

Tonbridge
Judd

18 September 2018

(A) TM/18/02206/FL
(B) TM/19/00614/RD

Proposal: (A) Demolition of existing buildings and development of 53 dwellings comprising; 10 x 1 bed and 23 x 2 bed apartments in a part 3/4 storey building and 12 x 3 bed and 8 x 4 bed houses in part 2.5/3 storey buildings along with associated vehicular and pedestrian access, car parking and landscaping

(B) Details of condition 14 (travel plan) pursuant to planning permission TM/07/01286/FL (Proposed college master plan project consisting of the erection of new educational buildings, improved access arrangements and associated car parking, landscaping and ancillary development)

Location: Development Site South Part Of West Kent College Brook Street Tonbridge Kent

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1. Description:

- 1.1 Determination of Application (A) was deferred from the February APC1 to enable a Members' Site inspection to take place. The inspection took place on 26 March and enabled Members of the Committee in attendance to view the site and its surroundings in full, including viewing the site from properties in Hillside and The Spinney. Since that time, the local elections have taken place and the membership of the Committee has changed. In light of this, officers have arranged a further Members' Site Inspection to take place on 22 May to afford new members of the Committee the same opportunity to view the site prior to final consideration and determination of the application on 30 May. Any new issues arising from the forthcoming inspection will be reported as a supplementary matter.
- 1.2 Officers had intended to report the application to the April APC1 subsequent to the Members' Site Inspection taking place but issues arose during the inspection that meant that was not possible (this is discussed in detail within the substance of this report below).
- 1.3 The February report is annexed in full for ease of information. Matters discussed within the April report have been subsumed into this report, expanded upon and re-addressed where necessary and as such this has not been annexed to avoid any confusion arising.
- 1.4 Since APC1 last considered this application, the applicant has taken the opportunity to make amendments and submit further information, which has been the subject of further assessment and re-consultation.

- 1.5 The size and design of Plots 1 and 2 to be located within the south west corner of the site (adjacent to 4 Hillside) have been amended to include an overall height reduction at ridge level and at eaves level. The pair of dwellings would now stand 8.2m high at ridge level (reduced from 10.5m). The eaves level has also now been reduced to 4.9m high from 7m as previously proposed on unit 1 adjacent to no.4 Hillside. An additional sectional drawing has been provided to demonstrate the relationship between this pair of dwellings in their amended form and 4 Hillside.
- 1.6 A further site layout plan (ref: 2675-A-1006.2-A) has also been submitted on which the back to back distances between the rear elevations of the dwellings within The Spinney and the above ground rear elevations of the proposed dwellings within plots 3-10 have been superimposed. The dimensions show that a distance of over 21m would be maintained between the proposed dwellings within plots 3-10 (above ground level) and the rear elevations of the dwellings at 17-25 The Spinney (odd). The ground floor of the dwellings within plots 3-10 of the proposed developed extend by 1.8m beyond the rear elevation of the upper floors of these dwellings.
- 1.7 The applicant has undertaken an additional parking count within the college campus on the 06 March 2019 and the results of that are shown in a letter dated 11 March alongside the data collected when the previous parking count was undertaken on 28 March 2018. The table showing the parking count data is reproduced below.

| Time | Number of Cars Parked On-Campus | | Future college parking capacity after Implementation of Ashill Scheme (350) |
|-------|---------------------------------|--------------------------|---|
| | Based on 28/03/19 Survey | Based on 06/03/19 survey | |
| 08:00 | 72 | 52 | 350 |
| 09:00 | 254 | 219 | 350 |
| 10:00 | 315 | 244 | 350 |
| 11:00 | 342 | 335 | 350 |
| 12:00 | 330 | 346 | 350 |
| 13:00 | 308 | 316 | 350 |
| 14:00 | 260 | 303 | 350 |
| 15:00 | 203 | 245 | 350 |
| 16:00 | 167 | 193 | 350 |
| 17:00 | 102 | 129 | 350 |

- 1.8 In addition to the above the College itself has now submitted an update to the previously approved Travel Plan which has to be assessed and determined as a separate, albeit related, matter to the application currently under consideration (Application B).
- 1.9 Condition 14 of planning permission TM/07/01286/FL (redevelopment of the college itself) required the submission of reviews of the Travel Plan that was approved at that time. The proposed redevelopment of part of the college campus for residential purposes (Application A) has prompted the current submission for a review of the College Travel Plan. The travel plan has therefore been submitted in accordance with condition 14 of that permission but also forms a document submitted in support of Application A.
- 1.10 The proposed revisions to the Travel Plan are the result of a collaboration between the college and the applicant for the proposed residential development. The Travel Plan accounts for the reduction in car parking spaces that the proposed residential development will cause (from 524 to 350) and seeks to achieve the following outcomes:
- Support a reduction in the use of car travel for college journeys and increase the number of students walking, car-sharing and using public transport
 - Encourage staff to use sustainable travel options as opposed to car travel
 - Reduce overall negative environmental impacts of car travel in the local area
 - Improve the operation of the college car park; and
 - Improve road safety within the locality of the college
- 1.11 A Travel Plan co-ordinator is to be appointed by the college whose responsibilities will include:
- Obtaining and maintaining commitment and support from staff and students
 - Implement a marketing campaign for the Travel Plan and its measures
 - Liaising with parties within and outside the college to facilitate co-ordinated sustainable transport strategies
 - Providing advice and information on transport-related subjects to staff and students
 - Setting up staff steering and group meetings
- 1.12 The Travel Plan Co-ordinator has been named within the Travel Plan and her contact details provided.

- 1.13 A steering group will be formed from key stakeholders including representatives from the college, KCC and TMBC to review and promote measures within the Travel Plan.
- 1.14 A car park management plan also forms part of the submission. It is proposed that barriers will be erected at the entrance and exit of the college site that will only allow permit holders to access the 350 car parking spaces. This will therefore prevent the use of the college car parks that currently takes place by non-college users such as commuters. Permits will have to be applied for and will be issued on a means-tested basis and no more than 350 users will seek to access the car park at any one time. The college will achieve this by amending its weekly timetable to spread lessons more evenly across the week to avoid extreme peaks of college use which previously (and currently) results in overspill parking within neighbouring streets. The college will monitor parking behaviours of college users at the main pick up and drop off times to discourage inappropriate parking
- 1.15 The applicant intends to work with the College to manage car parking within its site and within Dame Kelly Holmes Way by installing a one way barrier at the entrance to the college site off Dame Kelly Holmes Way and to instigate a management plan for Dame Kelly Holmes Way. Both the applicant and the College have agreed to enter into a planning obligation with the Borough Council to manage car parking in and around the site.
- 1.16 An associated planning obligation (legal agreement) has also been prepared and submitted to secure such management appropriately takes place between the parties.
- 1.17 Given the interrelationship between the submissions and the linked issued arising, they have been reported as a single agenda item although both will require determination in their own right.

2. Consultees (received since 21 February 2019):

Application A:

- 2.1 Private reps: 8 additional responses have been received raising the following objections to the additional/revised drawings submitted:
- The back to back distances between the proposed dwellings and the existing ones in The Spinney are taken from the above ground level of the proposed house which is set 1.5m back from the ground floor of the dwellings. The plans do not, therefore, give true distances.
 - The plans submitted are woefully short on information, including true distances and ridge height.

- The fresh plans for units 1 and 2 give very large roofs, unnecessarily so. The ridge height could be reduced significantly.
- The addition of the parking barrier and permit entry system will lead to students simply parking on the surrounding roads, increasing pressure and congestion on them.
- It is naïve to think that the college will enforce student parking outside of the campus as staff would have no authority.
- The message from the Travel Plan is clear that the development will cause increased parking stress and impacts on the surrounding residential streets due to the permanent loss.
- The college intend to encourage students to use modes of transport other than the car. That has not worked in the past and is unlikely to work now.
- No change has been made to the three storey houses standing 20m back from the dwellings in the Spinney. This remains unacceptable and will cause a loss of privacy.
- Residents of Dame Kelly Holmes Way should be able to use parking within the college site in the evenings and during the weekends.
- The number of parking bays adjacent to the properties in Quarry Bank has been increased.
- There is no proposed tree planting between the car parking area and the neighbouring properties in Quarry Bank

Application B:

2.2 KCC (H&T) (In respect of the Travel Plan and Parking Management Plan): Based on the new submitted plans and information we would raise no objection on behalf of the Highway authority.

3. Determining Issues:

3.1 The analysis below should be read in conjunction with the earlier report annexed in full as it sets out the full assessment of the scheme. The issues discussed below are intended to address matters that expressly resulted from the site inspection and the amended/additional information submitted by the developer since the deferral back in February.

Parking provision, management and quality of development arising:

3.2 As the February report sets out in some detail, the development of this site for residential purposes would remove a level of existing parking to serve the college.

It had been officers intention to report this application to the April APC1 following the scheduled site inspection but that inspection indicated that there already appeared to be an issue with levels of parking provision within the college campus that would be exacerbated by the development by virtue of the displacement of further parking spaces. For example, a number of cars were seen to be parking along double yellow lines in Dame Kelly Holmes Way along with cars parked in loading bays, minibus bays and on areas of soft landscaping adjacent to marked bays within the car park itself.

- 3.3 Whilst it is appreciated that KCC (H+T) have raised no objection during the life of the application, this is based on matters of highway safety whereas there is, of course, a wider issue centring on the principles of good design, to ensure places function well and taking opportunities to improve the character and functioning of areas (section 12 of the NPPF). The applicant was therefore given the opportunity to liaise with the college to enter into a legal agreement setting out in detail the provision of a combined and comprehensive car park management plan, travel plan and monitoring regime that would apply to both the development site and the wider college campus to ensure that the residential development would not cause harm to the functioning of the wider site, but rather could contribute to securing improvements to that functioning.
- 3.4 As set out in Section 1 of this report, these documents have now been prepared and submitted for consideration within the context of this application (and insofar as they relate to the travel plan separately concerning Application B to be considered in parallel).
- 3.5 Specifically, the travel plan seeks to achieve the following:
- Limit parking within the college site by way of a permit system to only allow 350 people to park at any one time. Permits will be allocated on a means tested basis. This is to ensure that sufficient on-site parking will be provided for those who have demonstrated a need to use car parking within the site.
 - The college will have a nominated person to monitor the level of student parking outside of the campus.
 - Walking, cycling and public transport initiatives will be initiated to encourage staff and students to use modes of transport other than the private motor car.
 - Reducing travel by car is to be promoted by encouraging lift sharing and setting up an emergency ride home facility.
 - A steering group is to be established to ensure that different stakeholders are represented when identifying and implementing strategies. This will be formed by college staff and people from public authorities.

- 3.6 Furthermore, monitoring of student parking within surrounding streets would be monitored by the travel plan co-ordinator. I consider that this clearly demonstrates the intention to discourage parking by those unable to gain a parking permit. All of the proposed Travel Plan measures and the obligations that the college and the applicant have agreed to will be undertaken in advance of the next academic year (i.e. during the summer break), so new students will be advised of the Travel Plan and that car parking is not guaranteed. The measures would help to manage car parking more proactively within the application site, Dame Kelly Holmes Way and the wider locality.
- 3.7 It is also important to note that other key stakeholders, including officers and local residents, will be able to take part in the steering group to ensure measures are properly implemented and that any issues are addressed in an appropriate manner.
- 3.8 In addition to these measures, the applicant and the college have agreed to enter into a planning obligation which will secure management measures, including the management of Dame Kelly Holmes Way, a private road, currently owned by the college. Currently the parking restrictions within this road do not appear to be enforced (as was observed during the time of the Members' Site Investigation in March). The drafting of the legal agreement is undergoing final negotiation and agreement between officers, the applicant and the college.
- 3.9 An additional parking survey has now been undertaken (on Wednesday 06 March) and the results of this shows that the proposed parking arrangements for the college post development (350 spaces) would be sufficient to cater for the needs of the college. This parking survey shows a similar level of parking to that shown in the earlier parking survey.
- 3.10 I do appreciate that the number of spaces approved to be provided when the masterplan for the redevelopment of the College was put forward was higher than this but this does not necessarily follow that it must remain at that number in perpetuity. Rather, it is necessary to make an assessment of the requirements as they currently stand in light of prevailing policy and circumstances and the evidence presented. It is, therefore, quite conceivable that this number could realistically have changed over the last 10 years. What is important in the determination of this application is whether the resultant number of spaces arising from the residential development taking place, when viewed alongside the measures proposed to manage those remaining spaces, and within the context of the revised travel plan and planning obligation, would give rise to an acceptable form of development taking place (bearing in mind the need to apply the presumption in favour of sustainable development).
- 3.11 I am therefore now satisfied that the dynamics between the residential development and the successful operation and management of the wider college campus (in particular the car park) can be acceptably controlled to ensure the

development would not cause any overt harm to the built environment. In these respects, there remain no objections from a technical highway safety perspective that the remaining level of parking provided to the college campus would be unacceptable.

- 3.12 Given the central importance of these measures coming forward and the mechanism for securing them (in particular the successful resolution and completion of the legal agreement), I would suggest that in order to achieve a greater degree of certainty that this will happen in an acceptable manner, specific timeframes should be attached to any resolution to grant planning permission. Officers can be guided by the Committee on the reasonableness of this approach but would suggest that in the event that a successful outcome on such matters cannot be reached within 6 months of the date of the committee resolution (for example), officers would undertake to report back to the Planning Committee with a further recommendation for consideration or, in exceptional circumstances and where resolution is simply not possible for some reason, the application 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.
- 3.13 In addition, officers would also undertake to ensure the progress made in terms of the detail of the obligations within the legal agreement be shared with key Members.

Redesign of plots 1 and 2:

- 3.14 The two dwellings in their amended form are now proposed to be far simpler in appearance. At ridge level, they have been reduced by 2.7m. Their finished internal floor level has also been reduced by 0.45m. The sectional drawing submitted shows the relationship between this pair of dwellings and no.4 Hillside to the west. Plots 1 and 2 would have the same eaves height as this neighbouring dwelling and they would stand 1m higher at ridge level. This pair of dwellings would also stand 1m lower at ridge level than the adjacent terrace of dwellings within plots 3-5. As such, there would be a gradual increase in height of buildings between 4 Hillside and the dwellings within plots 3-5. As amended, the dwellings within plots 1 and 2 would provide an entirely comfortable transition between the development within Hillside and the taller buildings within the development itself and no visual harm would therefore arise.
- 3.15 The dwellings within plots 1 and 2 have been sited and designed to avoid causing an unacceptable loss of privacy or overshadowing to the neighbouring properties within Hillside and The Spinney.

Air Quality:

- 3.16 Ongoing questions have been raised since the deferral of this application as to whether this scheme would cause an unacceptable impact on air quality on Brook

Street and whether any further monitoring could or should take place in this respect.

- 3.17 In response to this, officers undertook to liaise with the Environmental Protection Team in this regard and the following information seeks to explain why a one off analysis of air quality at this junction at this time would not be useful in the determination of the current planning application.
- 3.18 TMBC has a duty to review air quality in the Borough and this is undertaken primarily by means of installing a diffusion tube network for the pollutant Nitrogen Dioxide, to establish the annual average mean of Nitrogen Dioxide levels for comparison to the annual objective limit of 40ug-3. However Statutory Guidance states this objective should only apply at locations where members of the public might be regularly exposed, including the building facades of residential properties, schools, hospitals etc. For this reason where diffusion tubes are located at the kerbside or roadside for practicality, a distance correction will always be applied to establish the pollution level at the closest relevant building façade.
- 3.19 In choosing the placement of the diffusion tube network in areas where the objective limit may be exceeded, regard is given to a number of factors including, but not exclusively, the volume of traffic, the likelihood of traffic queueing (stationary traffic will generate more pollution), and whether there are any factors such as the existence of a street canyon which may inhibit pollution dispersal.
- 3.20 In the case of the junction at Dame Kelly Holmes Way/Brook Street several factors indicate the objective level for NO₂ will not be exceeded and that monitoring at this time is not warranted, including;
- The volume of traffic/likelihood of queueing is unlikely to exceed other major junction areas where monitoring is already undertaken and the objective not exceeded, such as Cannon Lane/Hadlow Road (21.4ug-3 in 2017) and Bordyke/High Street (29.3ug-3 in 2017).
 - The area around the Dame Kelly Holmes Way/Brook Street junction is very open giving a greater amount of pollution dispersal.
 - In relation to point 2 above, monitoring at the kerb/road side would require significant distance correction meaning exceedance at relevant receptors is unlikely.

Residential amenity:

- 3.21 I do appreciate that the residents of The Spinney remain concerned with the separation between the rear elevation of their properties and the proposed dwellings located along the southern side of the site. The Members' Site Inspections allowed Members to see this relationship first-hand, which I still consider to be acceptable. The proposed development would not cause

unacceptable harm to residential amenity to the neighbouring properties for the reasons set out in my previous report and this has been further confirmed by the additional plans submitted showing acceptable separate distances to be provided.

Conclusions:

- 3.22 The presumption in favour of sustainable development as set out at paragraph 11 (d) of the NPPF applies in this instance. The test in this case is whether or not there are any adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole
- 3.23 In terms of the benefits, the proposed development would provide 53 new dwellings which would assist in addressing the Borough's shortfall in housing supply. It would also provide a proportion of affordable housing which would contribute to addressing a recognised need for affordable housing in the Borough.
- 3.24 Overall, and for the reasons set out throughout this report and its annexe, I consider that there would be no adverse impacts of granting planning permission for the development that would significantly and demonstrably outweigh the benefits that the development would bring, when assessed against the policies in the Framework taken as a whole.
- 3.25 In making this conclusion, I am mindful that the Framework and associated planning practice guidance makes clear that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. The use of a planning obligation and an associated suite of planning conditions seeking to control how the wider college campus will function once the residential development is under construction and in situ will ensure that any potentially adverse impacts arising from the development can be successfully mitigated.
- 3.26 I therefore recommend accordingly.

4. Recommendation:

(A) TM/18/02206/FL:

- 4.1 **Grant planning permission** in accordance with the following submitted details: Tree Protection Plan ASH21697-03B 1 of 2 dated 18.09.2018, Tree Protection Plan ASH21697-03B 2 of 2 dated 18.09.2018, Arboricultural Survey Impact and Method Statement dated 18.09.2018, Site Layout 2675-C-1005 L dated 18.09.2018, Flood Risk Assessment dated 15.10.2018, Other Appendices dated 05.11.2018, Flood Risk Assessment dated 18.09.2018, Statement support of development dated 18.09.2018, Assessment GEO-ENVIRONMENTAL dated 18.09.2018, Statement Foul Drainage and Utilities dated 18.09.2018, Ecological Assessment dated 18.09.2018, Transport Assessment dated

18.09.2018, Travel Plan dated 18.09.2018, Noise Assessment dated 18.09.2018, Statement community involvement dated 18.09.2018, Energy Statement and sustainability dated 18.09.2018, Design and Access Statement dated 18.09.2018, Location Plan 2675-A-1000 C dated 18.09.2018, Topographical Survey 2675-A-1002 A dated 18.09.2018, Sections 2675-A-1012 D dated 18.09.2018, Existing Plans 2675-A-1100 A dated 18.09.2018, Existing Plans 2675-A-1101 A dated 18.09.2018, Sections 2675-C-1211 F dated 18.09.2018, Sections 2675-C-1212 E dated 18.09.2018, Proposed Plans and Elevations 2675-C-3000 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3005 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3010 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3015 C dated 18.09.2018, Proposed Floor Plans 2675-A-3700 G dated 18.09.2018, Proposed Plans and Elevations 2675-C-3701 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3702 C dated 18.09.2018, Artist's Impression 2675-3D-5001 C dated 18.09.2018, Artist's Impression 2675-3D-5002 C dated 18.09.2018, Artist's Impression 2675-3D-5003 C dated 18.09.2018, Master Plan 1534/001 rev E landscape dated 18.09.2018, Letter dated 30.10.2018, Drawing 2675-A-1006-2-A dated 01.03.2019, Sections 2675-C-1212-F dated 01.03.2019, Sections 2675-C-1215-A dated 01.03.2019, Site Layout 2675-A-1004 D dated 01.03.2019, Site Layout 2675-A-1005-N dated 01.03.2019, Sections 2675-C-1210-G dated 01.03.2019, Proposed Plans and Elevations 2675-A-3000-H dated 01.03.2019, Proposed Plans and Elevations 2675-A-3001-A dated 23.11.2018, Email dated 11.03.2019, Other Parking Survey dated 11.03.2019, Section 2675-C-1216-A dated 11.03.2019, subject to:

- The applicant entering into planning obligation(s) under section 106 of the Town and Country planning Act 1990 (as amended) with the local planning authority to:
 - provide a scheme of affordable housing as part of the development that would deliver no less than 17 units of affordable housing, and
 - make financial contributions towards the enhancement of existing open spaces with the locality,
- The applicant and K College entering into a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) with the local planning authority to:
 - Undertake measures to manage car parking within the application site and the wider college site.
- The applicant entering into a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) with the Kent County Council to make financial contributions towards the enhancement of community infrastructure, consisting of:

- phase 1 of the Judd School expansion
- Improvement to South Tonbridge Children's day centre
- Increasing library bookstock at Tonbridge library, and

It is expected that the section 106 agreements 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 agreements under Section 106 of the Act not be completed and signed by all relevant parties by 30 November 2019, 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 will 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:

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

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

2. No above ground works shall take place until details of all materials to be used externally have been approved by the Local Planning Authority. In order to seek such approval, written details and photographs of the materials (preferably in digital format) shall be submitted to the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

3. No above ground works shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

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

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

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

5. The bathroom window on the rear elevation at first floor level of unit 2 shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. This work shall be effected before the extension is occupied and shall be retained thereafter.

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

6. No development shall take place other than as required as part of any relevant approved site investigation works until the following have been submitted to and approved by the Local Planning Authority:

- a) Results of additional ground gas monitoring at WS4 and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the site will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended).

The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved end use.

- (b) prior to the commencement of the development the relevant approved remediation scheme shall be carried out as approved. The Local Planning Authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

Reason: In the interests of amenity, public safety and human health.

7. Following completion of the approved remediation method strategy, and prior to the first occupation of the development, a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground level shall be submitted for the information of the Local Planning Authority.

The report shall be undertaken in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. Where it is identified that further remediation works are necessary, details and a timetable of these works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

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

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework.

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

Reason: In the interests of amenity and public safety.

9. Prior to the commencement of the development hereby approved, arrangements for the management of all 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 construction works will be limited to and measured to ensure these are adhered to;

- Procedures for managing all traffic movements associated with the 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;

- Procedures for notifying the existing residents of Riverbank House as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination; 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.

10. Other than the demolition of the existing buildings, development shall not begin 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 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 that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters. The drainage scheme shall be implemented in accordance with the approved details prior to first occupation of the development (or within an agreed implementation schedule).

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.

11. No building hereby permitted in any phase shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:
- o A description of the drainage system and its key components
 - o A general arrangement plan with the location of drainage measures and critical features clearly marked
 - o An approximate timetable for the implementation of the drainage system
 - o Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
 - o Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

o The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 165 of the NPPF (July 2018) and the Non-Statutory Technical Standards for Sustainable Drainage.

12. No dwelling within the development hereby permitted (or a dwelling within a particular phase) shall be occupied until a Verification Report (or an interim report explaining how surface water drainage would be managed for that specific phase of housing until such time as the final system is implemented) pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority. That report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

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

13. The measures set out in the Travel Plan shall be implemented within the timescales prescribed therein.

Reason: In the interests of promoting sustainable travel choices to future residents in order to minimise impact upon highway safety.

14. The buildings hereby approved shall be built at the levels shown on approved plans.

Reason: To ensure that the development does not harm the visual amenity of the locality.

15. The development shall be undertaken in accordance with the in tree protection measures shown on plan ASH21697-03B Sheets 1 and 2.

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

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B, or E of Part 1 of Schedule 2 of that Order.

Reason: In order to protect the residential amenity of the neighbouring residential properties and to enable the car barns to be kept available for car parking.

17. None of the dwellings shall be occupied until details of a scheme to install electric vehicle charging points within the development has been submitted to and approved by the Local Planning Authority. The work shall be carried out in strict accordance with those details prior to the occupation of any of the dwellings within the site.

Reason: In order to encourage the occupation of the dwellings by people using electric vehicles to help reduce vehicle emissions in the interests of air quality and in accordance with paragraph 110 of the NPPF.

18. The development shall be carried out in accordance with the following plans:

Tree Protection Plan ASH21697-03B 1 of 2, Tree Protection Plan ASH21697-03B 2 of 2, Sections 2675-C-1211 G dated 01.03.2019, Proposed Plans and Elevations 2675-C-3005 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3010 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3015 C dated 18.09.2018, Proposed Floor Plans 2675-A-3700 G dated 18.09.2018, Proposed Plans and Elevations 2675-C-3701 D dated 18.09.2018, Proposed Plans and Elevations 2675-C-3702 C dated 18.09.2018, Master Plan 1534/001 rev E landscape dated 18.09.2018, Drawing 2675-A-1006-2-A dated 01.03.2019, Sections 2675-C-1212-F dated 01.03.2019, Sections 2675-C-1215-A dated 01.03.2019, Site Layout 2675-A-1004 D dated 01.03.2019, Site Layout 2675-A-1005-N dated 01.03.2019, Sections 2675-C-1210-G dated 01.03.2019, Proposed Plans and Elevations 2675-A-3000-H dated 01.03.2019, Proposed Plans and Elevations 2675-A-3001-A dated 23.11.2018, Section 2675-C-1216-A dated 11.03.2019

Reason: In order that the development conforms with the approved drawings

Informatives

1. The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited to write to Street Naming & Numbering, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or to e-mail to addresses@tmbc.gov.uk. To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.
2. The Local Planning Authority supports the Kent Fire Brigade's wish to reduce the severity of property fires and the number of resulting injuries by the use of sprinkler systems in all new buildings and extensions.

(B) TM/19/00614/RD

- 4.2 **Approve** in accordance with the following submitted details: Travel Plan dated 30.04.2019, Management Plan Parking dated 30.04.2019, Drawing 2017-4089-009 dated 30.04.2019, Email dated 30.04.2019,

Contact: Matthew Broome