

**Tonbridge
Castle**

TM/13/03889/FL

Demolition of existing workshop building and garages and erection of two, two-storey three bed houses at Dry Hill Farm Shipbourne Road Tonbridge Kent TN10 3DJ for Derek Roberts Antiques

Private Reps: 3 further letters have been received since publication of the Committee Agenda, 2 raising objections and 1 in support. The two letters of objection raise the following issues:

- The omission of the orangeries from the scheme does not mitigate the impact of the proposed dwellings in terms of scale, bulk and dominance;
- The proposal is an overdevelopment of the site;
- The side facing window should be small and not a bay window;
- The white weatherboarding should be changed for a darker colour to match that used on 'Appledore' next door to help reduce the dwelling's obtrusiveness

The letter received in support of the application does comment that the space located to the west side of the proposed dwellings is not used for car parking as this would hamper the use of the access past the site by the occupiers of neighbouring properties.

As a result of ongoing discussions, a suggested amendment to the scheme has been submitted for informal consideration that affects mainly the rear (north) elevation of the proposed building. This shows that the roofs of the two gable ended elements could be hipped and a small window inserted centrally with either one at first floor level.

DPHEH:

Response to additional representations received:

Many of the issues raised in the latest representations received have been addressed in my previous reports. However, the omission of the single storey orangeries from each dwelling would provide each one with additional garden space, which I consider to represent an improvement to the scheme overall.

The use of white painted timber weatherboarding is a traditional facing material used in this locality and in the Conservation Area and would work well in visual terms with facing brickwork which would be used to build the external ground floor walls. I do not consider it

necessary, therefore, to require that this element be changed in favour of a darker coloured cladding for the first floor walls, although black or dark brown stained timber cladding would work equally well, in my opinion.

Response to the suggested amendment

This possible amendment would break up the extent of the white timber weatherboarding on the proposed rear elevation and add more visual interest to this part of the building. Whilst two additional windows would be provided, they would be obscure glazed and fixed shut like the other windows already shown on this elevation. I would re-iterate the advice in my previous reports that the scheme as it is currently proposed is considered to be acceptable in planning terms.

The amendments now tabled would, in my mind improve the appearance of the rear elevation and the outlook from the neighbouring property 'Appledore'. This is because the bulk of the roof would be reduced with the use of the hipped roof elements instead of gables and the expanse of white weatherboard would also be reduced. The hipped roof and inclusion of the two additional (obscured glazed and fixed shut) windows would add visual interest to this rear elevation. Another benefit of using the hipped roof elements on the rear of the building is that they would also reduce the limited amount of overshadowing that would occur to the southernmost part of Appledores garden by the scheme as it currently stands. I would however stress that in either iteration, the proposed development would not cause unacceptable overshadowing to this neighbouring residential property.

If Members are minded to consider this possible amendment to be an improvement and should form part of the scheme, then I would suggest that the applicant be invited to formally amend the scheme, following which additional consultation should be carried out with local residents. I would suggest that Members could resolve to grant permission as per the suggested amendments subject to the conclusion of the consultation process (and not receiving any additional adverse comments in respect of the amendments specifically).

RECOMMENDATION REMAINS UNCHANGED

Hadlow (Hadlow) TM/13/01482/FL
Hadlow, Mereworth And
West Peckham

Erection of two storey school building together with access, car parking, vehicle circulation area, footway improvements and landscaping, relocate floodlighting within existing sports ground and change of use of agricultural land to a new unlit rugby pitch at Land At Bourne Grange Lane Hadlow College Tonbridge Road Hadlow Tonbridge Kent TN11 0AL for Hadlow College

Additional Information:

Having seen the Committee Agenda, the agent working on behalf of the College has asked that it be made clear that the replacement rugby pitch and multi use pitch will not be made available for general community use of any kind. Should Members be minded to grant planning permission, the details submitted under the requirements of Condition 15 (as recommended) could only set out that the College can (and does) have the ability to provide limited hiring of the pitches.

Ramblers Association: Would like to make the following comments:

Public Footpath MT114: As the access to the school will run up the main drive (Bourne Lane) which also accommodates Public Footpath MT114, a historical right of way which runs from the A26 up to High House Lane, I would ask that due consideration is given to the potential impact of the increased flow of traffic along Bourne Lane on the safety of all pedestrians using the footpath, not just the children who will be attending the school.

The path starts at the point where Bourne Lane meets the A26. It is defined as running along the general line of Bourne lane but most pedestrians stick to the safety of the grass on the NE side of the drive. The grass strip on the SW side of the drive, between the drive and the ditch, is too narrow to walk on. The first stretch of the NE grass up to the branch drive leading to the College's main car park is generally wide enough to walk on but does have a street light and directional sign board partially impacting. These aren't too big a problem though.

After the car park turn off the NE side grass continues up to the hard surface path leading off to the College canteen. Apart from another street light, which can be negotiated as long as the grass remains unfenced, there are about three or four low hanging branches which will need to be cut back to enable walkers to stay on the grass rather than being forced to step into the roadway.

After the canteen turn-off the path widens and is surfaced with plastic mesh for a distance up to the tarmac turn-off to the dormitory blocks.

After a short stretch of grass on the NE side the path then becomes a relatively narrow gravel surfaced one all the way up to Bourne Grange and beyond, up to the stable block. I

understand that the intention is to widen this path and extend it further down the drive, which obviously I would support.

Public Footpath MT127: This path runs between MT114 and Ashes Lane and appears to be potentially impacted by the proposed football pitch. All I would ask is that, if it is to be fenced in, the statutory width is maintained. I would prefer it to be not fenced in though as, during inclement weather, fenced-in paths can become extremely muddy.

MT114 & 127 generally: Apart from pointing out that, apart from any absolutely necessary temporary diversions of either path, they should both remain usable by the public for recreational purposes.

However, the mention of the word “diversion” leads me to point out that the College made a formal application under the Town & Country Planning Act in 2007 to divert Footpath MT114 along the floodable east bank of the River Bourne on the grounds of security of its agricultural equipment and the safety of its younger students “some of whom are only 16 years old”. This application was rejected by TMBC at the time but appealed and won by the College, with costs being awarded against the Council. No material work was ever carried out during the relevant period though. A fresh application, under the Highways Act, was subsequently made to KCC’s PROW department and turned down by KCC’s Regulation Committee in March 2010. The College did not appeal that decision.

My concern here is that, with many younger children using the same paths, the College may once again try to get MT114 permanently diverted on the same grounds of “duty of care” to its students. I must therefore insist that, if the Council decides to grant planning permission for the construction of this new school, there must be a written agreement from the College that there will be no further attempts made to divert either of these paths on the grounds of the students’ safety.

DPHEH:

Paragraph 4.6.8 of the submitted planning statement states:

“In terms of community use of the pitches, currently Tonbridge Angels FC have use of one pitch for training but there is no other community use, as this is a College field used according to the requirements of the academic courses in the week and for some College matches at weekends. The proposal is for Tonbridge Angels to continue to have this as their training ground, for Barming Ladies football team to use the new pitch for training and matches and for other community users to be encouraged.”

Although there is usually a general emphasis on pitches being made available for community use, it is clear that this can only take a limited form in the case of Hadlow College, and this has historically been the case. Equally, there is some local concern that more extensive community use of the facilities could cause a detrimental impact on residential amenity. In this situation, I therefore believe limited community use as

described by the agent is appropriate but the exact scope should remain the subject of a condition to safeguard the position.

Concern has been raised as to the likelihood of parents using Faulkners Farm as a pick off/drop off point given that a footpath exists effectively linking the two sites, to the detriment of the residential amenities of the neighbours in Ashes Lane and to highway safety. In reality, I do not consider that this would represent a desirable option for either parents, the School or College. The scope for controlling this matter through the planning permission is limited but I would suggest that the College as landowner would be best placed to seek to ensure this does not happen through the management of the school and activities of pupils.

I also appreciate that there is a concern amongst some Ashes Lane residents that the proposed siting of the replacement rugby pitch represents a general 'creep' in College development towards the Faulkners Farm site and that this trend would be to the detriment of the amenities of those residents. In response to this, I would reiterate that the provision of appropriate facilities for outdoor sport and recreation does not constitute inappropriate development as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. As discussed at paragraphs 6.6 and 6.7 of the main report, it is considered that the new rugby pitch does not constitute inappropriate development within the Green Belt. In terms of bringing this type of activity towards Ashes Lane, a significant distance would separate the edge of the new rugby pitch and the nearest neighbours in Ashes Lane – approximately 60m at its nearest point with the boundary of 4 Faulkners Farm Cottages and approximately 100m at its nearest point with the boundary of Old Chegs.

To clarify, the football pitch referred to at paragraph 6.13 of the main report as being already approved was subject to a separate application under planning reference TM/12/00362/FL and does not form any part of the assessment taking place in this respect, other than through an understanding that pitch provision is not to be reduced, as required by policy OS1 of the MDE DPD.

Paragraph 5.2 of the main report sets out the representations made by KCC (Highways), specifically the suggestion that the access route from Bourne Grange Lane serving the pick up/drop and circulation areas to the front of the school should be made wider to better allow for waiting vehicles, particularly school buses. I acknowledge this point but consider that given the significant distance between the proposed school site and the main College entrance onto the A26, there is little potential for vehicles to back up onto the public highway to the detriment of highway safety.

Condition 11 as recommended in the main report intended to ensure that the school access and circulation areas would be suitably managed to ensure they operate appropriately in this regard. For the avoidance of any doubt, I have amended its precise wording, as set out below.

Since publication of the Committee Agenda, there have been some further discussions between Borough Council and County Council Officers about how best to secure the controlled crossing on the A26 by condition. As a result, a revised form of words has been agreed and is set out below:

I acknowledge the comments set out by the Ramblers' Association, particularly the concern that the College may again seek to divert footpath MT114. I would however stress that it would not be possible or appropriate to seek to ensure this does not happen through the terms of this planning application, instead any future proposals in this respect would be assessed under the relevant legislation.

AMENDED RECOMMENDATION

Amend Conditions 9 and 11:

9. The school hereby permitted shall not be occupied until such time that a controlled crossing across the A26 at the Hadlow College entrance has been installed and is fully operational.

Reason: In the interests of highway safety.

11. Prior to the commencement of development a scheme for the management of both private cars and school buses using the bus/car drop off and circulation areas as identified on plan number A620-PL-501 hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The use of these areas shall be carried out strictly in accordance with the approved scheme at all times thereafter.

Reason: In the interests of highway safety.

Amend Informative 3:

3. The applicant is advised that they will be required to enter into a Section 278 Agreement with Kent County Council in order to finalise the specific arrangements concerning the provision of the controlled crossing.

Additional Informative 4:

4. The applicant is asked to seek to take all reasonable steps to ensure that parents do not pick up or drop off pupils at Faulkners Farm and the Local Planning Authority would suggest that this form an overt issue in the ongoing management of the school.

Additional Informative 5:

5. In respect of condition 11, the applicant is asked to give specific regard to how and where school buses will wait in order to collect and drop off pupils.
