

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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

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

28 July 2021

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

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 1 Planning Committee to be held at Tonbridge School on Thursday, 5th August, 2021 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members are encouraged to participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website.

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 - 6

To confirm as a correct record the Minutes of the meeting of Area 1 Planning Committee held on 27 May 2021

4. Glossary and Supplementary Matters 7 - 14

Glossary of abbreviations used in reports to the Area Planning Committee (attached for information)

Any supplementary matters will be circulated via report in advance of the meeting and published to the website.

Decisions to be taken by the Committee

5. TM/21/00444/FL - 64 Pembury Road, Tonbridge 15 - 38

Demolition of former surgery and erection of a development of 14 apartments (12x2 bed and 2x3 bed) with parking, access and landscaping

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

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 D W King (Chairman)
Cllr K King (Vice-Chairman)

Cllr Mrs J A Anderson
Cllr Mrs P A Bates
Cllr J L Botten
Cllr M D Boughton
Cllr V M C Branson
Cllr G C Bridge
Cllr A E Clark
Cllr M O Davis
Cllr N Foyle

Cllr N J Heslop
Cllr M A J Hood
Cllr F A Hoskins
Cllr J R S Lark
Cllr M R Rhodes
Cllr H S Rogers
Cllr J L Sergison
Cllr Miss G E Thomas
Cllr F G Tombolis

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TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

Thursday, 27th May, 2021

Present: Cllr M D Boughton (Chairman), Cllr D W King (Vice-Chairman), Cllr Mrs J A Anderson, Cllr J L Botten, Cllr V M C Branson, Cllr G C Bridge, Cllr A E Clark, Cllr M O Davis, Cllr N J Heslop, Cllr M A J Hood, Cllr F A Hoskins, Cllr K King, Cllr J R S Lark, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr Miss G E Thomas and Cllr F G Tombolis

Councillors D A S Davis and P J Montague participated via MS Teams and joined the discussion when invited by the Chairman in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs P A Bates and N Foyle

PART 1 - PUBLIC

AP1 21/6 DECLARATIONS OF INTEREST

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

AP1 21/7 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 25 March 2021 be approved as a correct record and signed by the Chairman.

AP1 21/8 GLOSSARY AND SUPPLEMENTARY MATTERS

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

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

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

**AP1 21/9 TM/20/02334/FL - FORMER B AND Q, CANNON LANE,
TONBRIDGE**

Variation of condition 1 of planning permission TM/16/00818/FL: to allow the sale of convenience goods from Units 1B and 1C at former B And Q, Cannon Lane, Tonbridge.

RESOLVED: That planning permission be REFUSED for the following reason:

- (1) The Local Planning Authority is not convinced on the evidence presented by the applicant within the Transport Assessment and associated supporting documentation that sufficiently robust or up to date modelling has been undertaken to demonstrate the development can come forward in a wholly acceptable manner in highway terms. As such, the Local Planning Authority does not consider that sufficient evidence exists to demonstrate what potential significant impacts might arise from the development on the transport network in terms of capacity and congestion and subsequently whether any such impacts can be cost effectively mitigated to an acceptable degree. The development therefore fails to comply with the requirements of paragraph 108(c) of the National Planning Policy Framework 2019, policy CP2(e) of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ8 of the Managing Development and the Environment DPD 2010.

[Speakers: Mr O Fahmy, Ms A Ah-kine and Mr M Ansdell, members of the public, and J Hill, agent addressed the Committee verbally via MS Teams]

AP1 21/10 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.40 pm

GLOSSARY of Abbreviations used in reports to Area Planning Committees

A

AAP	Area of Archaeological Potential
AGA	Prior Approval: Agriculture (application suffix)
AGN	Prior Notification: Agriculture (application suffix)
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
AT	Advertisement consent (application suffix)

B

BALI	British Association of Landscape Industries
BPN	Building Preservation Notice
BRE	Building Research Establishment

C

CA	Conservation Area (designated area)
CCEASC	KCC Screening Opinion (application suffix)
CCEASP	KCC Scoping Opinion (application suffix)
CCG	NHS Kent and Medway Group
CNA	Consultation by Neighbouring Authority (application suffix)
CPRE	Council for the Protection of Rural England
CR3	County Regulation 3 (application suffix – determined by KCC)
CR4	County Regulation 4 (application suffix – determined by KCC)
CTRL	Channel Tunnel Rail Link (application suffix)

D

DCLG	Department for Communities and Local Government
DCMS	Department for Culture, Media and Sport
DEEM	Deemed application (application suffix)
DEFRA	Department for the Environment, Food and Rural Affairs
DEPN	Prior Notification: Demolition (application suffix)
DfT	Department for Transport
DLADPD	Development Land Allocations Development Plan Document
DMPO	Development Management Procedure Order
DPD	Development Plan Document
DPHEH	Director of Planning, Housing & Environmental Health
DR3	District Regulation 3
DR4	District Regulation 4
DSSLT	Director of Street Scene, Leisure & Technical Services

E

EA	Environment Agency
EIA	Environmental Impact Assessment
EASC	Environmental Impact Assessment Screening request (application suffix)
EASP	Environmental Impact Assessment Scoping request (application suffix)
EH	English Heritage
EL	Electricity (application suffix)
ELB	Ecclesiastical Exemption Consultation (Listed Building)
EEO	Ecclesiastical Exemption Order
ELEX	Overhead Lines (Exemptions)
EMCG	East Malling Conservation Group
ES	Environmental Statement
EP	Environmental Protection

F

FRA	Flood Risk Assessment
FC	Felling Licence
FL	Full Application (planning application suffix)
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Impact Assessment

G

GDPO	Town & Country Planning (General Development Procedure) Order 2015
GOV	Consultation on Government Development
GPDO	Town & Country Planning (General Permitted Development) Order 2015 (as amended)

H

HE	Highways England
HSE	Health and Safety Executive
HN	Hedgerow Removal Notice (application suffix)
HWRC	Household Waste Recycling Centre

I

IDD	Internal Drainage District
IDB	Upper Medway Internal Drainage Board
IGN3	Kent Design Guide Review: Interim Guidance Note 3 Residential Parking

K

KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards: Supplementary Planning Guidance SPG 4
KDD	KCC Kent Design document

KFRS Kent Fire and Rescue Service
KGT Kent Garden Trust
KWT Kent Wildlife Trust

L

LB Listed Building Consent (application suffix)
LBX Listed Building Consent: Extension of Time
LDF Local Development Framework
LDLBP Lawful Development Proposed Listed Building (application suffix)
LEMP Landscape and Ecology Management Plan
LLFA Lead Local Flood Authority
LMIDB Lower Medway Internal Drainage Board
LPA Local Planning Authority
LWS Local Wildlife Site
LDE Lawful Development Certificate: Existing Use or Development (application suffix)
LDP Lawful Development Certificate: Proposed Use or Development (application suffix)
LP Local Plan
LRD Listed Building Consent Reserved Details (application suffix)

M

MBC Maidstone Borough Council
MC Medway Council (Medway Towns Unitary Authority)
MCA Mineral Consultation Area
MDE DPD Managing Development and the Environment Development Plan Document
MGB Metropolitan Green Belt
MHCL Ministry of Housing, Communities and Local Government
MIN Mineral Planning Application (application suffix, KCC determined)
MSI Member Site Inspection

MWLP Minerals & Waste Local Plan

N

NE Natural England

NMA Non Material Amendment (application suffix)

NPPF National Planning Policy Framework

O

OA Outline Application (application suffix)

OAEA Outline Application with Environment Impact Assessment (application suffix)

OAX Outline Application: Extension of Time

OB106D Details pursuant to S106 obligation (application suffix)

OB106M Modify S106 obligation by agreement (application suffix)

OB106V Vary S106 obligation (application suffix)

OB106X Discharge S106 obligation (application suffix)

P

PC Parish Council

PD Permitted Development

PD4D Permitted development - change of use flexible 2 year

PDL Previously Developed Land

PDRA Permitted development – change of use agricultural building to flexible use (application suffix)

PDV14J Permitted development - solar equipment on non-domestic premises (application suffix)

PDV18 Permitted development - miscellaneous development (application suffix)

PDVAF Permitted development – agricultural building to flexible use (application suffix)

PDVAR Permitted development - agricultural building to residential (application suffix)

PLVLR	Permitted development - larger residential extension (application suffix)
PDVOR	Permitted development - office to residential (application suffix)
PDVPRO	Permitted development - pub to retail and/or office (application suffix)
PDVSDR	Permitted development storage/distribution to residential (application suffix)
PDVSFR	Permitted development PD – shops and financial to restaurant (application suffix)
PDVSR	Permitted development PD – shop and sui generis to residential (application suffix)
POS	Public Open Space
PPG	Planning Practice Guidance
PWC	Prior Written Consent
PROW	Public Right Of Way

R

RD	Reserved Details (application suffix)
RM	Reserved Matters (application suffix)

S

SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (background for the emerging Local Plan)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SW	Southern Water

T

TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan

TCS Tonbridge Civic Society
TEPN56/TEN Prior Notification: Telecoms (application suffix)
TMBC Tonbridge & Malling Borough Council
TMBCS Tonbridge & Malling Borough Core Strategy 2007
TMBLP Tonbridge & Malling Borough Local Plan 1998
TNCA Notification: Trees in Conservation Areas (application suffix)
TPOC Trees subject to TPO (application suffix)
TRD Tree Consent Reserved Details (application suffix)
TRICS Trip Rate Information Computer System
TWBC Tonbridge Wells Borough Council

U

UCO Town and Country Planning Use Classes Order 1987 (as amended)
UMIDB Upper Medway Internal Drainage Board

W

WAS Waste Disposal Planning Application (KCC determined)
WTS Waste Transfer Station

(Version 2/2021)

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Tonbridge
Vauxhall

18 February 2021

TM/21/00444/FL

Proposal: Demolition of former surgery and erection of a development of 14 apartments (12x2 bed and 2x3 bed) with parking, access and landscaping

Location: 64 Pembury Road Tonbridge Kent TN9 2JG

Go to: [Recommendation](#)

1. Description:

- 1.1 This is an application for planning permission for the demolition of the existing building and the erection of a block of apartments containing 14 units (12x2 bed and 2x3 bed) along with associated parking, access and landscaping.
- 1.2 A total of 14 spaces would be provided at a ratio of 1 per unit, including two disabled bays, and private cycle storage for each unit. A small bin store is provided on the road frontage, along with separate pedestrian access in the interests of good place making and to avoid any conflict with vehicles using the access.
- 1.3 All but the two top floor units (12/14) would benefit from private amenity space, with the ground floor flats having dedicated direct access garden space, whilst the floors above have balconies.
- 1.4 The building design has been refined throughout the pre-application and planning stages (the application is subject to a Planning Performance Agreement enabling officers to negotiate changes). The bulk and mass have been reduced with a half hipped roof as well as changes to the balconies to remove projecting, "bolt on" designs.
- 1.5 The overall style of the building has been designed to reflect the existing one with the use of gables, tile hanging and brick quoins paired with a slate roof. The balconies would be finished in wrought iron railings. The building is proposed to be located slightly further forward but occupies a comparable footprint to the existing structure.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Frances Hoskins for the Area 1 Planning Committee to consider possible impacts from overlooking from a window in the side elevation, the appearance of the side elevation and the bulk and mass of the building.

3. The Site:

- 3.1 The site is the former medical centre on the south side of Pembury Road. The building is three stories with a high ridge line and is a prominent local landmark. It is difficult to pinpoint its exact age but it seems to be at least late 19th century, as it appears on historic maps of the area during this period, and the design is also reflective of the style of this time. It is understood to have once been in use as an hotel before being converted into the medical centre in the early 1990's. The medical centre has now relocated to larger purpose-built facilities on River Lawn Road and so the building has become vacant.
- 3.2 It is set back considerably from the existing building line on the road with a large front car park area. It seems to have been more recently extended with a side extension via a glazed conservatory link. Taylors Close on the road behind occupies a higher elevation; surrounding land uses are primarily residential including three storey blocks of flats.
- 3.3 The building is not listed but does have some local historic value. It falls outside of the Tonbridge Conservation Area and there are no other relevant designations.

4. Planning History (relevant):

TM/93/01345/FL grant with conditions 23 July 1993

Change of use from C1 hotel to D1 medical centre together with alterations and single storey extension

TM/93/01346/RM grant with conditions 23 December 1993

Details of external materials Tarmac Stock Red Facing Brick, Eternit Rivendale Slate and white painted joinery submitted pursuant to condition 3 of permission TM/93/0519FL - use as medical centre

TM/93/01347/FL grant with conditions 11 January 1994

Variation of condition 04 of permission TM/93/0519FL to allow stretcher bond on elevations not facing street re: change of use from C1 hotel to D1 medical centre together with alterations and single storey

5. Consultees:

- 5.1 KCC (H+T): The following comments are made:

Site Access

- 5.1.1 The site access remains as per the existing point for the former surgery. This does not raise any highway issues.

Car Parking

- 5.1.2 One car parking space will be allocated for each proposed dwelling. This is appropriate for a town centre location and conforms to Kent Design Guide: Interim Guidance Note 3 for Residential Parking. As each space is allocated, Electric Vehicle Charging Points should be made available for each dwelling. One space is available for mobility impaired driver.

Cycle Parking

- 5.1.3 Eighteen secure and covered bicycle storage facilities are proposed to be provided with the site. Cycles will help to aide journeys by train, making use of facilities at Tonbridge Station.

Public Transport

- 5.1.4 Tonbridge Railway Station is located approximately 800 metres away, which will provide a good alternative to car travel. Bus stops are located within 100 metres of the development, with frequent and good range of services to various locations.

Trip Generation

- 5.1.5 It is expected that trip generation from the proposed development will be less than those experienced from the existing D1 use.

Summary

- 5.1.6 Provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

1. Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to/from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Provision of measures to prevent the discharge of surface water onto the highway.

2. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

3. Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

4. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

5.2 TMBC Environmental Protection: Recommend conditions.

5.3 Kent Fire & Rescue: I can confirm that on this occasion it is my opinion that the off-site access requirements of the Fire & Rescue Service have been met. On-site access is a requirement of the Building Regulations 2010 Volume 1 and 2 and must be complied with to the satisfaction of the Building Control Authority who will consult with the Fire and Rescue Service once a building Regulations Application has been submitted if required.

5.4 Southern Water: Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

5.5 Kent Police: We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

5.5.1 Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

5.5.2 With regard to this planning application, we confirm that if the requirements listed below are formally secured by Planning Condition then we, on behalf of Kent Police, have no objection to its approval from a CPTED aspect.

5.5.3 There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

- 5.5.4 SBD is a police initiative that improves the security of buildings and their immediate surroundings to provide safe places to live, work, shop and visit. SBD's Gold award incorporates the security of the external environment together with the physical security specification of the home, the Silver offers those involved in new developments, major refurbishment and the individual the opportunity to gain an award for physical security and the Bronze offers a route to achieve a reasonable level of physical security for bespoke or refurbished properties where a traditional enhanced security product is not available or for listed buildings.
- 5.5.5 Independently certificated products that meet recognised security standards have been responsible for consistently high reductions in crime as verified by numerous independent academic research studies of 87% reduction in burglaries in new homes, there have been over 1 million SBD homes built in the last 20 years, 61% Reduction in burglary in major refurbishment schemes and over 200 Police specialists nationwide.
- 5.5.6 CPTED addresses: Access and Movement: Places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security; Structure: Places that are structured so that different uses do not cause conflict; Surveillance: Places where all publicly accessible spaces are overlooked; Ownership: Places that promote a sense of ownership, respect, territorial responsibility and community; Physical Security: Places that include necessary, well-designed security features; Activity: Places where the level of human activity is appropriate to the location and creates a sense of security at all times and Management and Maintenance: Places that are designed with management and maintenance in mind, to discourage crime in the present and future.
- 5.5.7 The points below are site specific and designed to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.
1. We recommend the use of the Secured By Design (SBD) Homes 2019 initiative for this proposal.
 2. Development layout.
 3. The level of permeability must ensure routes through the development are appropriate and well-designed to create safer accessible neighbourhoods with maximum natural surveillance opportunities and avoid them providing too many access and escape routes. This may require vehicle mitigation at key points.
 4. Perimeter, boundary and divisional treatments including lockable gates.

5. Corner Properties require defensible spaces to avoid desire lines that can cause conflict.

6. Parking inc. visitor. To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. Ground or wall anchors can help provide this.

7. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states:

“18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.”

Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

Any lack of lighting for unadopted roads is a concern as it will encourage home and vehicle owners to install ad-hoc lighting, likely to cause conflict and light pollution. A professional lighting engineer will be able to design a plan to aid security without risking light pollution, a dual solution is possible.

8. Access Control. Full audio visual door entry access control systems will be required.

9. Doorsets. Doorsets should be certified to PAS24:2016 for all communal entrances/exits, individual front doorsets for each apartment, any easily accessible doorsets such as balconies.

10. Windows. Windows all ground floor and any easily accessible windows (e.g. above flat roof porch or door hoods) should be certified to PAS24:2016. Laminated glazing is recommended.

11. Apartments.

12. Cycle stores should conform to SBD Homes 2019 specifications.

13. Bin Stores. should conform to SBD Homes 2019 specifications.

14. Landscaping. Defensive planting should be incorporated into the final design, to prevent/deter people from approaching any ground floor living and bedroom windows, in the interests of privacy and security.

15. Mail delivery. Mail delivery will need to be considered. Exterior mail boxes negate the need for anyone delivering mail to enter the building. Exterior mail boxes should be certified to TS009 security specifications. A through the wall system (if space allows) also negates the need for anyone delivery mail to enter the building. If internal mail boxes are installed in lobby, additional access controlled doorsets will be required to protect the stair core. It should not be possible for anyone delivering mail to access other parts of the building.

16. If approved, site security is required for the construction phase. There is a duty for the principle contractor “to take reasonable steps to prevent access by unauthorised persons to the construction site” under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

5.5.8 We welcome a discussion with the applicant/agent about site specific designing out crime should this application proceed.

5.6 KCC (LLFA): Agree in principle, detailed comments provided as follows:

5.6.1 The proposals seek to utilise a combination of infiltration within the permeable paved area and discharge to a surface water sewer at 2 l/s with underground attenuation. We would advise that as part of a discharge of conditions application, we would expect Ground Investigation Report to support the use of infiltration. It is recommended that soakage tests be compliant with BRE 365, notably the requirement to fill the test pit several times. Detailed design should utilise the infiltration rate and demonstrate that the permeable paving will have an appropriate half drain time.

5.6.2 Should your Authority be minded to grant permission to this development, we would recommend that the following Conditions are attached.

[DPHEH: Conditions are reflected in the recommendation]

5.7 TMBC Leisure Services: Request contribution of £35,507 towards public open space maintenance and improvement.

5.8 KCC Economic Development: Request contributions towards community infrastructure. (*Officer note: details to the rear of the report*)

5.9 Private Reps: 28 + press and site notices 0X/28R/0S

- More flats going up no regard for an update to street parking
- Parking insufficient
- Proposed development is too high
- Building should be retained and converted
- Development is too dense
- inconvenience to neighbouring properties

- traffic bottleneck in this area
- additional traffic will be a further burden on local residents
- We need affordable rental/purchasable properties for local people
- Would dominate the area
- Overlooking on neighbouring buildings
- Impacts on local amenities
- No need for further flats in the area
- Loss of light
- Noise and distribution during construction
- Overdevelopment of site

6. Determining Issues:

6.1 The site is previously developed land within an urban area. As such, there is no objection in principle to redevelopment. However, the key issues that will determine whether the scheme is otherwise acceptable are the effect of the development on the character and appearance of the area, loss of a community facility, neighbouring amenity, and parking and highways.

Character and appearance/demolition of building:

- 6.2 Policy CP24 of the TMBCS requires development to be of a high quality and be well designed to respect the site and its surroundings in terms of its scale, layout, siting, character and appearance. Policy SQ1 of the MDE DPD advises that new development should 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.
- 6.3 These policies are broadly in conformity with those contained within the Framework which relate to quality of new developments, in particular paragraph 127 of the NPPF that requires proposals to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Schemes should also be 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).
- 6.4 Paragraph 197 of the NPPF concerns non-designated heritage assets and explains that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. It is important to note that no public benefits balancing exercise is required if harm is identified to a non-designated heritage asset, instead an overall balanced judgement must be made.

- 6.5 It is fully acknowledged that the building has an attractive character and has local historic value, being a nice example of a period building, but has also been altered with the side extension. It is capable of being considered a non-designated heritage asset, due to its age, architecture, and group value with surrounding historic buildings.
- 6.6 At the same time, it is not a Listed building, and is not within a Conservation Area, which makes it difficult in practice for the Council to resist its demolition (these types of buildings can be demolished without planning permission being required under the prior approval process). Nonetheless, it is accepted that the loss of the building will result in some harm to the character of the street scene and the group value it has with other nearby period properties.
- 6.7 However, the proposed replacement building has been designed to be reflective of the style and appearance of the existing structure, including with materials like brick, stone quoins and tile hanging, iron railings and a slate roof. This will help ensure that the new building successfully integrates with the nearby period buildings along Pembury Road.
- 6.8 In terms of the height and mass, the building would be somewhat larger, but the plot is also spacious and it is considered that it can accommodate greater bulk. The height to the ridge is actually slightly lower than the existing building, and lower than the initial height originally proposed.
- 6.9 Furthermore, the changing land levels to the rear of the site, where Taylors Close occupies a much higher elevation, will help to significantly mitigate the extra bulk and mass from the rear. Other larger flatted schemes are located nearby, and the building would be seen in this context.
- 6.10 From the front of the property, the retention of most of the open front car parking space with additional landscaping will also help to soften the extra bulk and mass. Care has also been taken with the front gables and choice of materials to help provide relief and break up the massing further.
- 6.11 From the side (flank) elevations, it is accepted that the appearance is perhaps not ideal and architecturally these are the weaker elevations when compared with the front and rear. At the same time the variance of tile hanging and brick help to provide some relief, along with the half-hipped roof form reducing perceptions of top floor bulk.
- 6.12 Taken as a whole, it is considered that the design is acceptable and would provide an appropriately designed building that would effectively integrate with its surroundings and the wider street scene. Additional planting and landscaping would also be a positive factor, including new trees on the street scene. The bin store would be discreetly located to one side of the frontage, and would provide appropriate screening for waste storage in matching brick to fit with the local context.

- 6.13 Drawing these factors together, whilst the loss of the building is regrettable, the replacement design is considered to be acceptable, achieving a good standard of design in a manner sympathetic to local vernacular and would accord with the expectations of policy CP24 of the TMBCS and SQ1 of the MDEDPD.

Neighbouring amenity/amenity for future occupiers:

- 6.14 The plot does have significant advantages however, in that the properties to the rear are separated by the road, mitigating any harmful impact, and on the western boundary the site adjoins a car park, providing a further buffer from nearby houses and gardens. Given the separation provided by these features, it is not considered that the new building would have a harmful overbearing impact, or cause loss of privacy to dwellings located to the south or west of the site. The orientation of the building is also slightly north west, so there is no direct overlooking of the gardens of the houses 62 – 56 Pembury Road.
- 6.15 In terms of the adjacent property on the eastern boundary, it is acknowledged that this house is likely to be the most affected. However, the development has been designed to minimise loss of privacy and overbearing impacts as far as possible. For example, the building has moved forward when compared to the extent of the existing structure, providing a clear benefit in this respect since it no longer extends beyond the rear building line of the neighbouring property so significantly. Accordingly, whilst there would be a change in outlook, it is not considered to result in any harmful overbearing or overshadowing effect to this property.
- 6.16 In terms of loss of privacy, the existing position of the building contains windows that look directly into the garden and are also much closer, being further behind this properties' building line.
- 6.17 Of course, it is accepted that the use of flats is a more intense use than the doctor's surgery and the new units would be occupied more frequently and for longer periods, but also, the position of the proposed building pulls away from the neighbour's garden. Some of the side windows on the building at first floor and above can be obscure glazed to minimise loss of privacy where the rooms are served by other windows to preserve outlook. The previously proposed rear balconies on this side have also been removed to prevent direct overlooking into the garden.
- 6.18 Overall, on balance, it is considered that the change in privacy from the existing position to the proposed building would not be harmful enough to justify a refusal.

Loss of community facility

- 6.19 The existing building was formally the location of the Tonbridge Medical Centre, providing general GP/Doctors' Surgery services to the local community. As

such, the building is considered to be a community facility protected under policy CP26 of the TMBCS.

- 6.20 Policy CP26 sets out the following requirements before the loss of a community facility can be accepted:

Proposals for development that would result in the loss in whole or part of sites and premises currently or last used for the provision of community services or recreation, leisure or cultural facilities will only be proposed in the LDF or otherwise permitted if:

(a) an alternative facility of equivalent or better quality and scale to meet identified need is either available, or will be satisfactorily provided at an equally accessible location; or

(b) a significant enhancement to the nature and quality of an existing facility will result from the development of part of that facility; or

(c) the applicant has proved, to the satisfaction of the Council, that for the foreseeable future there is likely to be an absence of need or adequate support for the facility.

- 6.21 In this case, the applicants have explained that the Tonbridge Medical Group recently relocated to new purpose build facilities on the former Tonbridge Teen and Twenty Club, Lawn Road in Tonbridge (approved under Ref TM/17/02468/FL). The case for this development was that the surgery had *“outgrown these facilities [i.e., 64 Pembury Road] which are now considered to be unsatisfactory for modern healthcare provision. The applicant considers that this site represents an opportunity for bringing the existing surgeries together whilst also enabling the enhancement and expansion of primary care services.”*

- 6.22 They further explained that the new medical centre would allow for an increased capacity of up to 225 appointments per day in the coming years as the local population increases, and that the existing facility was struggling to cope with demand.

- 6.23 The new facility is located not far away in town in a readily accessible location. It is purpose built for the needs of the medical group and has greater capacity to serve the local community. Accordingly, it is considered that in the circumstances of this case, it has been demonstrated that an alternative facility of equivalent or better quality and scale to meet identified need is available, at an equally accessible location, and therefore the requirements of policy CP26 have been met. No objections are raised to the loss of this community facility.

Highway safety and parking provision:

- 6.24 Paragraph 109 of the NPPF states 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. Paragraph 110 goes on to state that within this context, applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 6.25 Policy SQ8 of the MDE DPD sets out 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.
- 6.26 It goes on to state that development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network. It further states as follows:
- Development will not be permitted which involves either the construction of a new access or the increased use of an existing access onto the primary or secondary road network (as defined by the Highway Authority) where a significantly increased risk of crashes or traffic delays would result. No new accesses onto the motorway or trunk road network will be permitted.*
- Development proposals should comply with parking standards which will be set out in a Supplementary Planning Document.*
- 6.27 Where significant traffic effects on the highway network and/or the environment are identified, the development shall only be allowed with appropriate mitigation

measures and these must be provided before the development is used or occupied. The aims of Policy SQ8 in requiring safe and suitable access to and from the highway are consistent with the aims of the Framework at paragraphs 109 and 110.

- 6.28 In these respects, it is important to understand that the existing use of the building would have attracted a high degree of vehicle movements and parking demands as a fully operational doctors' surgery. If there was insufficient parking for patients on the site on occasion, then it is likely that parking overspill would occur on the adjacent roads. Visitors to the surgery would come and go all day with a high number of vehicle movements. This would no longer occur if the surgery was redeveloped.
- 6.29 IGN3 sets out the adopted standards for parking provision across the Borough although it is accepted that this is now an aged document and associated evidence base which means substantially less weight should be afforded to the standards it prescribes. Nevertheless, in this case the development proposes to provide 14 spaces, 1 for each unit, including one disabled bay. The site lies within the urban area, in very close proximity to a range of local amenities and services and good public transport links. As such, I consider that the level of parking proposed in this particular case is acceptable.
- 6.30 It is noted that KCC has raised no objection to the scheme on matters of trip generation/vehicle movements. These representations as statutory consultee on matters of highways safety carry substantial weight.
- 6.31 As such, there is no technical evidence to support a refusal on any highways grounds.
- 6.32 Therefore, in light of the cessation of movements from the previous use and any resulting parking pressure, coupled with the proposed 1 for 1 parking provision in a sustainable town centre area, it is not considered that the development would result in any harmful parking overspill, or unacceptable/severe highways safety impacts. Accordingly, subject to conditions the development would comply with policy SQ8 of the MDEDPD and paragraph 109 of the NPPF. The movement of vehicles during the construction process can be controlled by a construction management plan, secured by condition.

Ecology:

- 6.33 Paragraph 175 of the NPPF requires developments to not harm biodiversity or protected species. This is consistent with the aims of policy NE3 of the MDEDPD that seeks to avoid harm to biodiversity.
- 6.34 Given the age of the building a bat survey was conducted to consider if the property provided a habitat for protected species. The surveys found evidence

of roosting bats in the building and further emergence and mitigation reports have been provided.

- 6.35 The report makes a series of recommendations to remove any existing roosting bats to a suitable alternative habitat prior to construction, via a license obtained by Natural England. It would also include the provision of bat boxes on the new development to improve biodiversity. Subject to the recommendations within the report being followed it is considered that the scheme would safeguard protected species and no objections are raised under paragraph 175 of the NPPF or policy NE3.

Flood risk and drainage:

- 6.36 Policy CP10 of the TMBCS seeks to ensure developments are safe from flooding as well as directing proposals to areas with a low risk of flooding in the first instance. This is wholly consistent with the aims of the framework at paragraphs 155 – 165.
- 6.37 The site is in a Flood Zone 1 indicating low probability of flooding. A drainage strategy has also been submitted to consider how water runoff will be dealt with across the site. KCC as Lead Local Flood Risk Authority has reviewed the drainage strategy and consider it acceptable subject to conditions. As such it is considered that the scheme would provide suitable drainage and therefore no objections are raised under policies CP10 of the TMBCS or paragraph 165 of the NPPF.

Construction management:

- 6.38 The site is adjacent to residential dwellings and on a main thoroughfare to and from the town centre. As such, it is important that construction disruption is minimised both to the free flow of traffic on the highway and to neighbouring properties. Condition 7 recommends the imposition of a construction management plan prior to commencement of development.

Renewable Energy:

- 6.39 Solar panels are proposed to be provided on the roof, providing on-site renewable energy to serve the development and help combat climate change. Additionally, electric vehicle charge points would be provided, with details secured by condition 11. This would accord with paragraph 14 of the NPPF.

Planning Obligations:

- 6.40 Policy CP25 of the TMBCS explains that development will not be permitted unless the service, transport and community infrastructure necessary to serve it is either available, or will be made available by the time it is needed. All development proposals must therefore either incorporate the infrastructure

required as a result of the scheme, or make provision for financial contributions. This policy is broadly consistent with the objectives of the Framework at paragraphs 54 and 56 which explain that planning obligations can be used where justified to mitigate development impacts.

- 6.41 KCC has requested a number of contributions to mitigate the additional pressure on local services as a result of the development. The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) and paragraph 56 of the NPPF require that requests for development must comply with three specific legal tests, namely that they must be (1) necessary, (2) related to the development, and (3) reasonably related in scale and kind. It is considered that the contributions being sought meet these tests. They are set out as follows:
- Secondary Education - £15,890.00 towards the expansion of Judd School.
 - Community Learning - £229.88 towards additional services and equipment for new learners at Tonbridge Adult Education Centre from this development.
 - Youth Service - £917.00 towards additional resources for the Tonbridge Youth Service.
 - Library Bookstock - £776.30 towards additional services and bookstock at Tonbridge Library for the new borrowers generated by this development.
 - Social Care - £2,056.32 towards Specialist Care provision in Tonbridge & Malling Borough.
 - Waste - £2,571.38 new HWRC to serve Tonbridge and Malling to mitigate housing growth.
- 6.42 On developments proposing a net increase of 5 dwelling houses, policy OS3 of the MDEDPD requires a contribution to be made for the upkeep of local open space, to mitigate increased usage from future occupiers of the development. As above, this is considered to be consistent with the objectives of the Framework and would meet the three tests.
- 6.43 In respect of policy OS3 the Council's Leisure Services Team has requested a financial contribution to mitigate the additional pressure on local open space. The amount requested for this is £33,941. The funds will be used for the upkeep and enhancement of the following open spaces:
- Parks & Gardens – Haysden Country Park, Tonbridge Cemetery
 - Outdoor Sports Facilities – Tonbridge Farm Sportsground
 - Children's and Young People's Play Areas – Tonbridge Farm Sportsground
 - Natural and Semi Natural Green Spaces – Land Rear of Hamble Road
- 6.44 The applicant will be required to pay these contributions via a Section 106 agreement subject to a resolution to grant planning permission by APC1.

- 6.45 The development does not trigger the requirements for affordable housing under policy CP17 of the TMBCS since the threshold is for sites of 15 dwellings or above, or site size of 0.5ha or above.

5-year housing land supply, conclusions and overall planning balance:

- 6.46 Tonbridge and Malling Borough Council cannot currently demonstrate a 5-year housing supply. In such circumstances paragraph 11 of the NPPF sets out that the presumption in favour of sustainable development applies and the provision of new housing carries significant weight. This presumption is only disengaged if the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. There are no policy designations on the site that would disengage the presumption in favour of sustainable development.
- 6.47 The development would result in a degree of harm to the character and appearance of the area from the total loss of the building as a non-designated heritage asset. This weighs against the proposal and attracts moderate weight.
- 6.48 On the other hand, the replacement building would be of a good standard of design and integrate within the street scene. The proposal would deliver 14 much needed homes in a sustainable location against the Council's existing shortfall, along with the associated economic benefits. Vehicle movements to and from the site would reduce. The development would make most efficient use of the land, helping in part to relieve pressure on Green Belt and undeveloped greenfield land. No harmful impacts would arise to neighbouring amenity, ecology, or parking and highways. Cumulatively, these matters attract significant weight in favour of the proposal.
- 6.49 Drawing these factors together, whilst there would be some adverse impacts, when weighing up the positive aspects of the scheme against this harm, there are not considered to be any adverse impacts that would significantly and demonstrably outweigh the benefits, which is the specific test provided for at paragraph 11 (d) (ii) of the NPPF in terms of applying the presumption in favour of sustainable development.
- 6.50 Accordingly, the application is recommended for approval.

7. Recommendation:

- 7.1 **Grant planning permission** in accordance with the following submitted details: Survey 0243-001 A received 18.02.2021, Proposed Elevations 5575-012D Coloured received 18.02.2021, Existing Plans 56/05 received 18.02.2021, Artist's Impression 64-1 received 18.02.2021, Artist's Impression 64-2C received 18.02.2021, Artist's Impression 64-3C received 18.02.2021, Flood Risk Assessment received 18.02.2021, Planning Statement received 18.02.2021, Design and Access Statement 5575 D received 18.02.2021, Other

5575-013 Solar study 1 received 18.02.2021, Other 5575-014 Solar study 2 received 18.02.2021, Other 5575-015 Solar study 3 received 18.02.2021, Landscape Layout 0243-101 A received 18.02.2021, Planting Plan 0243-301 A received 18.02.2021, Specifications 0243-401 A Edges received 18.02.2021, Specifications 0243-410 A Boundaries received 18.02.2021, Bat Survey P3968 received 18.02.2021, Photograph IMG_1283 received 18.02.2021, Photograph IMG_1294 received 18.02.2021, Location Plan 5575-001 B received 14.05.2021, Block Plan 5575-002 H received 14.05.2021, Site Plan 5575-003 J received 14.05.2021, Proposed Floor Plans 5575-004 J received 14.05.2021, Proposed Floor Plans 5575-005 I received 14.05.2021, Proposed Floor Plans 5575-006 G received 14.05.2021, Proposed Floor Plans 5575-007 H received 14.05.2021, Proposed Elevations 5575-008 G received 14.05.2021, Proposed Elevations 5575-009 G received 14.05.2021, Proposed Elevations 5575-010 F received 14.05.2021, Proposed Elevations 5575-011 E received 14.05.2021, Proposed Plans and Elevations 5575-016 A Bin Store received 14.05.2021, Section 5575-017 received 14.05.2021, Proposed Roof Plan 5575-018 received 14.05.2021, Design and Access Statement received 14.05.2021, /subject to the following:

- The applicant entering into a planning obligation with the Borough Council to provide financial contributions towards public open space provision and enhancement;
- The applicant entering into a planning obligation with Kent County Council to make financial contributions towards the provision of education facilities and community services.

It is expected that the section 106 agreement should be agreed in principle within 3 months and the legalities completed within 6 months of the committee resolution unless there are good reasons for the delay. Should the agreement under Section 106 of the Act not be completed within three months, a report back to the Area 1 Planning Committee will be made either updating on progress and making a further recommendation or in the alternative the application may be refused under powers delegated to the Director of Planning, Housing and Environmental Health who will determine the specific reasons for refusal in consultation with the Chairman and Ward Members.

- The following conditions:

Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 This decision refers to the red-edged site location plan and drawings numbered Survey 0243-001 A received 18.02.2021, Proposed Elevations 5575-012D Coloured received 18.02.2021, Existing Plans 56/05 received 18.02.2021, Artist's Impression 64-1 received 18.02.2021, Artist's Impression 64-2C received 18.02.2021, Artist's Impression 64-3C received 18.02.2021, Flood Risk Assessment received 18.02.2021, Planning Statement received 18.02.2021, Design and Access Statement 5575 D received 18.02.2021, Other 5575-013 Solar study 1 received 18.02.2021, Other 5575-014 Solar study 2 received 18.02.2021, Other 5575-015 Solar study 3 received 18.02.2021, Landscape Layout 0243-101 A received 18.02.2021, Planting Plan 0243-301 A received 18.02.2021, Specifications 0243-401 A Edges received 18.02.2021, Specifications 0243-410 A Boundaries received 18.02.2021, Bat Survey P3968 received 18.02.2021, Photograph IMG_1283 received 18.02.2021, Photograph IMG_1294 received 18.02.2021, Location Plan 5575-001 B received 14.05.2021, Block Plan 5575-002 H received 14.05.2021, Site Plan 5575-003 J received 14.05.2021, Proposed Floor Plans 5575-004 J received 14.05.2021, Proposed Floor Plans 5575-005 I received 14.05.2021, Proposed Floor Plans 5575-006 G received 14.05.2021, Proposed Floor Plans 5575-007 H received 14.05.2021, Proposed Elevations 5575-008 G received 14.05.2021, Proposed Elevations 5575-009 G received 14.05.2021, Proposed Elevations 5575-010 F received 14.05.2021, Proposed Elevations 5575-011 E received 14.05.2021, Proposed Plans and Elevations 5575-016 A Bin Store received 14.05.2021, Section 5575-017 received 14.05.2021, Proposed Roof Plan 5575-018 received 14.05.2021, Design and Access Statement received 14.05.2021. The development shall be carried out in accordance with these approved plans.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

- 3 No above ground development shall take place until details of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

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

- 4 The dwellings hereby approved shall not be occupied until the area shown on the submitted layout for vehicle parking has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown (other than the erection of a garage or garages) or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure that parking is provided and maintained in accordance with the Council's adopted standards.

- 5 Before the development hereby approved is occupied a detailed scheme of landscaping and boundary treatment shall be submitted to and approved by the Local Planning Authority. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: In the interests of visual amenity.

- 6 The development shall be constructed at the level indicated on the approved drawing.

Reason: In the interests of amenity and privacy.

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

- The days of the week and hours of the day when the demolition and construction works will be limited to and measures to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the demolition and construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to; and
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.

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

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

- 8 Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Sustainable Drainage Assessment prepared by Geosmart dated 25 November 2020 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the

climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 9 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 10 (a) If during development work, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/ remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.

(b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.

(c) A closure report shall be submitted by the developer relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

- 11 Before the development hereby approved is occupied, details of the installation of car charging points shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be installed in accordance with the approved and retained thereafter.

Reason: To encourage the use of electric vehicles in the interests of mitigating climate change in accordance with paragraph 110(e) of the NPPF.

- 12 The development shall be carried out strictly in accordance with the recommendations in the submitted Bat Survey Report reference P3968 dated 16th June 2021.

Reason: to ensure the development proceeds with regard to protected species.

- 13 The flank windows serving the Kitchen / Living / Diner on plots 5, 9 and 14 (the South-East elevation) shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. This work shall be completed before the extension is occupied and shall be retained thereafter.

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

Informatives

- 1 A formal application for connection to the public sewerage system is required in order to service this development. More information is available on Southern Water's website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>. The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding.

- 2 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new properties. To discuss the arrangements, you are invited to e-mail to addresses@tmhc.gov.uk. To avoid difficulties for first occupiers, you are advised

to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.

- 3 The applicant is strongly encouraged to consider opportunities for incorporating renewable energy technologies into the approved development wherever possible and for measures to support biodiversity within the construction of the buildings.

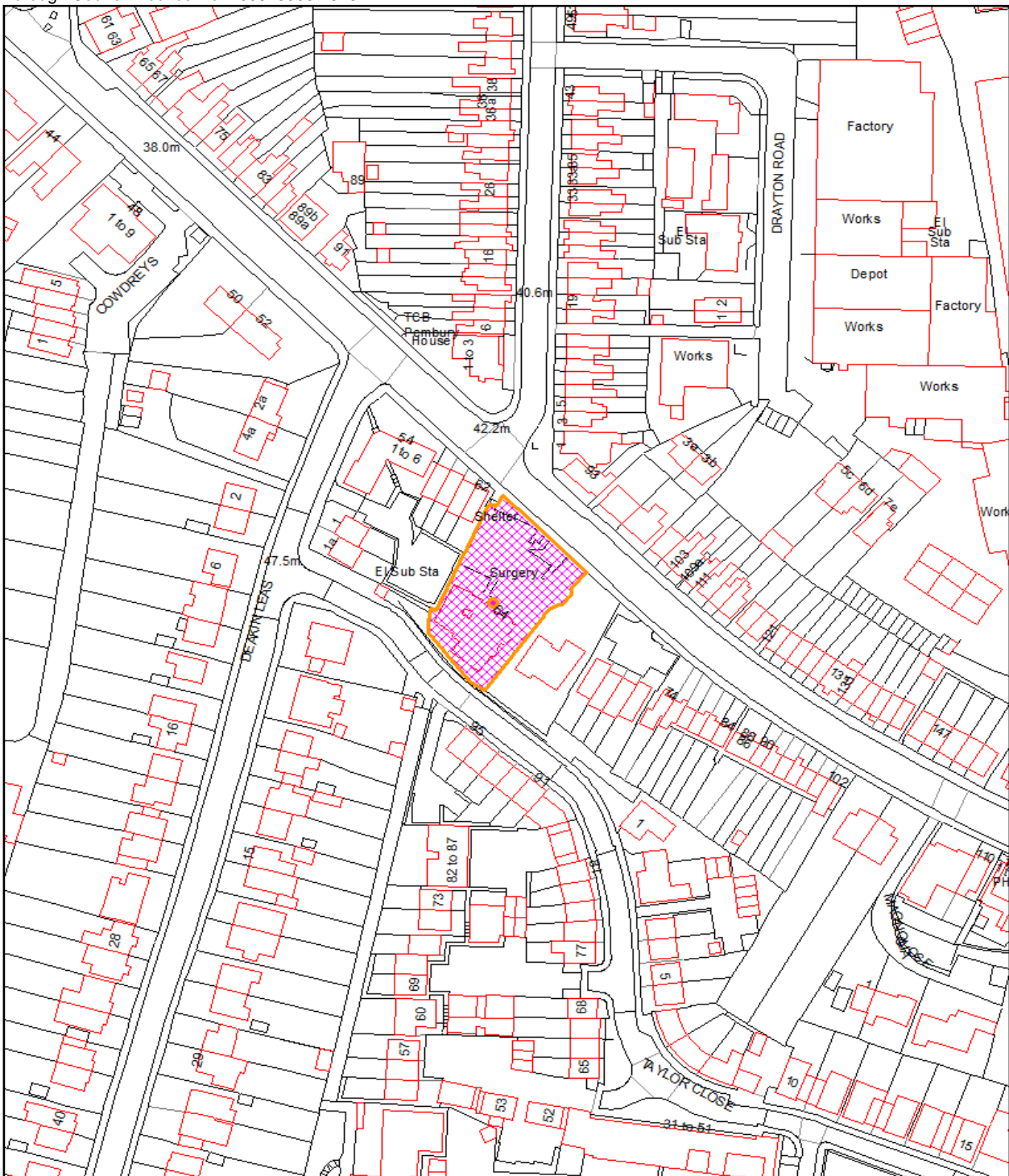
Contact: Adem Mehmet

TM/21/00444/FL

64 Pembury Road Tonbridge Kent TN9 2JG

Demolition of former surgery and erection of a development of 14 x 2 bed apartments with parking, access and landscaping

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