

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

MINUTES

Thursday, 1st December, 2022

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

Apologies for absence were received from Councillors Mrs P A Bates, M A J Hood, H S Rogers and F G Tombolis

PART 1 - PUBLIC

AP1 22/27 DECLARATIONS OF INTEREST

Councillor M Davis declared an Other Significant Interest in applications TM/22/00101/FL and TM/22/00102/LB on the grounds that the applicant was a client at his legal firm. He withdrew from the meeting as soon as this interest became apparent and took no part in the discussion and did not vote on the applications.

AP1 22/28 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 23 June 2022 be approved as a correct record and signed by the Chairman.

AP1 22/29 GLOSSARY AND SUPPLEMENTARY MATTERS

Decisions were taken on the following applications subject to the prerequisites, 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 22/30 TM/21/02298/FL - TONBRIDGE PRS, MEDWAY WHARF ROAD, TONBRIDGE

Demolition of existing gasholders and associated structures. Redevelopment of the site to provide 144 residential units and up to 567 sqm of flexible Class E/ancillary residential floorspace. The proposals include the delivery of landscaping and public realm, play space, access, car parking and other associated and ancillary works at Tonbridge P R S, Medway Wharf Road, Tonbridge.

RESOLVED: That planning permission be GRANTED subject to

- (1) the applicant entering into a S106 agreement to make financial contributions and secure a late-stage review mechanism as set out in paragraph 5.137 of the report;
- (2) the details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; subject to the
- (3) Amendment to submitted details in the recommendation as follows:-

Management Plan Construction dated 07.10.2021, Landscaping 15772-VL_L02C dated 20.08.2021, Location Plan 15772-100 A dated 20.08.2021, Letter Covering dated 31.08.2021, Energy Statement dated 20.08.2021, Report Arboricultural dated 20.08.2021, Assessment Daylight and sunlight dated 20.08.2021, Other Daylight and Sunlight Assessment Appendix A2 and A3 dated 20.08.2021, Design and Access Statement Sect 1-7 dated 20.08.2021, Assessment Odour A dated 20.08.2021, Noise Assessment dated 20.08.2021, Statement Heritage dated 20.08.2021, Statement Community Involvement dated 20.08.2021, Sustainability Report dated 20.08.2021, Flood Risk Assessment and Drainage Strategy dated 20.08.2021, Assessment Detailed Quantative Risk Assessment for Controlled Waters dated 20.08.2021, Arboricultural Assessment TCP/4323/Y/100 dated 20.08.2021, Planning Layout ARB/4323/Y/200 dated 20.08.2021, Tree Protection Plan TPP/4323/Y/300 dated 20.08.2021, Proposed Plans 15772 - SK16 dated 05.05.2022, Other TECHNICAL DESIGN NOTE dated 05.05.2022, Existing Plans 15772 - SK14 dated 05.05.2022, Proposed Plans 15772 - SK15 dated 05.05.2022, Other 20176 - SK20220421.1 dated 05.05.2022, Other 20176-SK20220421.2 dated 05.05.2022, Site Layout 15772-102F dated 13.10.2022, Proposed Floor Plans 15772-103E dated

13.10.2022, Proposed Floor Plans 15772-104E dated
 13.10.2022, Proposed Floor Plans 15772-105E dated
 13.10.2022, Proposed Floor Plans 15772-106E dated
 13.10.2022, Proposed Floor Plans 15772-107C dated
 13.10.2022, Proposed Floor Plans 15772-108C dated
 13.10.2022, Proposed Floor Plans 15772-109C dated
 13.10.2022, Proposed Floor Plans 15772-110C dated
 13.10.2022, Proposed Elevations 15772-111D dated 13.10.2022,
 Proposed Elevations 15772-112C dated 13.10.2022, Proposed
 Elevations 15772-113C dated 13.10.2022, Proposed Elevations
 15772-114C dated 13.10.2022, Proposed Elevations 15772-
 115C dated 13.10.2022, Proposed Elevations 15772-116C
 dated 13.10.2022, Landscaping 15772-VL_L01H dated
 31.08.2022, Other 15772 - TR008-B Swept Path Analysis Fire
 dated 31.08.2022, Sections 15772-117C dated 10.06.2022,
 Sections 15772-118B Historic Society dated 10.06.2022, Other
 Supplier Price Update dated 05.01.2022, Assessment FVA
 Aligned to Review dated 05.01.2022, Report Viability Response
 dated 05.01.2022, Other Design Intent Movable Planters dated
 21.12.2021, Assessment FVA Policy Compliant Emerging 25%
 AH dated 30.11.2021, Other Technical design note dated
 11.03.2022, Assessment FVA Policy Compliant Current 40% AH
 dated 30.11.2021, Assessment FVA Reduced Contributions 0%
 AH dated 30.11.2021, Other Technical design note dated
 24.01.2022, Email ADDITIONAL INFORMATION -
 ENVIRONMENTAL HEALTH dated 28.01.2022, Other Technical
 note-odour dated 24.01.2022, Statement Fire 1C dated
 26.08.2022, Report viability dated 27.08.2022, Remediation
 Strategy verification plan dated 27.07.2021, Ground Investigation
 Report dated 16.07.2021, Statement Planning dated
 01.08.2021, Transport Assessment dated 22.07.2021, Travel
 Plan dated 01.07.2021, Ecological Assessment dated
 01.08.2021, Existing Site Plan 15772-101A dated 23.7.21,
 Schedule Updated - Accommodation schedule November 2022
 dated 21.11.2022, Schedule Updated - Drawing/document
 schedule November 2022 dated 21.11.2022.

(4) Amended Condition 5:

The development shall not be brought into use until an updated Travel Plan to that hereby approved, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The updated Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement, details of allocation and control of the parking spaces hereby permitted, and details of the car club scheme. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter. Monitoring fee of £948.

Reason: In the interests of promoting sustainable transport

(5) Amended Condition 7:

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations, remediation works or site survey works, shall be carried out until details of the proposed car charging points have been submitted to, and approved by the Local Planning Authority. The charging points shall be installed prior to the first occupation of the development, and thereafter maintained and retained in accordance with the approved details.

Reason: To encourage the use of electric vehicles in the interests of mitigating climate change in accordance with national objectives.

(6) Amended Condition 17:

The development shall be carried out in accordance with the submitted flood risk assessment (ref 18156-HYD-XX-XX-RP-FR-0001 P03 | 05/11/2021 | Hydrock), in addition to the latest design technical note (ref 18156-HYD-XX-XX-TN-FR-0007 P03 | dated 17 May 2022 | Hydrock) and the following mitigation measures they detail:

1. Finished floor levels shall be set no lower than 23.18 metres above Ordnance Datum (AOD) for residential accommodation. It is noted the lower ground floor level is to be 22.00m AOD.
2. Plant rooms to be set at a level no lower than 22.58m AOD which is the 1 in 100 year plus 35% Climate Change modelled level.
3. The external and finished floor levels will be as proposed in the DWG ref 15772-102 Rev F, by the Harris Partnership dated 12.05.2022
4. A Flood Evacuation Management Plan to include advice for future occupants/residents to sign up to the EA flood warning service.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

(7) Amended Condition 20:

Prior to the construction of the development frontage to the River Medway (referred to as Block A on DWG No 15772-111 Rev D dated 09.06.22) full details regarding the structural integrity and condition of the flood defence river wall engineered high ground and a plan of works will be submitted and approved by the Local Planning Authority (LPA). This may include the below:

- A full structural investigation of integrity and assessment of condition of the flood defences. This includes all elements of the flood defence, such as the landward face, buried elements and any outfalls crossing it.
- Estimation of the residual life of the flood defence frontage at this site and how this interacts with the lifetime of the new development.
- Consideration to incorporate an enhanced frontage into the development, thereby securing its long-term structural integrity and maintenance, as well as improving its visual, ecological and amenity value.
- The findings of the above will inform options for a plan of flood defence replacement and maintenance.
- The plan as approved to be fully implemented.

Reason: To ensure a fit for purpose flood defence will keep the development safe from flooding for its lifetime of 100yrs in line with NPPF.

(8) Amended Condition 31:

Prior to the commencement of development, a dimensional and photographic record of the gasholders in situ shall be produced and submitted to the Local Planning Authority and Tonbridge Historical Society. The identification plates for GH1 and GH2 shall be passed to the Tonbridge Historical Society for future preservation.

Reason: In the interests of recording the historical importance of the site within the local area.

(9) Addition of conditions

32. No development shall commence above slab level until details of flood mitigation measures to protect:

- a) plant and services and;
- b) 8 residential units located on the ground floor of the development hereby approved, have been submitted to and approved by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

33. No external lighting shall be installed in connection with the development hereby approved until such details have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details and maintained and retained at all times thereafter.

Reason: In the interests of visual and residential amenity.

(10) Amended Informative 8:

It is noted from the 'Flood Risk Assessment & Drainage Strategy' (Hydrock, ref 18156-HYD-XX-XX-RP-FR-0001 Rev. P03, November 2021) that no infiltration to ground is proposed, and that surface water will be discharged to the local watercourses.

(11) Removal of Informative 35:

It is requested that following demolition of the gasholders the identification plates for GH1 and GH2 are passed to the Tonbridge Historical Society for future preservation. (now part of Condition 31).

[Speakers: Tonbridge Historical Society (Mr David Phillips) and Mr Paul Galgey (agent)]

AP1 22/31 (A) TM/22/00101/FL AND (B) TM/22/00102/LB - 1 HADLOW CASTLE, HIGH STREET, HADLOW, TONBRIDGE

- (1) Retrospective application for the removal of 3 windows and replacement with 3 black aluminium double glazed windows at 1 Hadlow Castle, High Street, Hadlow.

A proposal to refuse retrospective planning permission on the grounds that the material, design and colour of the replacement windows was inappropriate and detrimental to the Grade 1 Listed Building was lost following a formal vote.

RESOLVED: That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

- (2) Listed Building Application: Retrospective application for the removal of 3 windows and replacement with 3 Black aluminium double glazed windows at 1 Hadlow Castle, High Street, Hadlow.

RESOLVED: That Listed Building Consent be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

[Speakers: Mr Owen Baldock and Mr Martin Ingham (Members of the Public) and Mr Chris Williams (applicant)]

AP1 22/32 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 11.10 pm