



# TONBRIDGE & MALLING BOROUGH COUNCIL

## EXECUTIVE SERVICES

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**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: Democratic Services  
committee.services@tmbc.gov.uk

27 October 2020

To: MEMBERS OF THE AREA 2 PLANNING COMMITTEE  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 2 Planning Committee to be held online via Microsoft Teams on Wednesday, 4th November, 2020 commencing at 7.30 pm. Information on how to observe the meeting will be published on the Council's website. Deposited plans can be viewed online by using [Public Access](#).

Yours faithfully

JULIE BEILBY

Chief Executive

## A G E N D A

### PART 1 - PUBLIC

1. Apologies for Absence
2. Declarations of Interest

*Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting*

3. Minutes 5 - 8

To confirm as a correct record the Minutes of the meeting of Area 2 Planning Committee held on 27 May, 2020

**Decisions to be taken by the Committee**

4. Development Control 9 - 12

Introduction and Glossary

5. TM/19/01067/FL - Scarbutts and Winsor Works, London Road, Addington 13 - 50

*Redevelopment of the site to provide 10x detached dwelling houses with associated parking, turning, landscaping and improvements to the access*

6. 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**

7. Exclusion of Press and Public 51 - 52

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**

8. 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 H S Rogers (Chairman)  
Cllr B J Luker (Vice-Chairman)

Cllr Mrs J A Anderson  
Cllr R P Betts  
Cllr C Brown  
Cllr M A Coffin  
Cllr S A Hudson  
Cllr Mrs F A Kemp  
Cllr Mrs C B Langridge  
Cllr P J Montague

Cllr L J O'Toole  
Cllr W E Palmer  
Cllr J L Sergison  
Cllr T B Shaw  
Cllr N G Stapleton  
Cllr K B Tanner  
Cllr M Taylor

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## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **AREA 2 PLANNING COMMITTEE**

**Wednesday, 27th May, 2020**

**Present:** Cllr H S Rogers (Chairman), Cllr B J Luker (Vice-Chairman), Cllr Mrs J A Anderson, Cllr R P Betts, Cllr C Brown, Cllr M A Coffin, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr P J Montague, Cllr L J O'Toole, Cllr W E Palmer, Cllr J L Sergison, Cllr T B Shaw, Cllr N G Stapleton, Cllr K B Tanner and Cllr M Taylor

Councillors V M C Branson, R W Dalton, D A S Davis, N J Heslop and D Lettington were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Mrs C B Langridge

### **PART 1 - PUBLIC**

#### **AP2 20/7 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

#### **AP2 20/8 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 22 January 2020 be approved as a correct record and signed by the Chairman.

### **DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION (RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

#### **AP2 20/9 DEVELOPMENT CONTROL**

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 circulated in advance of the meeting and published on the website.

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.

**AP2 20/10 (A) TM/19/02842/FL AND (B) TM/19/02843/LB - IGHTHAM MOTE, MOTE ROAD, IVY HATCH, SEVENOAKS**

(A) Construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works; and

(B) Listed Building Application: construction of a relocated car park in the lower section of the field to the east of the Walled Garden and the existing parking area; the restoration of the North Drive, the removal of the temporary Visitor Reception building, the reinstatement of the Walled Garden and the erection of a replacement Visitor Reception and Shop, Glasshouse and Bothy within the restored Walled Garden together with associated landscaping and drainage works at Ightham Mote, Mote Road, Ivy Hatch, Sevenoaks.

**RESOLVED:** That

In respect of application (A) TM/19/02842/FL planning permission be REFUSED for the following reason:-

1. The proposed development insofar as it relates to the new car park, by virtue of its overall scale, siting and layout amounts to inappropriate development which is harmful by definition and also causes material harm to openness and further planning harm to the localised landscape which is designated as an Area of Outstanding Natural Beauty and which cannot be adequately mitigated. The Local Planning Authority does not consider that the wider scheme that would be derived from the provision of the new car parks would result in benefits that would clearly outweigh those identified harms in totality. As such, the proposed development is contrary to the requirements of adopted policies CP3 and CP7 of the Tonbridge and Malling Borough Local Plan and paragraphs 143, 144, 145, 146 and 172 of the National Planning Policy Framework 2019.

In respect of application (B) TM/19/02843/LB Listed Building Consent be REFUSED for the following reason:-

1. The proposed development necessitates works to the cluster of Grade I and Grade II Listed Buildings which form part of Ightham Mote and which, in the absence of any acceptable associated development, are not justified which is contrary to paragraph 198 of the National Planning Policy Framework 2019.

[Speakers: Mr N Tyler of Shipbourne Parish Council addressed the committee via video-conferencing; Mr L Henry, Mrs S Berkeley, Ms J Austin, Ms A Farr, Mr D Luther, Mr A Rigney, Mr D Flint, Mrs J Flint, Ms Z Templeman Young on behalf of Prof. C Young, Ms C Templeman, Mrs D Champion, Mr C Killick, Mr G Berkeley, Mr N Davey and Mr T Champion (members of the public) addressed the committee via video-conferencing; written statements were read out by the Democratic Services Officer on behalf of Mr R Bate, Ms L Pearson, Ms K Davey and Mr R Willingham (members of the public); and video statements, provided by Ms E Hawkes (Agent) and Ms B Gillow on behalf of the National Trust (Applicant) in advance of the meeting, were presented to the committee]

#### **AP2 20/11 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 11.22 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.

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#### GLOSSARY of Abbreviations and Application types

#### used in reports to Area Planning Committees as at 23 September 2015

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
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
DMPO	Development Management Procedure Order
DPD	Development Plan Document
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 2015
GPDO	Town & Country Planning (General Permitted Development) Order 2015
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
LB	Listed Building (Grade I, II* or II)
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
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
MWLP	Minerals & Waste Local Plan
NE	Natural England
NPPF	National Planning Policy Framework
PC	Parish Council
PD	Permitted Development
POS	Public Open Space
PPG	Planning Policy Guidance
PROW	Public Right Of Way

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
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 (as amended)
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
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

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<b>Addington</b>	<b>22 May 2019</b>	<b>TM/19/01067/FL</b>
Downs And Mereworth		
Proposal:	Redevelopment of the site to provide 10 x detached dwelling houses with associated parking, turning, landscaping and improvements to the access road	
Location:	Scarbutts And Winsor Works London Road Addington West Malling Kent ME19 5AN	
Go to:	<a href="#">Recommendation</a>	

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## 1. Description:

- 1.1 This planning application proposes the redevelopment of a longstanding industrial site for 10 residential dwellings (3no. five beds and the remaining four bed units). The dwellings are all two storey detached properties finished in a mixture of brick, tile hanging and render. Each property is proposed to be served by a detached double garage with two independently accessible spaces in front. A visitor parking area containing 4 spaces is also proposed to be provided along the main access road.
- 1.2 The application also proposes the re-grading and surfacing of the existing access from the A20 to provide an improved access to serve the site. Alterations are proposed to land levels across the site intended to mitigate against the potential for flooding. The application also indicates a scheme of ecological and biodiversity enhancement and management and maintenance of the trees and boundary hedging.
- 1.3 Members will be aware that the site has a long history of commercial and industrial use, primarily comprising a printers on the southern part of the land and a workshop and garage to the north that was later changed to a metal smelter. Since this time numerous other uses have been undertaken including transportation yard, breakers yard, scaffolding contactor's yard and depot for a demolition company. These uses were mostly undertaken without the benefit of planning permission but had become lawful over the passage of time.
- 1.4 Given the history of the site and the relationships between it and surrounding buildings, a Members' Site Inspection was undertaken (in October last year) in advance of reporting this item so that Members could re-familiarise themselves with the site since their last visit in 2015.
- 1.5 At the inspection it became apparent that the applicants had decided to clear the site of all previous buildings. These buildings had been in situ at the time the case officer previously visited the site and no indication had been given by the applicants or their agents that this was scheduled to or had taken place. This action fundamentally changed the parameters for assessing the application due to the change from a developed site in the Green Belt to a vacant site with only some

areas of hardstanding remaining and this will be discussed fully in the assessment that follows. Since this time, officers have repeatedly advised the prospective developers via their planning agent to provide an updated supporting case in light of this fundamental change to the site and latterly officers have advised them to withdraw the application and reconsider options for any resubmission. None of this advice has been taken up to date.

- 1.6 Most recently, we have received notification from the Planning Inspectorate that an appeal has been lodged against non-determination of the application within the requisite timeframe. A response has been sent advising that we consider the provisions to lodge such an appeal do not apply in this instance because the statutory timeframe within which to lodge such an appeal (six months from the target date for determination) has passed. On this basis, it is considered that the LPA can still make a determination on the application and there is no locus for the Inspectorate to accept the appeal. If, for some reason, we are advised differently ahead of the committee meeting taking place, our recommendation will be updated accordingly by way of a supplementary matter.

## **2. Reason for reporting to Committee:**

- 2.1 Due to the controversial and complex planning history of the site.

## **3. The Site:**

- 3.1 The application site is located behind the Humphries and Parks Mitsubishi Garage and car sales premises on the north side of London Road (A20), to the southeast of Addington in the countryside. Access to the site is via an access road that extends 90m to the north from the A20, between the Mitsubishi car sales yard to the east and the residential property of Emlyn to the west. The site provides an area of about 0.8ha and is currently vacant, with the buildings that historically occupied the site being demolished towards the end of 2019.
- 3.2 The existing site falls away towards the north towards Leybourne Stream that runs adjacent to the west and north boundaries. The main part of the site is relatively flat with a slight slope from the south down to the north. However, the access road to the site is relatively steep, with the level of the A20 being about 10m higher than the level of the site proper.
- 3.3 The dwellings of Mayhill House and May Hill Barn lie to the southeast of the application site. The Mitsubishi Garage and car sales premises lie further to the south fronting the A20. An open field/meadow lies to the east, with an area of woodland to the north and northeast. The West Malling Golf Course lies to the northwest and north of the site. The residential property of Emlyn adjoins the western boundary of the site adjacent to the access road. A number of other residential properties (Nos.1-6 Greenways) are sited further to the west. A cluster of residential properties is also located on the south side of the A20, opposite the site access.

- 3.4 The site is within the countryside and Metropolitan Green Belt, Zone 2/3 Flood Risk Areas and a Water Gathering Area. The A20 is a Classified Road and an area of Ancient Woodland lies immediately to the north. The site is also designated as a Major Developed Site in the Green Belt - M1 (b) and Other Employment Land - E2 (o) in the Council's Development Plan.

**4. Planning History (relevant):**

TM/06/02828/FL      Refuse      19 January 2007

Demolition of existing buildings and structures and construction of a 4274 sqm self-storage building and external areas; upgrade of access road

TM/07/01426/FL      Approved      18 July 2007

Change of use of land to depot for demolition company with associated demolition of existing industrial buildings and redevelop with new workshop and office buildings. Installation of vehicle wash facility and associated hard surfacing and parking

TM/14/01688/FL      Refuse      10 July 2015  
Enforcement Notice      9 May 2016  
Upheld

Change of use of land to depot for demolition company with associated demolition of existing industrial buildings and redevelop with new workshop and office buildings. Installation of vehicle wash facility and associated hard surfacing and parking

**5. Consultees:**

DPHEH: In the interests of completeness, and for ease of information, full representations received from KCC (H+T), the EA and KCC (Economic Development) are reproduced in full at annexes 1,2 and 3 respectively. As such, these are not reproduced or summarised within the report itself. All other representations received are summarised below as follows:

- 5.1 PC: Object to the above proposal. Members feel that proposal by virtue of the size and proposed number of dwellings constitutes inappropriate development and overcrowding of this green belt site. Members do not feel that the village needs more large dwellings and have concerns about the impact of the run-off from these properties on the drainage and sewers in this location. Members also do not agree that the developer should not make any S106 contributions to the village and feel that if T&MBC are mindful to grant permission that an allowance should be made for this and in particular for local leisure facilities. Members also have concerns about the access to the site and the increase of vehicle movements on to this busy stretch of the A20. In conclusion Members disagree with the conclusion that Special Very Circumstances exist for planning permission to be granted.

- 5.2 KCC (LLFA): Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment and supporting drainage strategy and have no objection in principle to the proposed development subject to conditions.
- 5.3 KCC (Heritage): The site of the application lies in an area of broad potential for prehistoric and later remains. The site lies on Head deposits close to a stream-line. Such areas would have been favourable for prehistoric and later occupation. Prehistoric, Roman and Medieval artefacts have been located in the surrounding fields and the A20 routeway may have been use from the Prehistoric Period onwards. In view of this potential, I recommend that any permission be subject to a condition requiring an archaeological investigation to be undertaken.
- 5.4 Southern Water: No objections subject to a condition ensuring that there is no building works over the public sewer that crosses the site.
- 5.5 Environmental Protection: No objection subject to conditions relating to ground contamination.
- 5.6 Private Reps: 10 + site + press notice/4S/1X/3R.

Objections received are summarised as follows:

- Impact on outlook and privacy as house roofs will be level with the ground floor of houses to the south.
- Development inappropriate in the Metropolitan Green Belt as it would not accord with policy.
- Should be limited to a maximum of 5 houses.
- Business premises are situated at a higher level and therefore more likely to cause a disturbance.
- Residential development will put pressure for restrictions on existing businesses that will adversely impact their operations that operate 24 hours.
- Pressure on infrastructure
- Impact on wildlife on the adjacent land.

Comments in support are summarised below:

- Welcome development as the site is currently unsightly.
- Area predominantly residential and the development is more appropriate than previous industrial uses.



- Residential use would remove large, slow moving vehicles from the A20 at this point.
- Decontamination will have a positive effect on the surrounding nature and protect the stream that flows along the boundary.

## **6. Determining Issues:**

### *Background and preliminary matters:*

- 6.1 The site has a long history of commercial and industrial use with a workshop and garage erected on the site in the early 1960s and laying of concrete for parking in 1977. The southern building remained in general industrial use as a printing works (known as “Scarbutts”) until its closure.
- 6.2 Planning permissions were also granted for a replacement building for storage of commercial vehicles and plant spares in 1982, erection of an office building to replace a temporary building in 1982 and erection of a replacement industrial building for repair and sale of commercial vehicles in 1984. These permissions do not appear to have been implemented though.
- 6.3 A steel framed building used as a furnace for the recovery of aluminium was erected in 1990 along with a change of use of the land to B4(c) (now B2 General Industry) which appears to be the last lawful use of the northern part of the site.
- 6.4 The northern part of the site was also most recently used (unlawfully) as a demolition contractor’s depot. Permission was refused for this retrospective change of use in 2015 with the subsequent enforcement notice upheld on appeal the following year. In upholding the notice the Inspector noted the issues with regard the operation of the site as being its use 6 days a week from 6am to 10pm, noise from the operation, issues regarding the laboured process of HGV movements from the steep access to the site and turning onto the A20 and also concerns as to pollution of the nearby watercourse, of a major aquifer under the site, and pollution arising from fires on the site.
- 6.5 The site is now currently vacant, having been cleared of all buildings last year, with only areas of hardstanding now remaining in situ. It is on this basis that the current planning application before Members must now be assessed.

### *Principle of development:*

- 6.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraph 12 sets out that it:

*“does not change the statutory status of the development plan as the starting point*

*for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise”.*

- 6.7 In the absence of a five year housing land supply, the presumption in favour of sustainable development applies. Paragraph 11 of the NPPF states that for decision making this means:

(c) approving development proposals that accord with an up to date development plan without delay; or

(d) where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting planning permission unless:

i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 6.8 The site lies outside any defined settlement boundary and on land defined as countryside. Policy CP14 of the TMBCS requires that in the countryside development will be restricted to certain, stipulated, forms of development, including (inter alia) the redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability (listed as policy CP14 (f)). The assessment concerning the caveats included within this requirement is set out in detail below and, briefly, the development proposed is not considered to accord with the requirements of the policy in respect of enhancing openness but in any event in the absence of a five year housing land supply, policy CP14 is considered to be out of date and substantially less weight should be afforded to it as a result. This reflects previous decisions made by the Authority since we have no longer been able to demonstrate a five year housing land supply, supported by various appeal decisions which Members will be aware of.

- 6.9 The site also falls to be assessed under policy E2 of the DLA DPD. This states that whilst not safeguarded for employment use, their loss for other purposes would need to pass a series of strict tests. It states that such areas are considered to be suitable for continued employment use subject to certain caveats and that proposals for uses other than General Industrial (B2), Business Use (B1) or Storage and Distribution uses will not be permitted unless the following requirements are met:

(1) proposals must be able to demonstrate no significant adverse impact on the quality and quantity of employment land supply in the market area;

(2) applicants must demonstrate that they have actively marketed the site for employment purposes on realistic terms and for a reasonable period, including consideration of sub-dividing a larger site;

(3) applicants must be able to demonstrate that continued use or redevelopment of the existing buildings for employment purposes is not viable; and Any proposal that is permitted having regard to the above requirements must be able to demonstrate that the amenity benefits of redevelopment outweigh the benefits of retaining the site in employment use.

6.10 This approach is supported by paragraph 80 of the NPPF that states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

6.11 In support of the application the applicants have provided evidence regarding the viability and suitability of the site in accordance with the three tests set out in Policy E2 for ongoing business use. The evidence shows that the site has been marketed with little or no interest and that there are other sites readily available in the locality. The evidence also sets out that the costs of redeveloping the site make it unviable to retain the existing use. On this basis, it is considered in principle that the development accords with the three requirements of Policy E2.

6.12 As such, it is necessary to turn to the requirements of paragraph 11 (d) and for the purposes of determining this application, the restrictive policies referred to in paragraph 11 (d) (i) include those relating to development within the Green Belt and areas of flood risk. It is therefore necessary to firstly establish whether the application of those policies in respect of this scheme indicate any clear reason for refusing planning permission.

*Development in the Green Belt:*

6.13 The site is allocated by Policy M1 of the DLA DPD as a Major Developed Site in the Green Belt. This policy provides for the redevelopment of such sites if the development accords with each of the six listed criteria, as follows:

(1) it does not lead to any greater impact on the openness of the Green Belt and the purposes of including land within it;

(2) it leads to an overall improvement in the environment, does not harm the landscape setting, includes provision for the maintenance of landscaped areas and appropriately integrates with its surroundings;

(3) any changes to traffic generated can be satisfactorily accommodated without conflict with rural amenity and without prejudice to highway safety and if possible bring beneficial changes;

(4) it does not exceed the height of existing buildings;

(5) for infill development, it does not result in an extension to the currently developed extent of the site; and

(6) for redevelopment, the proposed coverage of the site by buildings (i.e. the footprint) is no larger than the ground floor extent of the original buildings unless occupying a larger footprint would achieve a reduction in height which would benefit visual amenity and reduce impact on the wider Green Belt.

There is also an additional requirement that new residential development proposed must demonstrate the following:

(1) uses appropriate to the Green Belt cannot be achieved on the site and the site cannot continue to be used for its existing purpose (provided the existing use is not, in itself, detrimental to the purposes of the Green Belt); or

(2) residential redevelopment or reuse of the site will bring significant environmental benefits.

6.14 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.

6.15 Paragraph 145 of the NPPF sets out that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this, relevant to this application, are:

e) limited infilling in villages;

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would reuse previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- 6.16 The adopted policy set out within the DPD is broadly consistent with the relevant paragraphs contained within the Framework although it is noted that it does set out a number of additional parameters to meet which go above and beyond the requirements of the Framework. For that reason, the weight to be afforded to policy M1 is reduced. In any event, given that there are no buildings now remaining on site, it is not possible to accord with a number of the express requirements of the policy and as such the proposed development is contrary to this policy.
- 6.17 In terms of the restrictive policies within the Framework pertaining to development within the Green Belt, it is not considered that the site can reasonably be said to lie within the village of Addington. That is a matter of planning judgement and appeal decisions in the immediate vicinity support this position. For example, when considering the nearby Mayhill Bungalow appeal (application TM/18/02608/FL refers) the Inspector, in dismissing the proposed development, stated that the area had 'dispersed pockets of development that do not comprise a cohesive settlement in visual terms'. As such, the exception to inappropriate development provided by paragraph 145(e) of the NPPF does not apply.
- 6.18 Although the buildings previously occupying the site have been demolished, areas of hardstanding do remain across the site and as such the site continues to fall within the definition of previously developed land as set out at Annex 2 of the NPPF. Paragraph 145(g) therefore falls to be applied but it is the condition of the site as it currently stands that the development must be judged against, rather than the historic situation.
- 6.19 There can be no doubt that the amount, footprint and scale of the development proposed by this application would have a greater impact on openness and as such the exception provided by paragraph 145 (g) cannot apply either. The development therefore constitutes inappropriate development which is harmful by definition. Moreover, this also results in material harm to openness in spatial and visual terms. Specifically, the residential development proposed would lead to a taller built form spread over a wider area of the site. This harm taken in totality (along with any other planning harm identified during the course of assessment) must be clearly outweighed by very special circumstances before planning permission can be granted.
- 6.20 In this instance, the applicant has sought to put forward a case of very special circumstances for the development and the need to clear the site of the existing buildings. In summary, this case centres on the decontamination of the site, prevention of flooding, ecological benefits and a reduction in traffic movements onto the A20 as a result of the cessation of the historic industrial use.
- 6.21 Members will be aware that the Courts have held that the existence of very special circumstances must go beyond straightforward compliance with the normal development management policy requirements. These are addressed as follows:

- 6.22 It is accepted that the site is heavily contaminated due to the nature of the previous industrial uses that have taken place on the site. Paragraph 178 of the NPPF requires that a site is suitable for its end use taking account of ground conditions and any risks arising from land instability and contamination. The development proposed has been supported by a detailed geo-technical report that indicates the level of remediation required on site to accord with the requirements of paragraph 178. The submitted report goes further detailing enhancements that would arise in the area in general as a result of the decontamination of the site including the removal of pollution sources for the adjacent watercourse and also the removal of a source of contaminants that could enter groundwater. However, the decontamination of the site is a consequence of the proposed development that is expressly required to make the residential development acceptable in planning terms and this cannot therefore, in my view, amount to a very special circumstance.
- 6.23 Similarly, specific and detailed policies require development taking place in areas of flood risk to mitigate the effects of flooding. It is accepted that the proposed development has been designed to enable management of the watercourse to the rear of the site and also give greater controls on surface water runoff towards this watercourse and that this approach has been set out as a result of a detailed Flood Risk Assessment. The development would provide enhancements to the flood risk in the area as a whole by proposing management of the watercourse which, by maintaining the river channel would lower the overall water level and thus lower the overall flood risk in the area.
- 6.24 Flooding from surface water would also be reduced as a result of the development. At present surface water is free to flow down the slope from the A20, across the site and into the watercourse leading to surface water flooding to the east of the site. The installation of a formal drainage system would be required as part of the development and in this instance the scheme proposes a holding tank under the visitor parking area which would slow the flow of water across the site to reduce peak runoff. The scheme is in full accordance with Policy CP10 but could not be considered a very special circumstance as it is only resulting in a policy compliant development.
- 6.25 The site at present has very low ecological value as a result of its previous uses and the general lack of vegetation within the site. The residential development proposed proposes the provision of numerous environmental enhancements across the site in the form of additional planting, bird and bat boxes and access holes for small mammals in the fences. The works also enable the creation of an ecological buffer strip along the southern bank of the stream which can be managed to open the area up as a habitat water voles and reptiles such as grass snake and lizards. The development would also bring about the overall enhancements by removing the industrial use from the area in relation to the removal of lighting, noise, activity etc. associated with the previous use of the site, in particular close to the river bank. This level of provision comfortably meets the

requirements of Policy NE3 of the MDE DPD that seeks for development to mitigate their impacts on the loss of habitats and the retention of wildlife corridors.

6.26 This level of provision is also in line with the general requirements of paragraph 170 of the NPPF which states that planning policies and decisions should contribute to and enhance the natural and local environment by *inter alia*:

(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

6.27 The NPPF goes into greater detail on net gains for biodiversity in paragraph 175 (d) which states that '*development whose **primary objective** is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity*'. (**my emphasis**).

6.28 In this instance it is considered that whilst the development complies with the requirements of Policy NE3 and paragraph 170 of the NPPF it does not have the primary objective of conserving or enhancing biodiversity as set out in paragraph 175(d). On this basis the ecological enhancements being provided would only be considered compliant with policy and would therefore not be viewed as a very special circumstance clearly outweighing identified harm.

6.29 I accept that the industrial uses of the site have previously led to complaints regarding excessive noise, pollution from bonfires and impacts on traffic flows on the A20 due to the nature of slope of the access and the effect this has on the movement of HGVs turning from the site onto the main carriageway. Whilst the nature of poor site management would not form a planning consideration the benefits of the loss of HGV movements and the industrial use in this rural area do. The fact that the existing use of the site is an unfettered B2 use that by definition means that there is no ability to control HGV movements does not make the loss of HGV movements and the industrial use a very special circumstance.

6.30 It is my judgement, these are all aspects which are normal requirements of planning policy in assessing any development proposals and therefore are not "very special" in terms of clearly outweighing the identified harm to the Green Belt. They are not capable of amounting to, or contributing to a cumulative case, of very special circumstances; they are simply matters that are required of all good quality development across the Borough.

6.31 As such, the relevant restrictive policies of the Framework (and indeed the relevant development plan policies insofar as they remain consistent with those

policies) provide a clear reason for refusal (being the correct test set out in paragraph 11 (d) (i)). The presumption in favour of sustainable development does not therefore re-emerge to be applied here.

*Flood risk and impact:*

- 6.32 The site is partially located within flood zones 2 and 3 and due to this adopted policies generally seek to restrict development in such areas unless it can be shown that the development would not be at risk nor would it increase flooding elsewhere. Policy CP10 of the TMBCS states that within the floodplain development should first seek to make use of areas at no or low risk to flooding before areas at higher risk, where this is possible and compatible with other policies aimed at achieving a sustainable pattern of development. Similarly, paragraph 155 of the NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 6.33 The submitted Flood Risk Assessment and Drainage Strategy concludes that the site is located within an area with a low risk of groundwater flooding and very low risk of surface water flooding. There is a very small area of high risk of flooding on the northern site boundary but this will not pose a risk as there will not be any development on these areas. Flood attenuation measures in the form of underground water storage is proposed as part of the drainage strategy which would further minimise the potential for increased surface water flooding both on-site and outside the site as a result of the development.
- 6.34 Paragraph 163 of the NPPF requires that when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere. The nature of the development is such that it will enable the management of Leybourne Stream as part of the environmental and ecological enhancements. The management of the stream would enable regular maintenance of the watercourse which would ensure that the channel is kept clear. This in turn would reduce the potential for off-site flooding to the east of the site to the benefit of the area in general.
- 6.35 The restrictive policies contained within the Framework in respect of flood risk therefore do not provide a clear reason for refusal in their own right but this does not alter the position already reached on the application of the presumption in favour of sustainable development. The remainder of the assessment that follows reflects that.

*Impact on visual amenities:*

- 6.36 Policy CP1 of the TMBCS requires all new development to result in a high quality sustainable environment. Policies CP24 of the TMBCS and SQ1 of the MDE DPD are the most relevant design policies and require development to be well designed and through its scale, density, layout, siting, character and appearance respect the



site and its surroundings. Development should also protect, conserve and where possible enhance the character and local distinctiveness of the area, including its setting in relation to the pattern of the settlement, roads and surrounding landscape.

6.37 Paragraph 127 of the NPPF sets out that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.38 Paragraph 130 is also material and sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

6.39 The adopted development plan policies generally conform to the requirements of the NPPF in these respects.

6.40 The dwellings are proposed to be set over two storeys and are of a traditional design. The dwellings are proposed to be finished in brick, render and tile hanging under tiled roofs. Parking is to be provided within detached double garages designed to complement the appearance of the dwellings. The buildings would not appear in any way out of keeping with the prevailing character of the locality in

terms of form, design or use of materials. I also note that the existing established planting to the site boundaries is to be retained with further enhancements proposed to ensure that the general character of the area is retained. The building works are to be set away from the existing mature trees on the boundary of the site. The details of the landscaping can be sought by condition. I am therefore of the view that the design of the dwellings proposed would be more in keeping with the surrounding development over that which historically occupied the site. The design of the buildings accords with the adopted and national policy in these respects.

*Impact on residential amenity:*

- 6.41 The layout of the site is such that the development would not lead to any privacy or overlooking issues for neighbouring dwellings. The relationships between the proposed houses and the existing surrounding dwellings to the west and south are such that there would be no direct views between properties. The site is set at a considerably lower level than the surroundings, with the proposed dwellings set at least 25m from the nearest existing neighbouring properties. The site layout is such that the new properties would also not be positioned directly in line with the existing properties to further reduce the potential for any loss of amenity to the surrounding houses.
- 6.42 Similarly the positioning of new residential units behind two existing business premises would not result in a conflict between the uses. It is not considered that the proposed dwellings would be unacceptably impacted upon by noise from either neighbouring business premises to the south due to the considerable separation distances proposed. The submitted acoustic report indicates that the distances involved are such that the proposed dwellings would not require mitigation over and above that normally sought under building regulations. On this basis it is considered that there are no objections to residential development on the grounds of noise. It is noted that there are floodlights at the Humphries and Parks site that face towards the application site. The potential for these to have an adverse impact on the amenity of the new dwellings has been assessed as part of the submission. This assessment has concluded that the floodlight angles combined with the difference in land levels and the separation distances involved would ensure that there would be no adverse impact on amenity to the proposed properties.
- 6.43 The existing tree band along the southern boundary of the site has been assessed and it is considered that these trees would not be at risk of removal due as a result of them overshadowing the new development. The natural shape of these trees when combined with the substantial size of the proposed plots would ensure that dappled light would filter through the canopy to the proposed dwellings ensuring that there would not be a noticeable shading effect that would lead to pressure to remove the trees.

Highway safety and parking provision:

- 6.44 The relevant development plan policy in relation to highway safety and parking is contained within Policy SQ8 of the MDE DPD. This states that before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure, the need for which arises wholly or substantially from the development, is in place or is certain to be provided.
- 6.45 Paragraphs 109 and 110 of the NPPF are also material and set out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe; and that developments should create places that are safe, secure and attractive avoiding conflict between users. Again, there is general conformity between the requirements of adopted policy and the NPPF in these respects.
- 6.46 The proposal seeks to gain access to the site from the A20 using a re-graded and improved access along the route of the existing. Works are proposed to the western boundary hedge to enable improved vision splays. This improvement plus the removal of the use of the access by commercial vehicles is considered to be a betterment in highway safety terms.
- 6.47 The provision of at least two parking spaces plus a double garage to serve each new dwelling along with the provision of 5 visitor parking bays would exceed the requirements set out in KHS IG3: Residential Parking. The site layout indicates the provision of electric car charging points for each dwelling. This is welcomed and is considered to be fully in line with the requirements of paragraph 110 (e) of the NPPF which requires developments to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. These charging points can be controlled by condition.
- 6.48 As such, there are no justifiable grounds to resist the development on grounds of highway safety or parking provision when considering the proposal against adopted and national policy requirements.

Potential land contamination:

- 6.49 Paragraph 170(f) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by 'remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.' The site is derelict and contaminated as a result of its previous industrial use, with the application proposing appropriate remediation to ensure that the land is suitable for the residential use. In this respect the application fully accords with paragraph 170 of the NPPF.

6.50 Paragraph 178 of the NPPF states that planning policies and decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

6.51 Paragraph 179 makes clear that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner

6.52 The site was previously occupied by industrial uses and the submitted contamination report does state that numerous contaminants are present. A detailed plan for the remediation of the site has been submitted with the application which provides adequate detail to prove that the site can be made suitable for the end use and these works can be controlled through the use of appropriate planning conditions.

Environmental Impacts:

6.53 The site is located on a principal aquifer and therefore the construction of the development has the opportunity to lead to the pollution of controlled waters. Policy SQ5 of the MDE DPD seeks to ensure that development would not compromise the quality and supply of water. Paragraph 170 of the NPPF states that 'planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia):

*e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.*

6.54 The development has been subject to consultation with the EA who are satisfied that through the use of Sustainable Drainage Systems the development will not lead to the contamination of groundwater.

6.55 Given the previous use of the site the applicant has proposed a series of ecological enhancements to encourage wildlife into the area in the shape of nesting boxes for birds and bats; hedgehog friendly fences and an ecological buffer strip along the southern bank of the Leybourne Stream. The development is therefore considered to utilise the types of measures to meet the requirements of paragraph 175 of the NPPF and Policy NE3 of the MDE DPD which encourage development that incorporates biodiversity improvements.

Planning obligations:

6.56 Section 1 of Policy CP25 of the TMBCS requires development proposals to either incorporate the infrastructure required as a result of the scheme or make provision for financial contributions. Paragraph 54 of the NPPF requires local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning Obligations should only be sought where they are 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. Similarly paragraph 55 states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

6.57 Regulation 122 of the CIL Regulations also sets out that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

6.58 Policy OS3 of the MDE DPD requires all developments of 5 units or more (net) to provide an open space provision in line with Policy Annex OS3. Given the size of the development financial contributions of a total of £46,530 for offsite provision for parks and gardens, outdoor sports facilities and children's and young people's play areas in the vicinity of the site are required and these can be secured by S106 agreement.

6.59 Similarly, KCC (Economic Development) seeks contributions of £33,240 towards Primary School provision at Leybourne Chase School; £41,150 towards Secondary School expansion at The Malling School and £480.16 towards additional bookstock for the new borrowers at West Malling Library. These contributions can also be ensured by S106 agreement.

6.60 Although Policy CP17 states that in rural areas developments of 5 or more dwellings should provide affordable housing this policy has been superseded by

National Planning Practice Guidance which has raised the threshold of development to more than 10 units. As such this development is not large enough to trigger the requirement.

- 6.61 Had the development been acceptable in all other respects, these matters could have been appropriately secured by planning obligation.

*Planning balance and overall conclusions:*

- 6.62 The development constitutes inappropriate development within the Green Belt which is harmful by definition. Furthermore, the nature and scale of the development when considered alongside the current physical condition of the site which is absent any built development with the exception of remaining areas of hardstanding would reduce openness in spatial and visual terms. It is not considered that any very special circumstances – whether taken individually or cumulatively – have been demonstrated that would clearly outweigh the harm identified to the Green Belt in this case. As such, the application of policies contained within the Framework insofar as they relate to development in the Green belt provides a clear reason for refusing the development proposed.

**7. Recommendation:**

- 7.1 Refuse planning permission** for the following reason:

- 1 The site lies within the Metropolitan Green Belt where there is a strong presumption against inappropriate development, as defined in the National Planning Policy Framework (2019). The development constitutes inappropriate development within the Green Belt which is substantially harmful by definition. Furthermore, the development would cause material harm to openness by virtue of the amount of built form across the site. No very special circumstances have been demonstrated that clearly outweigh the degree of harm to the Metropolitan Green Belt and the development is therefore contrary to paragraphs 143 to 145 of the National Planning Policy Framework (2019) and Policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 and Policy M1 of the Tonbridge and Malling Development Land Allocations Development Plan Document 2010

Contact: Robin Gilbert

## Annex 1: KCC Highways and Transportation Comments



**Highways and Transportation**  
Ashford Highway Depot  
4 Javelin Way  
Ashford  
TN24 8AD  
Tel: 03000 418181  
Date: 10 June 2019

**Tonbridge & Malling Borough Council**  
Development Control  
Gibson Building  
Gibson Drive  
Kings Hill  
West Malling, Kent  
ME19 4LZ

**Application -** TM/19/01067/FL  
**Location -** Scarbutts London Road Addington West Malling Kent ME19 5AN  
**Proposal -** Redevelopment of the site to provide 10 x detached dwelling houses with associated parking, turning, landscaping and improvements to the access road

Robin

Thank you for inviting me to comment on this application. I would like firstly, if I may, to undertake a critique of the Transport Statement submitted: -

- 1.6 point 7 – 'KCC's comments on the proposal.' – it is unclear where or what these are. I am unaware that KCC have previously commented on this proposal.
- Paragraph 3.1 – 'The footway will be at the same level as the road, or up to 50mm higher to permit larger vehicles to pass each other. This design is used throughout Kings Hill.' I do not agree that the latter sentence, used in a sweeping and unconditional way, is correct.
- Paragraph 3.4 – 'KCC support tandem parking.' KCC allows limited amounts of tandem parking, often with other compensatory on street visitor type parking and subject to its considered impact. It does not unconditionally support tandem parking. This is not included in IGN3.
- There is a typographical error in Table 4.1, AM Out vehicle flow.
- Unless I am mistaken, Table 4.3 in Appendix 4 is not regarding trip rates as described in the title, but the figures are person and vehicle flows.
- Similarly, Appendix 7 is incorrect, misleading and confusing both in itself and in relation to its reference in the body of the report.

I am sorry if this seems rather picky but following and checking a report that has errors and lacks a logical sequence is time consuming and frustrating.

### The application

The application is for 10 units and it is agreed that the level of traffic generated from a residential development of this scale could not sustainably be construed to constitute a severe impact onto the highway network. I note from 1.2 of the Transport Statement that the access road is to remain private. In order to serve the development, refuse vehicles will need to access the site and an appropriate road layout which facilitates turning for forward egress has been proposed. I would recommend however that immediately south of the visitor car parking

spaces proposed on drawing BDS-1586-PO5 (FEB '19) that a 5.5m wide passing bay is included to facilitate passing on the occasions that it is needed rather than potentially having to reverse blind up a 1:10 gradient (paragraph 1.14 of the TA) and risk the need for reversing out onto the strategic A20 London Road. The extent of car parking space proposed is considered to be in accordance with standards and adequate. Visibility from this existing access is also considered to be adequate.

I write to confirm on behalf of this authority that I have no objection to this application subject to the following conditions: -

- Submission of a Construction Management Plan for approval before the commencement of any development on site.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
- Completion and maintenance of the access road prior to the use of the site commencing.

Planning permission does not convey any approval for works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000 418181) in order to obtain the necessary Application Pack.

INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours faithfully

**Terry Drury**  
Senior Development Planner





**Tonbridge & Malling Borough Council**  
Development Control  
Gibson Building  
Gibson Drive  
Kings Hill  
West Malling, Kent  
ME19 4LZ

**Highways and Transportation**  
Ashford Highway Depot  
4 Javelin Way  
Ashford  
TN24 8AD  
Tel: 03000 418181  
Date: 5 August 2019

**App. Ref.** TM/19/01067/FL

**Location** Scarbutts London Road Addington West Malling Kent ME19 5AN

**Proposal** Redevelopment of the site to provide 10 x detached dwelling houses with associated parking, turning, landscaping and improvements to the access road

Robin

Thank you for reconsulting me regarding this application. I am grateful for the addition of a passing bay on the revised proposed site plan. I write to confirm on behalf of this authority that I have no objection to this application subject to the conditions recommended previously: -

- Submission of a Construction Management Plan for approval before the commencement of any development on site.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing.
- Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
- Completion and maintenance of the access road prior to the use of the site commencing.

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If I can be of any further assistance, please do not hesitate to contact me.

INFORMATIVE: It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours faithfully

**Terry Drury**  
Senior Development Planner

creating a better place



Tonbridge & Malling Borough Council  
Development Control  
Gibson Building Gibson Drive  
Kings Hill  
West Malling  
ME19 4LZ

Our ref: KT/2019/125738/01-L01  
Your ref: 19/01067/FL  
Date: 19 June 2019

Dear Sir/Madam

**Redevelopment of the site to provide 10 x detached dwelling houses with associated parking, turning, landscaping and improvements to the access road**

**Scarbutts, London Road, Addington, West Malling Kent ME19 5AN**

Thank you for consulting the Environment Agency on the above. We do not have any objections to the planning application provided the following conditions are included on any planning permission granted. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

#### **Drainage**

We note that surface water drainage will be directed to the local watercourse via Sustainable Drainage Systems features and that infiltration drainage has been ruled out on the grounds of contamination in the soils. As no infiltration drainage is proposed we have no objections on groundwater protection grounds. If there is a change proposed at a later stage we would of course have concerns given the reported ground contamination.

We have no comments regarding foul drainage as the proposal is to connect to the existing mains sewer.

#### **Land Contamination**

We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included:

#### **Condition**

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
  - all previous uses

Environment Agency  
Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH  
Customer services line: 03708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)



- potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

#### **Condition**

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

#### **Reason**

To ensure development complies with the requirements of the National Planning Policy Framework (NPPF) in regard to screening for historic contamination that could present unacceptable risks to controlled waters, including groundwater in the underlying principal aquifer.

#### **Condition**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

#### **Reason**

To ensure any contamination discovered during site work is appropriately assessed, and if necessary, remediated in consultation with the local authority and the Environment Agency. To ensure development complies with the NPPF in particular to protect groundwater in the underlying aquifers from any historic contamination

Environment Agency  
Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH  
Customer services line: 03708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)



present on site.

#### **Condition**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

#### **Reason**

To protect groundwater in the underlying aquifers from pollution linked to inappropriate foundation works through made or contaminated ground.

With respect to any proposals for piling through made ground, we would refer you to the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention". National Groundwater and Contaminated Land Centre Project NC/99/73. We suggest that approval of piling methodology is further discussed with the EA when the guidance has been utilised to design appropriate piling regimes at the site.

We have reviewed the following documents:

- Geoenvironmental and Geotechnical Interpretative Report (Revision 1) [Card Geotechnics Ltd, CG/28667, May 2019]
- Remediation Method Statement [Card Geotechnics Ltd, CG/28667A, May 2019]

In regard to the conclusions within the *Geoenvironmental and Geotechnical Interpretative Report*, we noted that concentrations of phenol, some Polycyclic Aromatic Hydrocarbons and Total Petroleum Hydrocarbons were elevated in the shallow alluvium aquifer, and phenol was also elevated within the deeper Hythe Formation principal aquifer. We agree with the report that the risk to known potable water supplies is low, given the absence of known groundwater abstractions in the immediate vicinity of the site, and because the site is outside any Source Protection Zones.

However, we are still concerned at these elevated concentrations in regard to other environmental receptors, such as the adjacent Leybourne Stream, and we are also concerned about the potential impacts on the groundwater in its own right. The report has not identified a definitive source for the contamination observed in the groundwater, indeed it speculates that the contaminant originates from an 'off-site source'. The difficulty we have in accepting this conclusion is the lack of monitoring data to make such a firm conclusion. The groundwater analysis was conducted on a single borehole (a groundwater flow direction cannot be proved without triangulation via 3 boreholes), and the soil sampling did not include soils beneath certain structures present on the site at the time of the investigation (thus an on-site source may still be found during demolition works).

Environment Agency  
Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH  
Customer services line: 03708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Given the generally rural location, there are few possible locations for an off-site source, so in terms of this development we need to be reasonably satisfied that either the contamination is:

1. Not from an on-site source (so that we can follow up the suspected source site to achieve suitable remediation), or
2. Is of such a low risk to groundwater that immediate attention is not required.

We therefore request that a more detailed groundwater risk assessment is provided, to look at the potential groundwater concentrations expected to be found beyond the site boundary at a 50 metre compliance point in the Hythe Formation principal aquifer, and to provide further information on potential risks from shallow groundwater to the Leybourne Stream.

The *Remediation Method Statement*, in so far as it addresses the known soil contamination hotspots on the development site, is acceptable. However as noted above, the remediation strategy has been designed around an assumption that the groundwater contamination observed is acceptable without providing sufficient information to demonstrate so.

We therefore recommend that the proposed conditions listed above are not discharged until further information on the groundwater risks is provided to address our concerns.

#### **Decision notice**

We require decision notice details for this application, in order to report on our effectiveness in influencing the planning process. Please email decision notice details to [kslplanning@environment-agency.gov.uk](mailto:kslplanning@environment-agency.gov.uk)

Please do not hesitate to contact me should you require any further information.

Yours faithfully

**Ms Laura Edwards**  
**Planning Advisor**  
Direct dial 02084749079  
Direct e-mail [KSLPLANNING@environment-agency.gov.uk](mailto:KSLPLANNING@environment-agency.gov.uk)

## Annex 3: KCC Economic Development



### Economic Development

Tonbridge & Malling Borough Council  
Development Control  
Gibson Building  
Gibson Drive  
Kings Hill  
WEST MALLING  
Kent  
ME19 4LZ

Invicta House  
County Hall  
Maidstone  
ME14 1XX

Phone: 03000 417075  
Ask for: Allan Gilbert  
Email: [allan.gilbert@kent.gov.uk](mailto:allan.gilbert@kent.gov.uk)

10 June, 2019

FAO: Robin Gilbert

Your Ref: TM/19/01067/FL  
Our Ref: K/E/TM/19/01067 AG

Dear Robin,

#### Provision and Delivery of County Council Community Services

I refer to the above planning application which concerns proposed residential development at Scarbutts, London Road, Addington, West Malling, Kent ME19 5AN and comprising: 10 new households having a site area in excess of 0.5ha.

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

- 1) Necessary,
- 2) Related to the development, and
- 3) Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

#### Request Summary

	Per 'applicable' House (x10)	Total	Project
Primary Education	£3324.00	£33,240.00	Towards Leybourne Chase School
Secondary Education	£4115.00	£41,150.00	The Malling School expansion

	Per Dwelling (x10)	Total	Project
Library bookstock	£48.02	£480.16	Towards additional bookstock for the new borrowers at West Malling Library
High Speed Fibre Optic Broadband connection:	INFORMATIVE: Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact <a href="mailto:broadband@kent.gov.uk">broadband@kent.gov.uk</a>		
Highways	Kent Highway Services will advise separately		

Please note that these figures:

- are to be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

#### Justification for infrastructure provision/development contributions requested

The County Council has reviewed the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the Appendices 1 & 2 attached.

#### Primary Education

The proposal gives rise to 3 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, currently cannot be mitigated.



This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of *'first come, first served'* assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council will require a financial contribution towards the build costs of enhancing Leybourne Chase School at £3324 for each house (x10).

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2019-23 and Delivering Bold Steps for Kent - Education, Learning and Skills Vision and Priorities for Improvement, Dec 2013.

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#### Secondary School Provision

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to 2 additional secondary school pupils from the date of occupation of this development. This need can only be met through the expansion of The Malling School.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The new secondary school accommodation will be provided through The Malling School expansion and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

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#### Libraries

KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

There is an assessed shortfall in bookstock provision of 1116 bookstock per 1000 population in West Malling which is below the County average of 1134, and both the England and total UK figures of 1399 and 1492 respectively.

To mitigate the impact of this development, the County Council will need to provide additional library books to meet the additional demand to borrow library books which will be generated by the people residing in these Dwellings.

The County Council therefore requests £48.02 per household to address the direct impact of this development, and the additional stock will be made available at West Malling Library as and when the monies are received.

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#### Superfast Fibre Optic Broadband

Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport, requires delivery of superfast broadband to all.

It is requested Tonbridge & Malling Borough Council include within any Planning Consent the requirement to provide 'fibre to the premise' (Superfast fibre optic broadband) to all buildings (residential, commercial, community etc) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings, as set out in the above Request Summary.

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#### Implementation

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory obligation. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available. If you do not consider the contributions requested to be fair, reasonable and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow us at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

Kent County Council confirms, in accordance with CIL Regulation 123, there are no more than 4 other obligations towards these projects.

We look forward to hearing from you with details of progress on this matter.

Yours faithfully,

A black rectangular box redacting the signature of Allan Gilbert.

*Allan Gilbert*  
Development Investment  
Kent County Council

cc Coldrum Homes Ltd, c/o Graham Simpkin Planning, 2 The Parade, Ash Rd, Hartley,  
Longfield, Kent DA3 8BG – FAO Mr Graham Simpkin  
KCC Education & Communities, Invicta House  
File

Appendices:

The following Appendices contains the technical details of the County Council's assessment:

1. Education assessment
2. Library requirement



# KCC developer contribution assessment for Primary Education

District:	Tonbridge and Malling	1-bed:	0
Site:	Scarbutts London Road Addington West Malling Kent ME19 5AN	Houses:	10
Plan ref:	TM/19/01067	Flats:	0
Date:	05/06/2019	Total units:	10

## Current and forecast pupils on roll for schools within

		West Malling planning group					
DfE no.	School	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)
3745	More Park RC Primary School	206	208	206	205	206	209
2187	Offham Primary School	208	210	208	205	208	210
2189	Ryansh Primary School	210	209	210	206	211	213
3082	Trottscliffe CE Primary School	66	82	79	79	83	87
2036	Valley Invicta Primary School at Leybourne Chase	144	175	160	167	179	173
3086	West Malling CE Primary School	218	212	212	206	208	210
Current and forecast pupils on roll (excluding the expected pupil product from all new developments)		1,052	1,096	1,074	1,068	1,095	1,102
Required capacity to maintain 5% surplus capacity		1,107	1,154	1,131	1,124	1,152	1,160

## Current and forecast capacity for schools within

Current and forecast capacity for schools within		West Malling planning group					
DfE no.	School	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)
3745	More Park RC Primary School	210	210	210	210	210	210
2187	Offham Primary School	210	210	210	210	210	210
2189	Ryansh Primary School	210	210	210	210	210	210
3082	Trottscliffe CE Primary School	93	84	84	84	84	84
2036	Valley Invicta Primary School at Leybourne Chase	150	180	210	210	210	210
3086	West Malling CE Primary School	210	210	210	210	210	210
Current and forecast capacity (1)		1,083	1,104	1,134	1,134	1,134	1,134

(1) Including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete.

## Expected pupil product from new developments within

		West Malling planning group		
Planning reference	Development	Houses	Flats	Primary product
TM/18/02093	Field at Corner of Lavender Road & Swan Street West Malling	80	0	22
TM/18/01013	Land East of King Hill West Malling Kent	120	0	34
Previously assessed developments in the area		200	0	56
This development		10	0	3

## Assessment summary

Detail	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)
Surplus / (deficit) capacity (excluding the expected pupil product from all new developments)	-24	-50	3	10	-18	-26
Expected pupil product from previously assessed developments	56	56	56	56	56	56
Surplus / (deficit) capacity including the expected pupil product from previously assessed developments	-80	-106	-53	-46	-74	-82
Expected pupil product from this development	3	3	3	3	3	3
Surplus / (deficit) capacity including the expected pupil product from previously assessed developments and this development	-83	-108	-56	-49	-77	-85
Expected pupil product from this development that on current plans for school provision cannot be accommodated	3	3	3	3	3	3

## Background notes:

Pupil forecasts 2018 (base + migration) employed from September 2018. Incorporating roll data from Schools Census Autumn 2017. Data from the Health Authority includes pre-school children born up to 31st August 2017. Forecasts use trend data over the previous three years.

# KCC developer contribution assessment for Secondary (Years 7-11) Education

Location	Twickenham and Haling	Estimate	0
Site	Twickenham Leisure Trust Building West Haling Lane W10 3AB	Revenue	10
Plan ref	TK1001007	Rate	0
Date	20/04/2018	Total value	10

Current and forecast pupils on roll for schools within		Twickenham & Haling Green new schools and Halesfield & Haling schools planning groups											
WFT no.	School	2017-18 (A)	2018-19 (A)	2019-20 (P)	2020-21 (P)	2021-22 (P)	2022-23 (P)	2023-24 (P)	2024-25 (P)	2025-26 (P)	2026-27 (P)	2027-28 (P)	
4000	Twickenham School	1,178	1,267	1,246	1,226	1,205	1,184	1,163	1,142	1,121	1,100	1,079	
4001	Twickenham School	450	470	463	454	445	436	427	418	409	400	391	
4002	Twickenham School	448	475	463	454	445	436	427	418	409	400	391	
4003	Twickenham School	1,278	1,267	1,246	1,226	1,205	1,184	1,163	1,142	1,121	1,100	1,079	
4004	Twickenham School	255	277	270	264	257	250	243	236	229	222	215	
4005	Twickenham School for Girls	480	498	489	481	472	463	454	445	436	427	418	
4006	Twickenham School	767	792	783	774	765	756	747	738	729	720	711	
Current and forecast pupils on roll (including the expected pupil product from all new developments)		4,136	4,360	4,340	4,319	4,298	4,276	4,255	4,233	4,212	4,191	4,170	
Expected capacity to maintain 1% oversubscription		4,440	4,724	4,680	4,636	4,592	4,548	4,504	4,460	4,416	4,372	4,328	

Current and forecast capacity for schools within		Twickenham & Haling Green new schools and Halesfield & Haling schools planning groups											
WFT no.	School	2017-18 (A)	2018-19 (A)	2019-20 (P)	2020-21 (P)	2021-22 (P)	2022-23 (P)	2023-24 (P)	2024-25 (P)	2025-26 (P)	2026-27 (P)	2027-28 (P)	
4000	Twickenham School	1,278	1,267	1,246	1,226	1,205	1,184	1,163	1,142	1,121	1,100	1,079	
4001	Twickenham School	440	470	463	454	445	436	427	418	409	400	391	
4002	Twickenham School	440	470	463	454	445	436	427	418	409	400	391	
4003	Twickenham School	1,278	1,267	1,246	1,226	1,205	1,184	1,163	1,142	1,121	1,100	1,079	
4004	Twickenham School	308	338	330	321	312	303	294	285	276	267	258	
4005	Twickenham School for Girls	500	528	520	511	502	493	484	475	466	457	448	
4006	Twickenham School	770	798	789	780	771	762	753	744	735	726	717	
Current and forecast capacity (1)		6,242	6,520	6,497	6,474	6,451	6,428	6,405	6,382	6,359	6,336	6,313	

(1) Including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

Reported pupil product from new developments within		Twickenham & Haling Green new schools and Halesfield & Haling schools planning groups		
Planning reference	Details	Revenue	Rate	Secondary product
TK1001007	Land South West of Twickenham and east of Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001008	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001009	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001010	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001011	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001012	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001013	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001014	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001015	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001016	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001017	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001018	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001019	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001020	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001021	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001022	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001023	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001024	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001025	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
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TK1001080	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
TK1001081	Twickenham Leisure Trust Building West Haling Lane W10 3AB	10	0	0
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## Appendix 2

### Developer Contributions - Library Bookstock

Address: Scarbutts, London Rd, Addington, West malling

Plan Ref: TM/13/01067

Unit Numbers: 10

#### Step 1

Estimate how many residents are likely to be Active Borrowers.

Kent Population	Active Borrowers Mar 2014	Percentage
1480200	196539	13.28

Therefore 13.28% of the residents of a new development are likely to be active borrowers  
This may be higher in development with larger houses.

In above Development

10 dwellings

In accordance with Kent Development Contribution Guide and MLA Guidance

each new dwelling will generate an occupancy rate per dwelling of

2.4

Total residents	Percentage Active Borrower	Active Borrowers
24	13.28	3

#### Step 2

How many extra issues are the new Active Borrowers likely to generate

Divide issues by active borrowers

	Total Issues	Active Borrowers	Issues per person
County Wide	5659515	196539	28.80

Therefore the new active borrowers in this Development are likely to borrow approx 28.8 Items each per year.  
The Local library will have extra Issues.

Extra Borrowers	Items per person	Total extra Issues
3	28.8	91.79

#### Step 3

How many Items are required to satisfy the extra demand

Find the stock turn figure for the local libraries and divide the estimated extra issues by the average stock turn.

	Total Issues	Lending Stock	Stock Turn
County wide	5659515	1670229	3.39

Extra Issues	Stock Turn	Items Required
91.79	3.39	27

#### Step 4

Calculate the cost of the extra Items

Using Holt-Jackson Average book prices less CBC Discount

Allow for 40% AF, 20% ANF, 30% CF, 10% CNF

	Extra Items	Average Price	Discount	Cost price	Total
AF	10.83083894	£9.91	43%	£5.65	£61.19
ANF	5.415419469	£15.31	43%	£8.73	£47.28
CF	8.123129204	£7.03	39%	£4.29	£34.85
CNF	2.707709735	£10.01	39%	£6.18	£16.73
Total Cost	27				£160.05

Therefore to meet the extra demand from the extra borrowers will require  
contributions for three years.

£160.05 per year

TOTAL: BOOK STOCK Contribution

£480.16

£48.02 per dwelling



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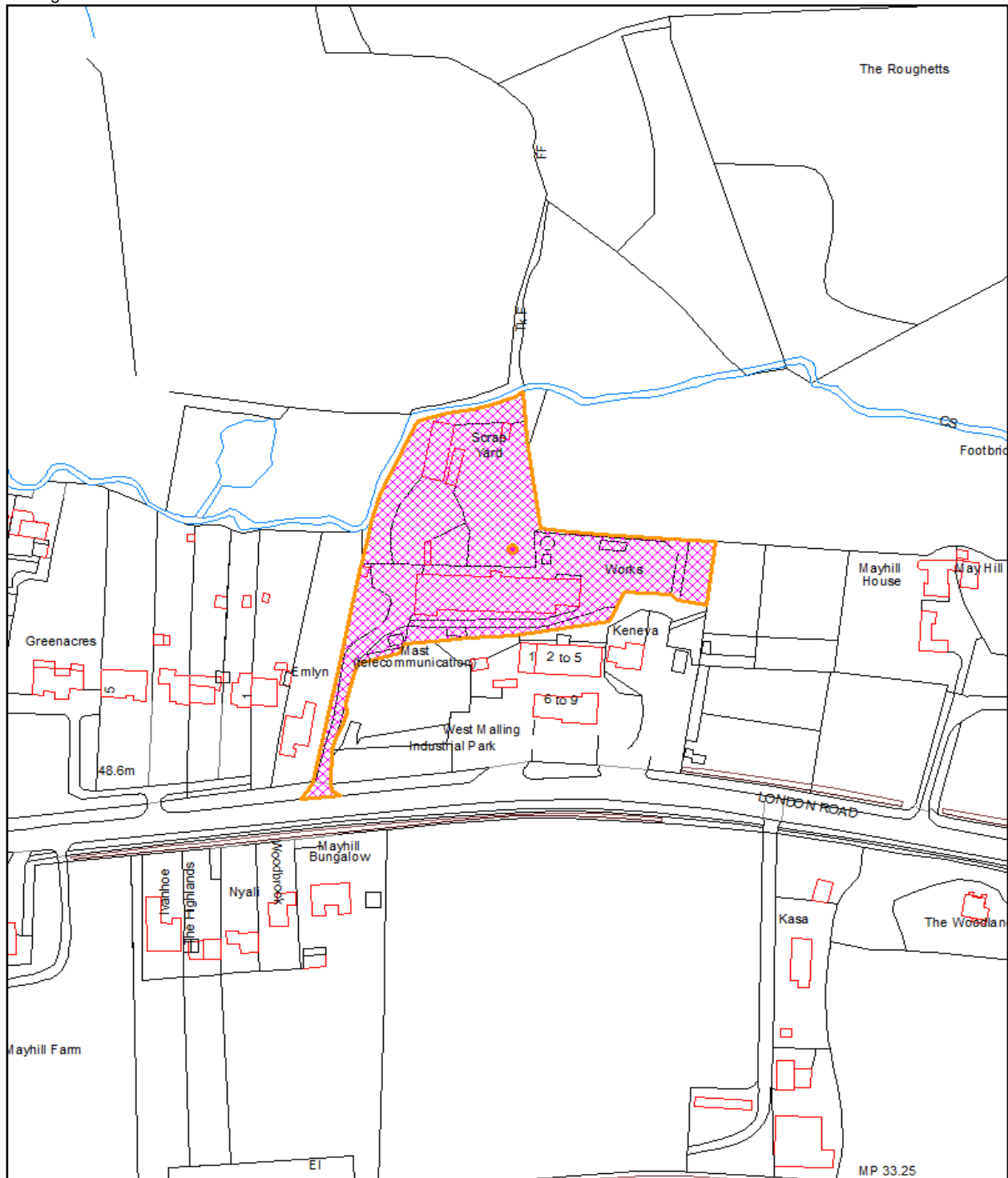


**TM/19/01067/FL**

Scarbutts And Winsor Works London Road Addington West Malling Kent ME19 5AN

Redevelopment of the site to provide 10 x detached dwelling houses with associated parking, turning, landscaping and improvements to the access road

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# Agenda Item 7

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.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

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