

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
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15 October 2014

To: MEMBERS OF THE AREA 1 PLANNING COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 1 Planning Committee to be held in the Riverside Lounge, Angel Centre, Tonbridge on Thursday, 23rd October, 2014 commencing at 7.30 pm. Deposited plans will be available for Members' inspection for half an hour before the start of the meeting.

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

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To confirm as a correct record the Minutes of the meeting of Area 1 Planning Committee held on 11 September 2014

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9. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

10. Exclusion of Press and Public

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

11. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr R D Lancaster (Chairman)
Cllr Ms V M C Branson (Vice-Chairman)

Cllr A W Allison
Cllr Mrs J A Anderson
Cllr Ms J A Atkinson
Cllr O C Baldock
Cllr Mrs P Bates
Cllr P F Bolt
Cllr D J Cure
Cllr M O Davis
Cllr T Edmondston-Low

Cllr Miss J R L Elks
Cllr Mrs M F Heslop
Cllr N J Heslop
Cllr M R Rhodes
Cllr Miss J L Sergison
Cllr C P Smith
Cllr Ms S V Spence
Cllr D J Trice

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TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

Thursday, 11th September, 2014

Present: Cllr R D Lancaster (Chairman), Cllr Ms V M C Branson (Vice-Chairman), Cllr A W Allison, Cllr Mrs J A Anderson, Cllr Ms J A Atkinson, Cllr O C Baldock, Cllr Mrs P Bates, Cllr P F Bolt, Cllr D J Cure, Cllr M O Davis, Cllr T Edmondston-Low, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr M R Rhodes, Cllr Miss J L Sergison, Cllr C P Smith, Cllr Ms S V Spence and Cllr D J Trice

Councillors M A C Balfour and Mrs S Murray were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Miss J R L Elks

PART 1 - PUBLIC

AP1 14/40 DECLARATIONS OF INTEREST

Councillor Davis declared an Other Significant Interest in application TM/14/02398/FL (1 Barchester Way, Tonbridge) on the grounds that his place of work represented the applicant. He withdrew from the meeting during the discussion of this item.

In the interest of transparency, Councillor N Heslop informed the Committee that he sat on the governing body of the Cage Green Primary School which shared a site with the Ridgeview School (TM/14/02529/CR3). It was also noted that Cage Green Primary School had not been invited to submit comments as part of the formal consultation process.

Councillor C Smith informed the Committee that as a member of the Kent County Council Planning Committee he would not participate in any discussion or vote on application number TM/14/02529/CR3. However, he remained in the room to hear the debate and to understand the concerns raised by the Borough Council.

Councillor Balfour, whilst not a member of the Committee and attending as an observer, advised that he was a Member of Kent County Council Planning Committee and was interested in the debate regarding application TM/14/02529/CR3

AP1 14/41 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 31 July 2014 be approved as a correct record and signed by the Chairman.

MATTER FOR RECOMMENDATION TO COUNCIL**AP1 14/42 DIVERSION OF PART OF PUBLIC FOOTPATH MU21 AT TONBRIDGE**

The report of the Director of Central Services advised of a proposal to divert part of Public Footpath MU21 at Tonbridge, made by Tonbridge School to whom planning consent had been granted under reference TM/13/03834/FL for the construction of a replacement car park and associated landscaping.

It was reported that the Borough Council was responsible, in its capacity as the Authority that granted the planning permission, for making and confirming any Public Path Diversion Order which related to development.

The proposed diversion, shown on the plan attached as Appendix A to the report, would run along the edge of the new car park, commencing at point A and running in a generally south-south-westerly through east-south-easterly direction for approximately 107 metres to re-join the existing line of Public Footpath MU21 at point C. It was noted that both local ward Members had no objection to the proposed diversion.

After careful consideration it was agreed that the proposed diversion would not have any negative impact upon the public right of way.

RECOMMENDED: That approval be given to:

- (1) the making of an order under section 257 of the Town and Country Planning Act 1990 to divert part of Public Footpath MU21 at Tonbridge, as shown at Appendix A to the report, in order to enable the proposed development to be carried out;
- (2) the confirmation of the Order, if unopposed; or
- (3) referral of the Order to the Planning Inspectorate if any objections were sustained.

***Referred to Council**

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE
CONSTITUTION**

AP1 14/43 DEVELOPMENT CONTROL AND SUPPLEMENTARY REPORTS

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP1 14/42 TM/14/02529/CR3 - LAND SOUTH OF KERROMOOR, HIGHAM LANE, TONBRIDGE

New two storey Special Educational Needs School with associated car parking and landscaping at land south of Kerromoor, Higham Lane, Tonbridge.

For the benefit of the many local residents in attendance it was reported that the proposal was a planning application made by Kent County Council and, in accordance with regulations, would be decided by the County Council itself. Tonbridge and Malling Borough Council was a consultee only.

The report of the Director of Planning, Housing and Environmental Health concluded that in considering applications in the Green Belt, and particularly in larger scale proposals, Kent County Council must address three key factors; whether inappropriate development was involved; whether there were very special circumstances to be taken into account; and whether these very special circumstances were of sufficient weight to overcome the harm arising from the proposal.

After careful consideration, it was

RESOLVED: That Kent County Council be advised that Tonbridge and Malling Borough Council raised objections on the following grounds:

- (1) Whilst Tonbridge and Malling BC recognised that the replacement and reinforcement of the beneficial educational facilities at the existing school merited support, the Borough Council did not consider that the proposed development of this site accorded with the requirements of the National Planning Policy Framework (2012). The proposal constituted inappropriate development within the Metropolitan Green Belt where there is a strong

presumption against permitting such development unless very special circumstances exist sufficient to outweigh the degree of harm to the Green Belt. In this instance, the Borough Council did not consider that the applicant had clearly demonstrated that very special circumstances exist which outweighed the degree of harm that would be caused to the open nature and function of the Metropolitan Green Belt that would arise as a result of developing this site in the manner proposed. Furthermore, the proposed development would result in harmful urban encroachment into the open countryside which is characteristically rural in nature, contrary to policy CP14 of the Tonbridge and Malling Borough Core Strategy 2007. The proposed development would also result in the loss of Grade 2 agricultural land and is therefore contrary to paragraph 112 of the National Planning Policy Framework (2012) and policy CP9 of the Tonbridge and Malling Borough Core Strategy 2007.

- (2) Given TMBC's objection to the proposed development of this site, Kent County Council must be satisfied that there is a strategic need for the proposed development in this location and on this particular site (as opposed to other sites considered in the alternative sites study submitted by the applicant or other sites considered by KCC as planning authority) if the application is to be approved, and that any resulting impacts by way of traffic generation and potential environmental issues are adequately assessed where necessary. TMBC is concerned that these assessments have not been satisfactorily executed to demonstrate that the local road network, in terms of its poor visibility, junction capacity, road widths, lack of footpaths and vulnerability to frequent flooding, is adequate to deal with the amounts of traffic that would be generated by the proposed school. In the absence of demonstration that the development can be carried-out without severe adverse traffic impacts the proposal must be considered to be contrary to paragraph 32 of NPPF and policy SQ8 of the Managing Development DPD.
- (3) In the event that Kent County Council reach the view that very special circumstances do exist that outweigh the degree of harm caused to the Metropolitan Green Belt and to local amenity in this locality and on this site and if the scheme is found to be acceptable in all other respects, KCC should:
 - Be satisfied that traffic impacts on the local highway network would not be assessed as severe and thus are able to meet the tests set out in the National Planning Policy Framework (2012);-
 - Have due regard to any representations received from Natural England and Kent Wildlife Trust. Appropriate measures should be taken to ensure the recommendations set out in the

submitted Ecological Appraisal are fully integrated into any detailed landscaping scheme and that local biodiversity is afforded suitable protection as part of an ongoing scheme of management.

- Seek the retention of the important hedgerows (as far as this is possible) and trees on the site frontage and include adequate provision to protect the trees, including their roots, during and after construction;
- Have consideration for the control of external lighting operation hours to minimise impact on the Green Belt and residential amenity;
- Require full details of how the school would be managed during school events (both during school times and out of hours) and how the school is intended to be used by community groups, including a scheme for managing such use in the interests of residential amenity;
- Require full details of the proposed acoustic fencing, including details of its precise location, extent, height and design in the interests of residential and visual amenity.
- Require a full assessment of foul and surface water disposal.

(4) TMBC would also take the opportunity to remind KCC of the requirement to refer the planning application to the Secretary of State for Communities and Local Government in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 in the event the County Council resolves to approve the scheme.

(Councillor Ms Atkinson informed the Committee that she had abstained from voting and participating in the debate as her grandson was a pupil at the school.)

AP1 14/45 (A) TM/14/01371/FL AND (B) TM/14/01372/LB - BORDYKE END AND THE COACH HOUSE, EAST STREET, TONBRIDGE

- (A) Demolition of ancillary outbuilding, conversion of Bordyke End from offices back into residential dwelling with conservatory extension. Conversion of Coach House from offices into separate residential dwelling including first floor extension. Erection of a 3 bay garage with an independent flat at Bordyke End and the Coach House, East Street, Tonbridge.

- (B) Listed Building Consent: Demolition of ancillary outbuilding, conversion of Bordyke End from offices back into a residential dwelling with conservatory extension. Conversion of Coach House from offices into separate residential dwelling including first floor extension at Bordyke End and the Coach House, East Street, Tonbridge.

RESOLVED: That application (A) be REFUSED for the following reason:

- (1) The proposed first floor extension to the Coach House by virtue of its size, position and close proximity with the neighbouring dwelling at 2 Hadlow Road would have an unduly overbearing impact upon the outlook from this neighbouring property, to the detriment of its residential amenity. Furthermore, the proposed detached garage with annexe above would, by virtue of its overall height combined with its position within the site and relationship with the neighbouring dwelling at 55 East Street, result in a dominant form of development thus having an unacceptable overbearing impact to this neighbouring property, to the detriment of its residential amenities. For these reasons, the proposed development is contrary to policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007, policy SQ1 of the Managing Development and the Environment DPD 2010 and saved policy P4/12 of the Tonbridge and Malling Borough Local Plan 1998.

RESOLVED: That application (B) be REFUSED listed building consent for the following reason:

- (1) The buildings are listed under Section of the Planning (Listed Building and Conservation Areas) Act 1990 as being of special architectural or historic interest, and the works to these buildings would be premature in the absence of any associated planning permission for the proposed development.

[Speakers: Mr Harrison – member of the public and Mr Bland – agent]

AP1 14/46 TM/14/02398/FL - 1 BARCHESTER WAY, TONBRIDGE

Retrospective application for a detached garage at 1 Barchester Way, Tonbridge.

RESOLVED: That the application be REFUSED for the following reason:

- (1) The proposed development, by virtue of its overall height, the design of the roof and specific siting, would appear as an incongruous feature and would be harmful to the visual amenity and appearance and character of the area. The proposal is therefore contrary to policies CP1 and CP24 of the Tonbridge and

Malling Borough Core Strategy 2007, policy SQ1 of the Tonbridge and Malling Managing Development and the Environment DPD 2010 and paragraphs 17, 56, 57, 60 and 64 of the National Planning Policy Framework (2012).

[Speakers: Mrs C Bowden and Mr P Bowden – members of the public and Mr P Newton - agent]

AP1 14/47 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.30 pm

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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

Hadlow (Hadlow) **562446 149512** **14 August 2014** **TM/14/02774/FL**
Hadlow, Mereworth And
West Peckham

Proposal: Demolition of goat shed and siting of two new temporary buildings onsite, move proposed school fence south into Faulkners Farm courtyard (amended scheme to that previously approved under planning permission TM/14/01114/FL)

Location: Faulkners Farm Ashes Lane Hadlow Tonbridge Kent TN11 9QU

Applicant: Hadlow College

1. Description:

- 1.1 Retrospective planning permission is sought for the demolition of a goat shed (approximately 86 sq.m in footprint), and its replacement with a new temporary building (approximately 100 sq.m in footprint) to provide additional classroom facilities. Previously, the resultant space on this part of the site was intended to be used as additional playground. This is now provided within the Animal Management Unit (AMU) courtyard to the south of the school complex and is enclosed by a fence.
- 1.2 The previous temporary permission (TM/14/01114/FL) also allowed for the replacement of one classroom building (historically used in connection with the College) with a larger temporary classroom building sited in a similar location. The historic classroom building has however been retained and is now in use by the school. A further additional building has been sited adjacent to it and is also used by the school as classrooms and associated facilities.
- 1.3 The submission states that these additional facilities have not been brought into place in order to increase the capacity of the school. Instead, the applicant explains within their supporting information that the changes are intended to aid the internal organisational arrangements at the school.
- 1.4 The school in its first year had 75 pupils on roll, with a limit by virtue of planning condition of 80. The original canteen space held 50 pupils and compelled two lunch shifts which was deemed to be undesirable by the school as it necessitated doubling the number of supervisors and meant that staff were required to work beyond their contractual hours to accommodate this arrangement.
- 1.5 The second temporary planning permission allowed for a total of 160 pupils until September 2015; both aspects being controlled by planning conditions. The submission indicates that 149 pupils are currently on roll. With this number of pupils, the applicant states that the previously approved canteen would only function if three lunch shifts were to be incorporated into the school day, taking in total between 60 and 70 minutes. The applicant states this would be unworkable

as it would have implications for curriculum delivery or alternatively would necessitate breaks across the day or a longer school day being required, none of which are possible according to the school.

- 1.6 The applicant therefore states that the only effective solution was to remove the internal partitions in the main temporary school building to enlarge the size of the canteen to enable two sittings to continue, thus displacing some of the previous classroom space. They go on to state that as the school is now in its second year, an ICT suite was needed, a facility not required in the first year of operation, arising from changes to the curriculum.
- 1.7 The school has also stated that the decision to retain the existing temporary classroom to the south of the main school and to add an adjacent new classroom next to it rather than replace the whole building with one larger building as set out in the permission was driven by costs.
- 1.8 The applicant has also stated that the additional buildings allow for greater flexibility for working with pupils, particularly allowing for more support for students with special educational needs.

2. Reason for reporting to Committee:

- 2.1 Significant local interest.

3. The Site:

- 3.1 Faulkners Farm currently accommodates the Hadlow College AMU, a lambing shed, various outdoor animal enclosures, an atrium and other outbuildings in addition to additional teaching accommodation used by the College.
- 3.2 Faulkners Farmhouse belongs to Hadlow College but is privately let for office use.
- 3.3 Immediately adjacent to Faulkners Farm are four maisonettes (let to Hadlow College staff) and two privately owned semi-detached cottages (3 and 4 Faulkners Farm Cottages).
- 3.4 The Hadlow Grill restaurant (previously known as the Spice Lounge and before that the Rose Revived Public House) is located on the opposite side of Ashes Lane (to the west of the application site) and is a Grade II listed building. Old Chegs (also Grade II Listed) is located some distance to the north of Faulkners Farm. To the south lies The Ashes, a detached private dwellinghouse.
- 3.5 Access to the site is taken from Ashes Lane via the A26 to the south. The site currently has a separate 'in/out' access.
- 3.6 Hadlow College facilities are provided, in addition to Faulkners Farm itself, within the main campus to the north east and Blackmans Dairy to the south east.

- Surely the applicant's knew of these requirements previously;
- College have done nothing to engage with the neighbours at any point;
- College are seeking a permanent operation at Faulkners Farm 'through the back door';
- Retrospective permission will give the message that the College can continue to do as it pleases.

6. Determining Issues:

- 6.1 Members will be acutely aware of the recent planning history in respect of this site. The key consideration in respect of this latest application is whether the development is, *in its own right*, acceptable in terms of its impact and not whether specifically it is materially different in its impact when compared to the scheme approved in June of this year. It is quite correct that the earlier temporary permission does set a datum for acceptability but ultimately this scheme must be judged on its own merits.
- 6.2 Equally it is appreciated that, to date, many residents have found the situation extremely frustrating in that strict adherence to an approved scheme is not an automatic obligation, under planning law, on a developer. The law allows for the submission of retrospective applications and the submission of such an application both requires and allows the Council to consider the latest development and, however frustrating the receipt of retrospective applications may be, they are a legitimate approach.
- 6.3 The site lies within the Metropolitan Green Belt, outside the defined settlement confines of Hadlow. The NPPF sets out the national planning policy for Green Belt land stating that new buildings within the Green Belt are considered to be inappropriate development which, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. There are however specific exceptions to this, the most pertinent to this proposal being:
- *"The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; or*
 - *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."*
- 6.4 NPPF Green Belt policy is supported by policy CP3 of the TMBCS.

- 6.5 In the strictest of policy terms the development undertaken constitutes inappropriate development by definition. The NPPF states that *“inappropriate development is, by definition, harmful to the Green Belt”* and such development should not be approved, except in very special circumstances. In view of the presumption against inappropriate development, substantial weight is attached to the harm to the Green Belt when considering any planning application concerning such inappropriate development. NPPF reads, at paragraph 88, *“When considering any planning application, local planning authorities should ensure that substantial weight is given to the harm to the Green Belt. ‘Very special circumstances’ will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”* It is therefore necessary to consider whether the development causes any other harm to the Green Belt beyond that caused by virtue of its inappropriateness and, having done so, whether there are any other considerations relevant to the overall balance that demonstrates very special circumstances.
- 6.6 It is therefore important to make the distinction between the harm caused to the Green Belt by virtue of the inappropriateness of the development and any material physical harm to openness ‘on the ground’. In this context, it is necessary to consider the purpose of the Green Belt. Paragraph 80 of the NPPF specifically sets out five purposes, as follows:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.7 When considering the five purposes for including land within the Green Belt as set out above, I consider that the impact on the open nature and function of the Green Belt at this point would be negligible when considering the far more substantial buildings located in close proximity. The new buildings are seen very much within the context of the group of existing buildings within the Faulkners Farm complex by virtue of their particular siting rather than having resulted in any harmful encroachment into more open parts of the Green Belt. Furthermore, the limited physical scale of the buildings now in situ are such that, rather than being at odds with this established development, they are seen very much as subservient structures.

6.8 Members will be aware that the Planning for Schools Development Policy Statement (DCLG - August 2011) continues to have much relevance, stating that:

“...We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes”.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.**
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.** *The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.*
- Local authorities should make full use of their planning powers to support state-funded schools applications.** *This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.*
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.** *Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.*
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible,** *and in particular be proportionate in the information sought from applicants. For instance, in the case of free schools, authorities may choose to use the information already contained in the free school provider’s application to the Department for Education to help limit additional information requirements.*
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.** *Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.*

• **Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.** *Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education.*

• **Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.**

This statement applies to both change of use development and operational development necessary to the operational needs of the school...

- 6.9 As with the consideration of the previous applications – both for the temporary school at Faulkners Farm and the permanent facility on the sports pitches – there is a strong Government presumption in favour of school development as a *matter of principle* and the question that must therefore be addressed in terms of this new-build work is whether its status as “inappropriate development” is overridden by the strong presumption in Government policy in favour of new state schooling. As with the previous applications, that judgement needs to be undertaken in the context of the proposal being for limited life.
- 6.10 The justification put forward by the applicant concerning the need for the additional buildings to allow the school to function for the remainder of the permitted temporary period (until September 2015), is somewhat disappointing in that these matters were not more carefully considered by the school prior to the submission of the previous temporary planning application. I am not convinced that the need for the additional buildings arising from the daily organisational requirements of the school in itself amounts to very special circumstances. However, it is my view that the relatively limited physical impact of the new buildings, given the particular context in which they sit as described at paragraph 6.7, combined with the continuing strong impetus in favour of encouraging schools development, amounts to very special circumstances which outweighs the degree of harm caused to the Green Belt by virtue of its inappropriate nature.
- 6.11 Moving on to whether any other harm arises from the development (other than that specifically related to the Green Belt), the specific design, scale and relationship with the nearest neighbours all ensure the visual amenities of the area and the residential amenities of those nearest neighbours would not be adversely affected, especially given the context of the current group of buildings. The new buildings are of such a scale that they would not harm the visual amenities of the site and its surroundings.
- 6.12 There is one very distinct difference between this latest planning application compared to the two temporary applications that have gone before it. The application currently before Members for determination does not propose to

increase the number of pupils from 160 (the level set by the second temporary planning permission) or to increase the period of time the school would operate from the temporary facilities (30 September 2015). As such, the additional buildings on site would not result in an overall increase in the intensity of the use of the site. This, in my view, is important as it means that the impacts on the neighbours and on highway safety remain as previously assessed when planning permission was granted in June.

6.13 I appreciate the ongoing concern amongst local residents that this application might be a further incremental step to establish a more permanent arrangement at Faulkners Farm rather than implementing planning permission for the development of the proposed long-term facility on the site of the existing sports pitches. That development has yet to commence although I can advise that the requisite pre-commencement conditions imposed on the planning permission for the permanent school have been formally discharged.

6.14 In light of all the above considerations, I consider that the strong national policy support for new state schools, the key benefits of co-location in relation to land based studies and the limited visual impact of *the new buildings* constitute in combination *very special circumstances* such that I am able recommend that temporary planning permission for the additional buildings be granted subject to the conditions discussed in the preceding assessment.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Design and Access Statement dated 11.08.2014, Location Plan DHA/10125/01 A dated 11.08.2014, Planning Statement dated 11.08.2014, Block Plan DHA/10125/02 dated 11.08.2014, Block Plan DHA/10125/03 B dated 11.08.2014, Planning Layout M-1168-01 E dated 11.08.2014, Elevations M-1169-02 A dated 11.08.2014, Planning Layout M-1169-01 C dated 11.08.2014, Elevations M-1168-02 B dated 11.08.2014, subject to the following:

Conditions:

- 1 The temporary school use hereby permitted shall be discontinued and the land restored to its former use on or before 30 September 2015 or at the opening of any permanent school at Hadlow College whichever is the earlier.

Reason: In the interests of preserving the open nature and function of the Metropolitan Green Belt.

- 2 The development hereby approved shall be used solely as a Secondary School providing a land-based curriculum in association with the facilities available at Hadlow College.

Reason: To enable the Local Planning Authority to regulate and control the future use of the site in the interests of preserving the open nature and function of the Metropolitan Green Belt and in the interests of highway safety.

- 3 No external lighting shall be installed in connection with the buildings, car park or associated areas until such details 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 visual amenity of this rural locality and in the interests of residential amenity.

- 4 The use of the site for the second year's intake of pupils in connection with the Hadlow Community Free School shall not be commenced and the new classroom building identified on plan number DHA/1025/03 shall not be occupied, until the area shown on the submitted layout as staff parking spaces has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 5 The area shown on the submitted plan as turning area shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 6 The number of pupils shall not exceed that set out in the Design and Access Statement.

Reason: In the interests of pedestrian and traffic safety and residential amenity.

- 7 The materials used for the surfacing of the staff parking area shall accord with the details approved under planning reference TM/13/03480/RD.

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

- 8 Within one month of the date from this permission, a Travel Plan covering both staff and pupils has been submitted to and approved by the Local Planning Authority for formal approval. Thereafter, the Travel Plan shall be implemented and monitored to ensure strict compliance with the approved scheme.

Reason: In the interests of highway, pupil safety and residential amenity.

- 9 Within one month from the date of this permission, a scheme for the management of both private cars and school buses using the bus/car drop off and circulation areas as identified on plan number DHA/10125/03 hereby approved has been submitted to and approved in writing by the Local Planning Authority. The use of these areas shall be carried out strictly in accordance with the approved scheme at all times thereafter.

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

Informative:

- 1 The applicant is strongly encouraged to liaise with local residents on an ongoing basis regarding on-site school activities should the need arise; particularly in the development of the Travel Plan and management of vehicle drop off/pick up areas pursuant to Conditions 8, 9 and 12.

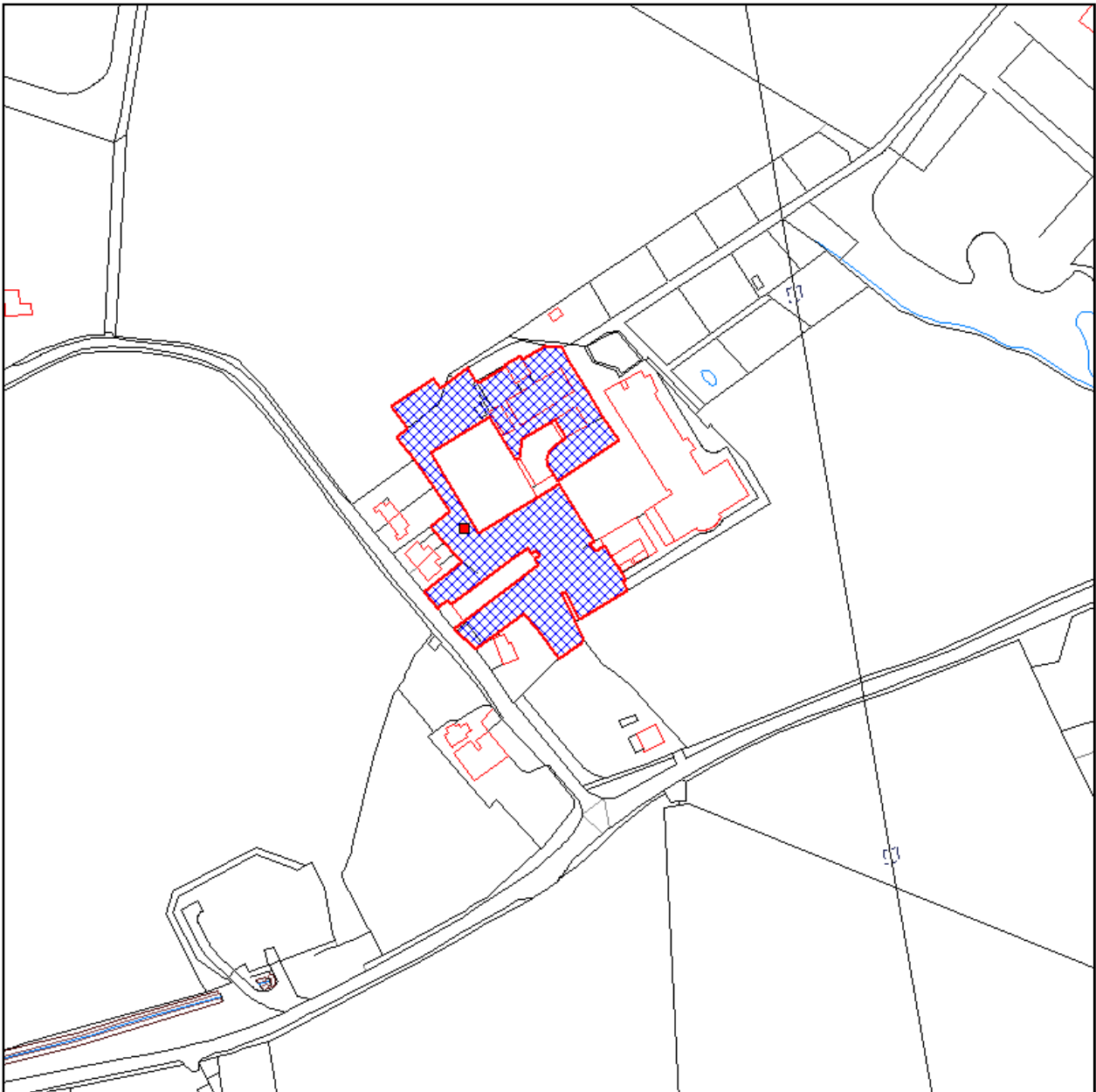
Contact: Emma Keefe

TM/14/02774/FL

Faulkners Farm Ashes Lane Hadlow Tonbridge Kent TN11 9QU

Demolition of goat shed and siting of two new temporary buildings onsite, move proposed school fence south into Faulkners Farm courtyard (amended scheme to that previously approved under planning permission TM/14/00114/FL)

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Tonbridge Castle **559212 147169** **12 May 2014** **TM/14/01411/FL**

Proposal: Demolition of single storey building and change of use of part of beer garden to create a new car park on land to the rear of 15 and 17 Shipbourne Road

Location: Land Rear Of 15 - 17 Shipbourne Road Tonbridge Kent TN15 3DN

Applicant: Kent County Council

1. Description:

- 1.1 Planning permission is sought for the demolition of a single storey brick building in order to facilitate a change of use of part of the beer garden to the rear of the public house at 17 Shipbourne Road to a car park for staff and patrons. In total, 9 car parking spaces are proposed to be provided.
- 1.2 This application is related to application TM/14/01407/CR4D, which appears elsewhere on this Agenda and seeks planning permission to redevelop the adjoining site for residential purposes. It is because the redevelopment of that site would remove existing car parking for the public house that has resulted in this application being submitted as well.

2. Reason for reporting to Committee:

- 2.1 The application is interrelated with application TM/14/01407/CR4D which relates to an adjoining piece of land and which shares an access to Shipbourne Road with the application site.

3. The Site:

- 3.1 The site is located within the urban confines of Tonbridge on the east side of Shipbourne Road. The site contains part of the beer garden serving the George and Dragon public house and a single storey building that is currently vacant but was last used for retail purposes as part of the former 'World of Pots' site. The site is located within the Tonbridge Conservation Area.

4. Planning History:

- 4.1 None relevant.

5. Consultees:

- 5.1 KCC (Highways): My only concern regarding this application is the possibility of conflict between pedestrians and a vehicle reversing from car parking space marked P1 at the corner of 15 Shipbourne Road. It is considered that this could be solved with a small area of deterrent paving.

5.2 Private Reps: 10/0X/0S/2R. The two letters raise the following objections to this development:

- Loss of privacy.
- Noise and disturbance from comings and goings of the car park users.
- Shrubbery or fencing could be placed on the east side of the car park.
- There are frequently more patrons that use the car park than the number of spaces to be provided.
- The existing car park is often so full that patrons park within the access road.
- The reduction in the number of car parking spaces currently serving the pub will only make the existing problems worse and cause inconvenience to local residents.

6. Determining Issues:

6.1 The principle of the proposed development is acceptable under policy CP11 of the TMBCS. The main issues to consider relate to highway safety and residential amenity.

6.2 Concerns have been expressed that the proposed development would not contain enough car parking to serve the patrons of the public house. However, this proposal would actually provide additional car parking than would otherwise exist. As I have explained, the loss of the existing 8 car parking spaces serving the public house would arise from the development of the adjacent World of Pots site for 14 houses (TM/14/10407/CR4D). However, the existing car park is not protected by planning policies or conditions and therefore its use could cease at any time at the behest of the site owner.

6.3 The layout of the car park is considered to be practical and usable. Parking spaces P4-P7 have suitable space behind them to aid reversing out of them. Spaces P2 and P8 are longer than conventional parking spaces (6m) to aid parallel parking. The use of these parking spaces should not, therefore, require unduly onerous manoeuvring by drivers accessing them.

6.4 The highway authority has suggested that deterrent paving be laid to the south of space P1 to reduce the potential for conflicts between pedestrians walking along the side of 15 Shipbourne Road and users of this parking space to arise. Cars currently park immediately to the rear of 15 Shipbourne Road (the position of space marked P1) and, as such, the proposed development would not materially change this relationship between drivers and pedestrians. As a result, it would not be reasonable to insist on this feature being incorporated into the development.

However, I consider it reasonable to use an informative to suggest that the developer consider this.

- 6.5 The proposed car parking spaces would be located close to the boundary of the neighbouring residential property (Dairy Cottage, Dry Hill Farm). Two of the proposed car parking spaces would be located parallel to the west flank wall of this dwellinghouse, but it should be acknowledged that the area proposed to be occupied by space P9 is currently used as a parking space in front of the building to be demolished. Indeed, car parking takes place on the wider forecourt to the front of this building on an informal basis. However, it is likely that the occupiers of this neighbouring residential property would be aware of the additional car movements to the side of their property created by the proposed car park as more spaces will be available than currently exist. This must of course be balanced against the fact that the neighbour already has a direct relationship with the current use of the space as a beer garden. The occupiers of this neighbouring property have requested the erection of a fence or shrubbery along the boundary with their property to ameliorate the noise impact upon their amenity. Whilst I do not consider that the proposal would cause significant additional detriment to residential amenity, it would not be unreasonable to require the applicant to erect an acoustic fence or boundary wall along the east boundary of the site which would help to mitigate the noise from the use of the proposed car park. Such provision could be required by planning condition.
- 6.6 In light of these particular factors, I do not consider that the proposal would have an unacceptable impact on the amenities of this neighbouring property.
- 6.7 Turning now to the demolition of the building, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that when exercising planning powers within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.
- 6.8 Section 12 of the NPPF relates to development and the historic environment. It states at paragraph 131:
- “In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;...”*
- 6.9 Taking into account the policies set out above, I am mindful of the fact that the building to be demolished has a plain and utilitarian appearance and does not make any significant or positive contribution to the character of the locality. As such, its demolition would not fail to preserve or enhance the character and appearance of the Conservation Area. Similarly, the demolition of this particular building would not detract from the setting of the adjacent Listed Building at Dairy Cottage.

6.10 In conclusion, the demolition of the existing building would not detract from the character or appearance of the Tonbridge Conservation Area and the development is considered to be acceptable in terms of residential amenity and highway safety. Accordingly, I recommend that planning permission be granted, subject to the imposition of conditions.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Location Plan DHA/9865/11 dated 16.04.2014, Proposed Layout DHA/9865/12 dated 16.04.2014, Letter dated 16.04.2014, Design and Access Statement dated 16.04.2014, subject to the following:

Conditions:

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. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of acoustic boundary treatment. Any boundary fences, walls or similar structures as may be approved shall be erected before the first use of the car parking spaces hereby approved and retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of surface materials for the car park. The development shall be carried in accordance with the approved details and retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

Informative:

- 1 The applicant is encouraged to include an element of deterrent paving around the south east corner of the existing building at 15 Shipbourne Road in order to reduce the likelihood of conflicts between pedestrians and vehicles reversing out of the car parking spaces.

Contact: Matthew Broome

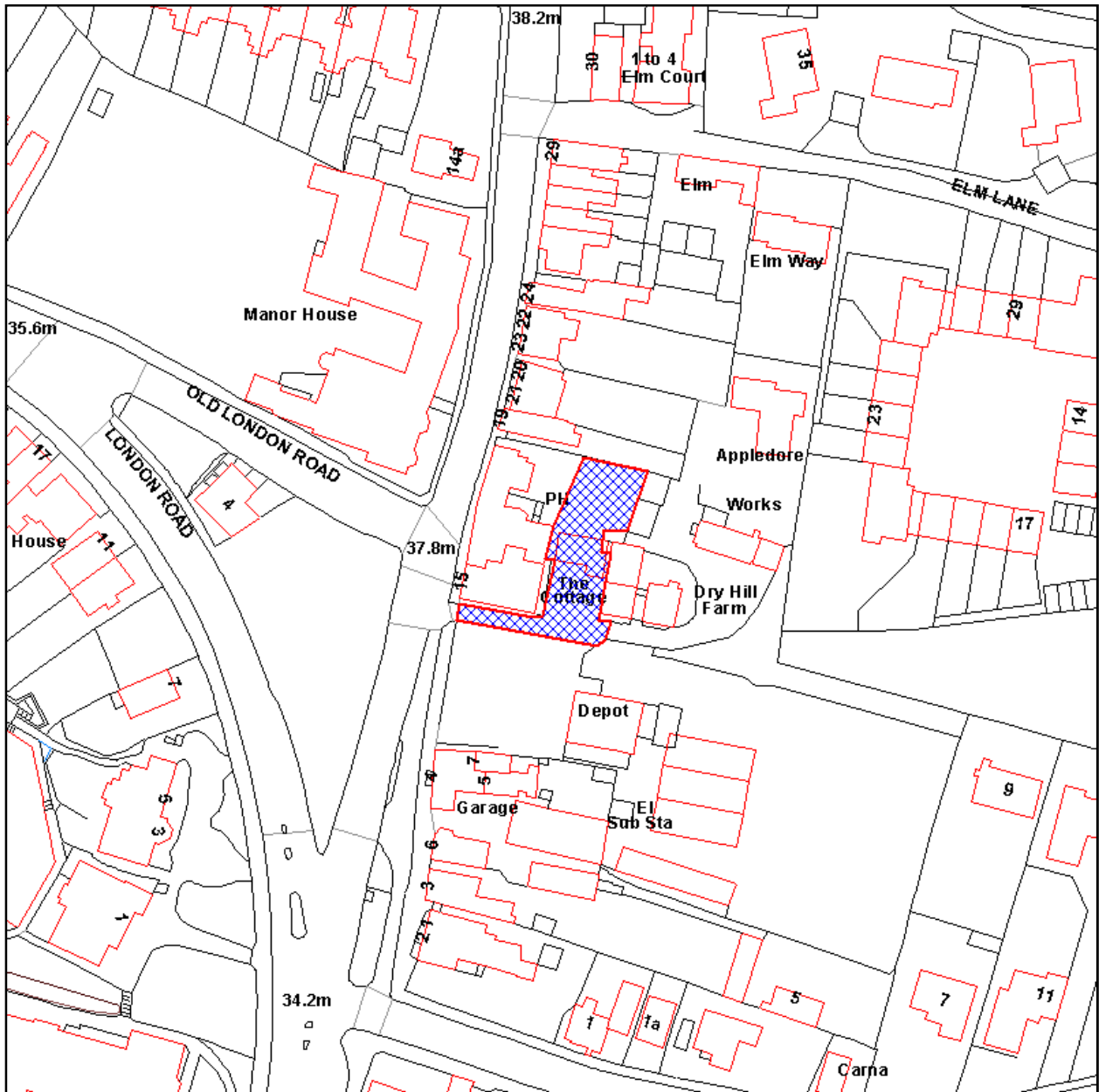
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TM/14/01411/FL

Land Rear Of 15 - 17 Shipbourne Road Tonbridge Kent TN15 3DN

Demolition of single storey building and change of use of part of beer garden to create a new car park on land to the rear of 15 and 17 Shipbourne Road

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Tonbridge Castle **559203 147145** **6 August 2014** **TM/14/01407/CR4D**

Proposal: Proposed demolition of existing building and open-sided structure on site and replacement with 14 new residential dwellings together with access, parking, garaging, landscaping and ancillary works

Location: Land To South And South East Of 15 Shipbourne Road
Tonbridge Kent

Applicant: Kent County Council

1. Description:

- 1.1 Planning permission is sought for the construction of 14 new dwellings comprising 10no. 3-bedroom units (a mix of terraced and semi-detached housing), 2no. 4-bedroom detached houses and 2no. flats. As part of the scheme for redevelopment, it is proposed to demolish the existing building and an open sided canopy structure within this site.
- 1.2 A building containing the two flats and a house would be located at the front of the site, in line with the neighbouring buildings fronting onto Shipbourne Road (nos. 4 and 15). Access to the site would be from Shipbourne Road via the existing site access located at the northern end of the site adjacent to No.15 Shipbourne Road. Within the main body of the site, the remaining dwellings would be arranged to face onto the new access road, part of which would be built to an adoptable standard. In total 31 car parking spaces would be provided: 27 in open bays, 2 within car barns and 2 within garages.
- 1.3 The buildings would contain 2 or 2 ½ storeys of accommodation (the top floor being located within the roof voids). The building fronting onto Shipbourne Road would stand 9.5m high at its highest point. The three bedroom dwellings would stand 9.3m high at ridge level and the four bedroom houses would stand 8.6m high at ridge level.
- 1.4 Specific details of materials have not been submitted at this stage, but the application forms indicate the use of brick with tile hanging and weatherboarding for the external wall finishes.

2. Reason for reporting to Committee:

- 2.1 At the request of Cllr Branson in response to the local interest generated by this planning application.

3. The Site:

3.1 The site is located within the urban confines of Tonbridge, on the east side of Shipbourne Road. The site was formerly used for retail purposes (the former World of Pots site). The site is now vacant containing one building, an open sided canopy structure and an extensive area of hard standing. The site is bounded by residential properties to the east and south and by Shipbourne Road to the west. The boundary of the Tonbridge Conservation Area runs through the site in a north/south alignment. The land on the western half of the site (fronting onto Shipbourne Road) lies within the Conservation Area.

4. Planning History:

4.1 None relevant.

5. Consultees:

5.1 KCC(Highways): It is my understanding that the first 22m of access road are to be traditionally kerbed. Beyond that both the extent of adopted and unadopted access will be a shared surface which is considered acceptable for a development of this scale. This enables the swept paths of service vehicles to be undertaken without overrunning kerbed areas. I write to confirm that the vehicle parking standards proposed are also acceptable and on behalf of the Highway Authority I have no objection to this proposal.

5.1.1 In order to undertake the necessary improvements to the Shipbourne Road at the access point, the applicant will need to enter into a Section 278 agreement with the Highway Authority. It is further considered, should this application be approved that it would be advisable for the applicant to provide a construction management plan, designed to minimise disruption during implementation.

5.2 KCC (Economic Development): Contributions sought towards primary and secondary education, community learning, youth services, libraries and adult social care.

5.3 Private Reps: 12/3X/7R/0S plus site & press notice. Grounds of objection are as follows:

- The development will cause structural damage to the adjacent Grade II Listed Building.
- Loss of light to neighbouring properties.
- Disturbance during the construction works.
- No details of boundary treatments have been submitted.
- Is any car parking for existing residents being considered?

- Overlooking and loss of privacy from the proposed development.
- The development is tight.
- The plans do not take into account the access to the rear of the pub car park which serves 10 properties.
- The access to the site must be clearly delineated.
- The development will prevent access to adjacent land in separate ownership.
- Additional consideration needs to be given to the access to/from Shipbourne Road.
- Is the proposed brick wall to be built on the east boundary of the site appropriate in this location?

6. Determining Issues:

- 6.1 Current Government guidance contained within paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. For decision making, this means approving development proposals that accord with the development plan without delay; and where the development plan is out of date or silent, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.2 One of the core principles of the NPPF (paragraph 17) is to encourage the effective use of previously developed land, providing it is not of high environmental value.
- 6.3 The site is located within the urban confines of Tonbridge where policy CP 11 of the TMBCS seeks to concentrate new development (as well as other defined urban areas). The development would be an efficient use of previously development land in a highly sustainable location close to Tonbridge town centre.
- 6.4 The route of the London Road to Hadlow Road link passes through the site. However, as Members will be aware, this project will not now be undertaken. The proposed development does not, therefore, conflict with policy SP1 of the DLA DPD which seeks to safeguard this land for the road link.
- 6.5 Accordingly, I consider the principle of the proposed development to be acceptable.
- 6.6 Policy CP24 of the TMBCS requires all developments to be well designed and to respect the site and its surroundings in terms of density, layout, siting, character and appearance.

- 6.7 Policy SQ1 of the MDE DPD states that all new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area.
- 6.8 Part of the site (its western half) is located within the Tonbridge Conservation Area. Accordingly, account must be taken of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and current Government guidance contained within section 12 of the NPPF which both require special attention to be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area
- 6.9 The Tonbridge Conservation Area appraisal describes the site's frontage as being a "visual intrusion" and lacking enclosure. The east side of Shipbourne Road to the north and south of the site is characterised by buildings sited on the back edge of the pavement and standing between 2 and 4 storeys in height. The CA appraisal describes Shipbourne Road as being 'narrow and enclosed', which contrasts sharply with the open spacious character of the London Road/Shipbourne Road junction.
- 6.10 As part of the proposed development, a new building would be erected fronting directly on to Shipbourne Road. This building would contain a gable end fronting the road with lower height 'wings' located on either side. The ground floor of this building would be constructed from brickwork, with the first floor clad with weatherboarding with the exception of the front facing gable end, which would be clad with tile hanging. This building, in terms of its height, form and detailed design, has been influenced by the form and design of the existing buildings located on either side of the site, fronting onto Shipbourne Road. It would create the enclosure currently lacking along this part of Shipbourne Road and would remove the defined visual intrusion with a respectful building of a traditional design and scale. This element of the proposed development would considerably enhance the character and appearance of the Conservation Area, which should be welcomed.
- 6.11 The area surrounding the application site is one of contrasts in terms of building pattern. Portman Park contains dwellings that front on to the street as well as containing backland developments. House and plot sizes vary greatly within this street. To the north east of the site, the Hayden Mews development comprises terraces of dwellings arranged around two central courtyards. These developments of course also vary greatly with the character of Shipbourne Road.
- 6.12 The development as a whole proposes dwellings with a traditional form and appearance. The height of the proposed buildings would be similar to neighbouring buildings. Whilst specific details of materials have not been submitted at this stage, the suggested combination of brickwork, weatherboarding and tile hanging respects the palette of materials used in the locality. Given the

particular wider context around the site, the proposed development is considered to appropriately reflect the prevailing character and layout of development within the locality, which again should be welcomed.

- 6.13 It is proposed to remove some trees located within the south east corner of the site and others located along the northern boundary. These trees are predominantly Sycamore, Damson, and Leyland Cypress. Mature trees are proposed to be retained and additional tree planting is indicated to take place on the submitted layout plan. The loss of the trees identified on the submitted plans as part of the overall scheme would not detract from the character of the locality and, indeed, consent is not required to remove these trees as they are located outside the Conservation Area.
- 6.14 Members will be aware that when assessing the impact on highway safety, consideration must be given to how the proposed development compares to the impact of the lawful (retail) use of this site. In this case, the submitted Transport Assessment make such a comparison and states that the proposed development would generate fewer daily traffic movements than those generated by the previous retail use of this site. The assessment notes that during the morning peak hour, 6 additional vehicle movements would be made with the proposed development. However this is not considered to be a significant increase in movements during this period.
- 6.15 With regard to car parking, the site is regarded as being in an 'edge of centre' location for the purpose of applying the adopted car parking standards. These require 1 car parking space to be provided for the flats and 3 bedroom dwellings and 1.5 spaces for the four bedroom dwellings. Applying these standards, there could not be a requirement for more than 15 car parking spaces to be provided to serve this development. The scheme actually proposes a total of 31 spaces, which includes 3 spaces for the use by the existing property at 15 Shipbourne Road. The amount and layout of the car parking spaces within this development is considered to be acceptable given the type of dwellings proposed. The highway authority considers the development to be acceptable in terms of highway safety.
- 6.16 The existing access serving this site also provides access to other properties located to the north of the site. Private rights of access over land is not a material planning consideration but I understand that the proposed layout would not interfere with the access arrangements serving the neighbouring properties or other adjoining land and a clear delineation would be made between the existing and proposed accesses.
- 6.17 It is also appreciated that the existing area of hardstanding at the front of the site has historically been used by patrons of the adjacent public house, local residents and employees of nearby offices. A total of 9 parking spaces are proposed to be created to the rear of the public house, to serve its customers, and this scheme is

reported elsewhere on this Agenda. However, the loss of the historic parking that has existed on this site is not a justifiable ground to resist its development given that the arrangements could be ended at any time without any control of LPA.

- 6.18 A key concern of local residents is how the proposed development might impact upon their amenity. Indeed, objections have been raised regarding loss of light and privacy. A daylight/sunlight assessment has been submitted as part of this application which concludes that the development would not cause unacceptable overshadowing or loss of light to 4 and 7 Shipbourne Road. I have made my own assessment using the guidance contained within the Building Research Establishment's document, "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" and I agree with the conclusion that the development would not cause an unacceptable loss of daylight or sunlight to these neighbouring properties.
- 6.19 The flank wall of Unit 3 would be located between 5m and 6m from the flank wall of 4 and 7 Shipbourne Road. This separation is sufficient in ensuring that the proposed building would not appear unduly oppressive when viewed from these neighbouring properties. The remaining units have been arranged to not directly overlook the neighbouring dwellings or their private garden areas. It is proposed to erect a 2.5m high brick wall along the eastern boundary of the site and to plant replacement trees and shrubs inside it. This would help to safeguard the privacy of the properties located to the east of the site by having a boundary defined by a more solid and taller structure than a typical close boarded fence. I am satisfied that the proposed development would not cause unacceptable detriment to the amenity of the neighbouring properties in terms of overlooking/loss of privacy.
- 6.20 The proposed dwellings would be subject to road traffic noise from Shipbourne Road. Mitigation measures are likely to be required for at least some of the dwellings to ensure that future residents have a reasonable aural environment. A condition can be used to ensure that appropriate noise mitigation measures are incorporated into this development.
- 6.21 Although I appreciate the concerns raised by the owner of 4 Shipbourne Road, there is no indication that the development itself would result in structural damage to the adjacent Listed Building. However it is apparent that care will need to be taken with any development of this site to ensure that the physical act of building close to this Listed Building does not itself cause damage to it. This is, of course, a matter for the eventual developer of the site to take into account, not the LPA. However, I would recommend the use of an informative, should permission be granted, to highlight the matter.
- 6.22 Policy OS3 of the MDE DPD states that on all residential developments of 5 units or above, there will be a requirement for open space provision in accordance with the quantitative standards set out in Policy Annex OS3. Where it is impractical or inappropriate to provide this on-site, a financial contribution will be sought for

either new provision or the enhancement of existing open spaces within the relevant accessibility threshold. Given the limited size of the application site, there is no potential to provide open space on site meaning that a contribution should be sought in accordance with the Open Space Calculator provided at Annexe D of policy OS3. Securing this will be the subject of a legal agreement should Members be minded to grant planning permission.

6.23 KCC has requested a contribution towards primary and secondary schools, libraries, youth and community facilities and adult social services. The Community Infrastructure Levy Regulations (6 April 2010), replacing the previous tests for planning obligations set out in Circular 05/2005, contains three Statutory tests. Regulation 122 states that a planning obligation may only be required if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

6.24 The case for requiring a developer contribution towards primary and secondary school places is accepted and for a development of this size should not be contested. The applicant is aware of this requirement; again, this can be the subject of a legal agreement. However, in respect of libraries, youth and community facilities and adult social services, there has been no detailed evidence demonstrating that existing facilities in the area could not absorb the needs of future residents and therefore the remaining contributions sought cannot be justified at this time.

6.25 In conclusion, the proposed development would be an efficient use of previously developed land close to Tonbridge town centre. The scheme would significantly enhance the character and appearance of the Conservation Area, responding directly to the negative attributes of the site that are identified within the Conservation Area appraisal. The development has been designed and laid out in such a way that respects the character of development in the locality and would not cause harm to highway safety or residential amenity. For these reasons, I consider that planning permission should be granted and I recommend accordingly.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details:
Existing Site Layout DHA/9865/02 A dated 09.07.2014, Location Plan DHA/9865/01 C dated 06.08.2014, Proposed Layout DHA/9865/03 D dated 06.08.2014, Proposed Layout DHA/9865/04 D dated 06.08.2014, Proposed Plans and Elevations DHA/9865/08 A dated 06.08.2014, Proposed Plans and Elevations DHA/9865/12 dated 06.08.2014, Report OVERSHADOWING ANALYSIS dated

16.04.2014, Letter dated 16.04.2014, Design and Access Statement dated 16.04.2014, Bat Survey dated 16.04.2014, Planning Statement dated 16.04.2014, Flood Risk Assessment dated 16.04.2014, Transport Statement dated 16.04.2014, Desk Study Assessment dated 16.04.2014, Tree Report dated 16.04.2014, Proposed Floor Plans DHA/9865/05 dated 16.04.2014, Proposed Floor Plans DHA/9865/06 dated 16.04.2014, Proposed Floor Plans DHA/9865/07 dated 16.04.2014, Street Scenes DHA/9865/09 dated 16.04.2014, Proposed Plans DHA/9865/10 dated 16.04.2014, Drawing DHA/9865/11 C dated 13.10.2014, subject to:

- a contribution towards public open space enhancements as set out in policy OS3 of the MDE DPD;
- a contribution towards the provision of primary and secondary school places;

The following conditions:

- 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 of all materials to be used externally have been approved by the Local Planning Authority. In order to seek such approval, written details and photographs of the materials (preferably in digital format) shall be submitted to the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. 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 there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 4 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 5 No development shall take place until details of the finished floor levels of the dwellings hereby approved 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.

- 6 The first floor window on the east elevation of unit 14 serving the landing shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the dwelling is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

- 7 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

- 8 Prior to the commencement of development a scheme for noise attenuation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be at least sufficient to secure internal noise levels no greater than 30dB LAeq, 8-hr (night) and 35dB LAeq, 16-hr (day) in bedrooms, 35dB LAeq, 16-hr (day) in living rooms and 40dB LAeq, 16-hr (day) in kitchens/dining rooms with windows at least partially open, and to secure external noise levels in gardens of no greater than 50dB LAeq,T. Additionally, where the internal noise levels will exceed 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open the scheme of acoustic protection shall incorporate appropriate acoustically screened mechanical ventilation. Mechanical ventilation shall also be provided to bedrooms having openings into facades that will be exposed to a level of road traffic noise in excess of 78 LAmax (Slow) time weighting. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be retained at all times thereafter.

Reason: To safeguard the aural amenity of the occupiers of the dwelling(s) hereby approved.

- 9 No development shall commence until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

Reason: To facilitate the collection of refuse and preserve visual amenity.

- 10 The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.

(e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.

(f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

- 11 Units 6-12 (inclusive) shall not be occupied until such time as the boundary wall located along the east boundary of the site has been erected in accordance with plan no. DHA/9865/11C and then it shall be retained at all times thereafter.

Reason: In the interests of residential amenity.

Informatives:

- 1 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to addresses@tmbc.gov.uk. To avoid difficulties for first occupiers, 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.
- 2 The applicant is advised to adopt considerate construction techniques for the duration of the development in order to minimise any detriment caused to local residents. For example, the applicant is advised to park all construction and worker's vehicles within the site and to avoid working outside normal working hours of 08.00 to 18.00 Monday to Friday, 08.00 to 13.00 on Saturdays with no working on Sundays, Bank or public holidays.
- 3 The applicant is advised to undertake the Bat emergence and re-entry surveys referred to in section 6 of the submitted Bat Scoping Survey prior to the demolition of the building within this site and to consult with Natural England regarding the need for licences should bats be found to be roosting within this building.
- 4 The applicant is advised to take particular care when undertaking development close to the Grade II Listed Building at 4 Shipbourne Road.

Contact: Matthew Broome

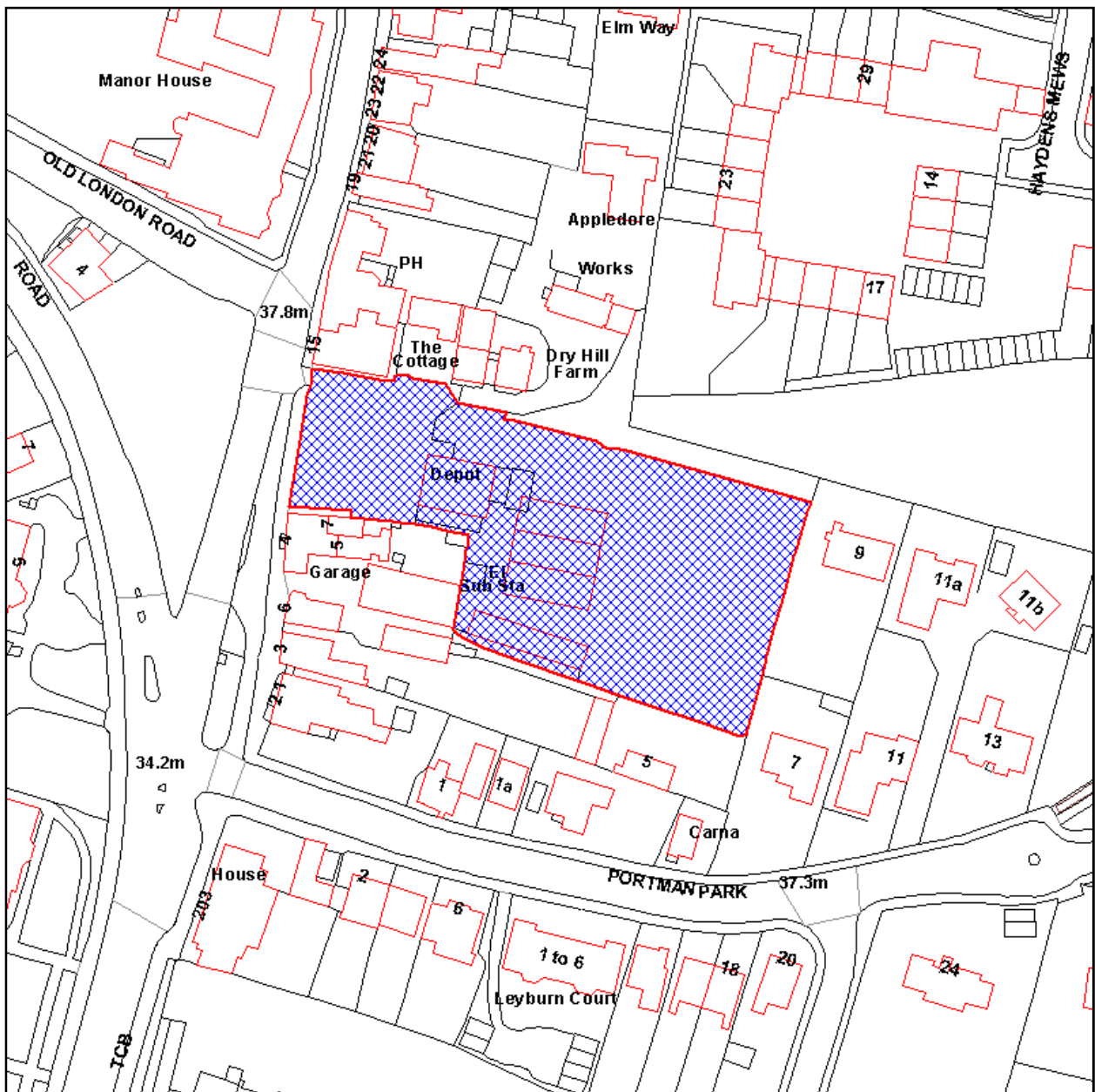
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TM/14/01407/CR4D

Land To South And South East Of 15 Shipbourne Road Tonbridge Kent

Proposed demolition of existing building and open-sided structure on site and replacement with 14 new residential dwellings together with access, parking, garaging, landscaping and ancillary works

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Hildenborough **556704 148790** **23 July 2014** **TM/14/02070/FL**
Hildenborough

Proposal: Proposed one/two storey rear, two storey side and front porch extension
Location: 7 And 8 Church Road Hildenborough Tonbridge Kent TN11 9JL
Applicant: Mr S Hooper

1. Description:

- 1.1 Planning permission is sought for the extension of 7 and 8 Church Road as a combined scheme. The extensions are proposed to wrap around the existing pair of semi-detached dwellings to the side and rear. The works are predominately two-storey in scale to the side and rear, with additional single storey outshoots to the rear, an open side porch serving 7 Church Road and an enclosed front porch serving 8 Church Road.
- 1.2 Materials are shown to be a mix of brickwork and render with the roofs shown to be finished in brown concrete tiles.
- 1.3 Preparatory works have recently been carried out to the front garden of No.8 to enable the provision of additional off-street parking. This development is shown on the submitted plans but is considered to be permitted development, and therefore does not form part of the current planning application for Members determination.

2. Reason for reporting to Committee:

- 2.1 At the request of Ward Members in order for consideration to be given to the impacts of the proposed development on the neighbouring dwellings.

3. The Site:

- 3.1 The application site contains a semi-detached pair of houses on the north side of Church Road, within the village confines of Hildenborough. The Hildenborough Conservation Area is located to the south, on the opposite side of Church Road.
- 3.2 The semi-detached pair is set back from the road. Both dwellings have relatively large rear gardens of some 24m.
- 3.3 This section of Church Road is characterised by semi-detached and terraced properties many of which have been extended over the years.
- 3.4 Church Road is narrow and intimate, especially within the Conservation Area to the south east of the application site.

4. Planning History:

4.1 No.7 Church Road:

TM/14/01315/FL Application Withdrawn 13 June 2014

Proposed single and two storey rear and side extension to existing house

TM/14/02071/FL Application Withdrawn 22 July 2014

Part one/two storey rear, and two storey side extension

4.2 No.8 Church Road:

TM/14/00747/TPOC Pending Consideration

Require oak tree which is covered in ivy and crosses several boundaries on neighbouring gardens to be felled as perceived as being a danger to nearby properties owned by the housing association and council

TM/14/01316/FL Application Withdrawn 28 May 2014

Proposed two storey and single storey rear and side extensions plus single storey front porch extension to existing house

5. Consultees:

- 5.1 PC: The Parish Council have been made aware of the inaccuracy on the plan showing 9 Church Road's footprint. They would like to see the impact of any overlooking windows taken into consideration.

[DPHEH – The discrepancy referred to by the PC related to an originally submitted block plan which gave the impression that 9 Church Road was larger in footprint than it is due to the demarcation of a rear patio area. This has since been amended to omit the patio to avoid any further confusion.]

- 5.2 Private Reps: 8/0X/3R/0S plus site & press notice. The 3 letters were all received from 9 Church Road and raise the following objections:

- Extension is too large in relation to the existing property and its plot;
- Side and rear extensions are too close to the common boundary with No.9 and would be oppressive and dominating causing overshadowing and loss of daylight and sunlight;

- Plans are misleading and the apparent outline of the building shown at No.9 to the rear is a patio not a building;
- Second storey window at the back would overlook No.9 as the plans show the window to be only 2m from the boundary;
- Church Road is narrow and suffers parking congestion. The previous garage at No.8 is not being replaced and the new driveway could result in up to two on-street spaces being lost;
- Size of the extension is out of character with the road, which is an attractive street where new development has been carefully controlled;
- Development will harm the setting of Hildenborough Conservation Area;
- Proposal would result in an unacceptable loss of amenity to 9 and is contrary to policy;
- Extension would have a detrimental impact on 9 Church Road given its position within 1m of the boundary;
- Extension is very large, giving a large increase in floor area and will be overbearing.

6. Determining Issues:

- 6.1 The site is located within the village confines of Hildenborough where the principle of development of this nature is acceptable in the broadest of policy terms. The proposed extensions are relatively large but the location of the site within the confines of the village means that there is no upper limit to the extent to which a property may be extended, *in principle*. Furthermore, it should be recognised that both dwellings are situated within large plots which are sufficient in size to accommodate the proposed extensions without amounting to an overdevelopment of the site.
- 6.2 With the principle of the proposed development having been established, it is necessary to ensure that the proposal would not harm the street scene and that the development is appropriate for the site and its surroundings. In these respects, Saved Policy P4/12 of the TMBLP requires residential extensions to not have an adverse impact on “the character of the building or the street scene in terms of form, scale, design, materials and existing trees; nor the residential amenity of neighbouring properties in terms of light and privacy, and overlooking of garden areas.” Policy P4/12 also has an Annex (PA4/12) which sets out further design guidance and amenity tests.

- 6.3 Policy CP24 of the TMBCS relates to achieving a high quality environment and paragraphs 57 and 58 of the NPPF set out similar criteria. Regard must also be had to the impact of the development on the setting of the adjacent Conservation Area.
- 6.4 The proposal to extend the pair of semi-detached dwellings has been submitted as a joint scheme although the extensions would not represent a mirror image of each other. There is however no requirement for the pair of dwellings to remain as a pair in terms of their external appearance when viewed from the street scene. Indeed, either dwelling could at any time be extended to the side (at single storey level) or incorporate a front porch through householder “permitted development” provisions without any control from the LPA with regards the specific design. Instead, it is necessary to ensure the extensions are visually in keeping with the host dwellings and wider street scene. Both extensions are significantly set back from the front of the main dwellings and would have a lower overall ridge height, incorporating hipped roofs. These factors, combined, would ensure that the extensions would appear visually subservient to the host dwellings, which is acceptable. Sufficient distance between the flank walls of the extensions and the site boundaries would be maintained, ensuring that the extensions would not appear cramped within the plots and avoiding any potential for a terracing effect to occur.
- 6.5 The extensions have been designed in such a way to ensure that windows serving habitable rooms would not face towards neighbouring properties. Only one window is proposed to be installed within a flank wall at first floor level (7 Church Road) and that is shown to be obscure glazed and top-hung opening only, given that it is proposed to serve a bathroom. This can be secured by planning condition should Members be minded to grant planning permission.
- 6.6 Saved policy annexe PA4/12 of the TMBLP states that in order to minimise any reduction in daylight into adjoining dwellings, and any impact on the outlook from such dwellings, single storey rear extensions should be designed so as to fall within the 45-degree angle zone taken from a half of the way across the neighbouring habitable room window nearest to the boundary. Given the degree of separation that exists between the proposed extensions and the neighbours either side of the application site (6 and 9 Church Road), this test is met and as such there would be no demonstrable loss of daylight/sunlight which could be said to harm the residential amenities of these neighbours.
- 6.7 Furthermore, as 7 Church Road is angled away from the common boundary with 6 Church Road, I consider that the extensions to this dwelling would not appear as an oppressive or dominant feature when viewed from this neighbouring property. This is assisted further by the staggered and subservient nature of the extension.

- 6.8 Similarly, the extension to 8 Church Road is well separated from its neighbour and the presence of a single storey garage, which is sited along the common boundary, acts as an intermediary feature in terms of built form.
- 6.9 It should also be acknowledged that both 6 and 9 Church Road are also served by relatively large rear gardens meaning that the extensions would not unduly dominate to the detriment of their residential amenity.
- 6.10 I consider that these factors combined mean that although the extensions would be visible from these neighbouring properties, their presence would not be so oppressive or dominant as to cause harm to the residential amenities of these neighbours.
- 6.11 The plans indicate that two parking spaces will be provided to serve each of the resultant dwellings within the associated front gardens. Whilst I appreciate it may have been preferable to retain a greater amount of soft landscaping to the front of the plots, this development on a standalone basis is considered to be permitted development and therefore does not form part of the current planning application for Members' determination. However, it can be recognised that the provision of 2 off street parking spaces to serve each of the resultant dwellings is considered to be acceptable, taking into account the requirements of KHS IGN3.
- 6.12 In light of the above considerations, I recommend that planning permission be granted subject to the imposition of conditions.

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Site Plan 1334/02 D dated 30.07.2014, Existing Floor Plans 1334/03 A dated 23.07.2014, Existing Floor Plans 1334/04 A dated 23.07.2014, Existing Elevations 1334/05 A dated 23.07.2014, Proposed Floor Plans 1334/06 B dated 23.07.2014, Proposed Floor Plans 1334/07 B dated 23.07.2014, Proposed Elevations 1334/08 B dated 23.07.2014, Proposed Elevations 1334/09 B dated 23.07.2014, Email dated 23.07.2014, Email dated 30.07.2014, Site Plan 1334/02 C dated 23.07.2014, Email dated 15.07.2014, subject to the following:

Conditions:

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. All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

3. The window at first floor level on the north-west flank wall of 7 Church Road elevation shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the extension is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

4. The extensions shall not be occupied, until the area shown on the submitted layout as vehicle parking space serving the associated dwelling has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

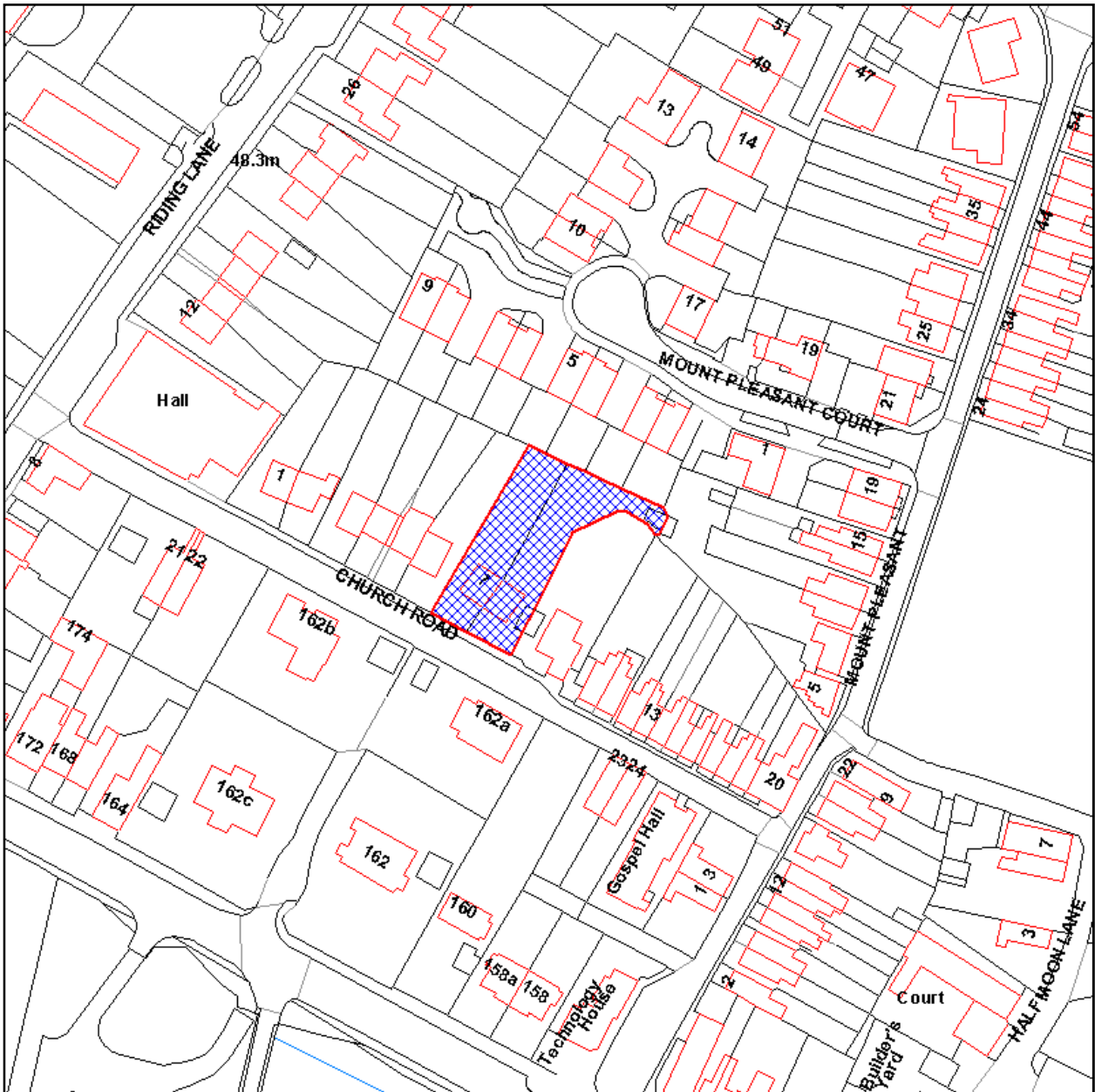
Contact: Vicky Bedford

TM/14/02070/FL

7 And 8 Church Road Hildenborough Tonbridge Kent TN11 9JL

Proposed one/two storey rear, two storey side and front porch extension

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