposed requiring this to be done and I would suggest requiring this within a month of the shed being erected would be reasonable.

We have also taken the opportunity to revisit the wording of Condition 4 and I would suggest that it would be preferable to restrict the development for the benefit of the applicant.

#### **AMENDED RECOMMENDATION**

**Amend Condition 4:**

**4. The consent shall enure only for the benefit of Mrs Sylvia Beevis and it shall not enure for the benefit of the land or any other person or persons for the time being have an interest therein.**

**Reason: In light of the personal circumstances of the applicant and the associated justification for granting planning permission.**

**Additional Condition:**

**5. Within one month of the building hereby approved having been erected, the building shall be painted or stained to a colour to match the main dwelling house.**

**Reason: In the interests of the visual amenities of the locality.**

---

**Tonbridge  
Medway**

**TM/14/00655/FL**

**Hybrid Application: Development of site involving (A) Detailed Planning Permission for erection of a new replacement care home (Use Class C2) comprising 101 resident bedrooms, ancillary accommodation, communal facilities and gardens, and car parking; a new link road connecting the vehicular access from Tudeley Lane to the new replacement care home; creation of an acoustic fence along the boundary with the A26 Woodgate Way; and phased demolition of the existing Woodgate Care Home following the commencement of operations at the new replacement care home; (B) Outline Permission for the erection of extra care apartments comprising self-contained apartments, communal facilities and gardens, and car parking at Woodgate Residential Care Home And Adjacent Land Tudeley Lane Tonbridge Kent TN11 0QJ for GB Development Solutions Limited**

DPHEH:

The conditions as recommended in the main report are intended to allow the development to come forward in a sequenced way enabling any details pertaining to the new care home to be submitted before those relating to the extra care apartments, which come forward at a later time.

Condition 20 as recommended in the main report requires a scheme of affordable housing to be submitted for approval. It goes on to stipulate that 28% of the extra care units should be for affordable rent, with 12% for intermediate housing.

Subsequent discussions with Abbeyfield have confirmed that the principle of providing an element of affordable housing through submission of a scheme is acceptable to them. However, they have questioned the requirement to have an element of intermediate housing. The intention of Abbeyfield at this stage is to provide a total of 51 extra care apartments (although this element of the scheme is only in outline at this stage), with 28 of the units offered for affordable rent (which equates to just below 55%), and with the remainder offered for outright sale. This is subject to Abbeyfield securing funding from the HCA. They have indicated to us that if this funding does not become available, the mix in tenure will change, with a reduction in the number of affordable rented units to "approximately 40%". At present Abbeyfield advise that they have no plans to offer intermediate units here.

Although the tenure split would not accord with the adopted policy (indeed there would only be one type of affordable tenure offered), it would be at a level either greater than or in line with the adopted policy. This should be welcomed here particularly when considering the clear need that exists for this type of accommodation in general terms. I would therefore suggest that Condition 20 be amended to require the scheme to demonstrate the provision and retention of no less than 40% of the extra care units for affordable rent.

Since publication of the main report, further consideration has been given to the suggestion by KCC (Highways) that pedestrian infrastructure improvements be provided at the entrance to the site. This has in part been borne out of our ongoing discussions regarding the nature of the accommodation provided by the extra care apartments and the overarching ethos that they are intended to provide for/encourage independent living where possible. It is therefore perfectly feasible that occupants of the extra care apartments will, to varying extents, intend to use the amenities within the local area. Indeed, part of the case put forward by the applicant in terms of the suitability of this site for such accommodation centred on its connectivity benefits for both residents and staff. I continue to acknowledge the assertion by the applicant that because traffic flows along Tudeley Lane are light and the road alignment is straight, Tudeley Lane is safe for pedestrians to use to access the site (paragraph 6.34 of main report). However, there is a strong likelihood that those occupants wishing to travel along Tudeley Lane will have varying levels of mobility and appropriate measures should be taken to ensure these residents are able to get around safely, avoiding feelings of isolation or reliance on alternative means of transport such as taxis. This becomes even more pertinent when considering the fact that the applicant has overtly stated there will not be a regular mini-bus service for residents. I therefore recommend that an additional condition be imposed requiring a scheme for pedestrian improvements to be submitted for approval.

#### **AMENDED RECOMMENDATION:**

##### **Amend Condition 20:**

**20. The details submitted in pursuance to Condition 18 shall be accompanied by a scheme for the provision of affordable housing which demonstrates the provision and retention of no less than 40% of the extra care apartments for Affordable Rent. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annexe 2 of the National Planning Policy Framework or any future guidance that replaces it.**

**Reason: To comply with the requirements of policy CP17 of the Tonbridge and Malling Borough Council Core Strategy 2007 and the National Planning Policy Framework 2012 (paragraph 50).**

**Additional Condition:**

**22. The development hereby approved in respect of Area 2, cross hatched on plan number A-607 04 Rev, shall not commence until a scheme for the provision of pedestrian infrastructure improvements to provide a connection between the site access at road level and the elevated pedestrian route on the northern side of Tudeley Lane has been submitted to and approved by the Local Planning Authority. The occupation of the development on Area 2 shall not take place until those works have been completed in accordance with the approved scheme.**

**Reason: In the interests of highway and pedestrian safety.**

---





This page is intentionally left blank