

**Tonbridge**  
Vauxhall

**558677 145792 1 May 2014**

**TM/14/01572/FL**

Proposal: Demolition of existing buildings. Erection of a 63 bedroom care home (use Class C2), with associated access, parking and landscaping (resubmission)

Location: 31 - 36 Quarry Hill Road Tonbridge Kent TN9 2RS

Applicant: Castlemead Group Ltd, Porthaven Care Ltd & Thomas Aston Home

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## **1. Description:**

- 1.1 It is proposed to demolish three existing buildings within this site and erect a 63 bedroom care home. The building would have a 'T' shape plan form and its frontage would measure 43m in length. The maximum depth of the building would be 41m. The height of the building varies between 6.5m and 10.2m. This is due to the fact that the building contains both 2 and 3 storey elements.
- 1.2 The building would be constructed externally predominantly from facing brickwork with elements rendered or faced with horizontal cladding.
- 1.3 The existing access points within the site would be closed off and a new single point of access would be formed at the southern end of the site to serve the new care home. Nineteen car parking spaces would be provided to the south of the building, together with a turning head and covered cycle racks.
- 1.4 A communal garden would be created on the north side of the building and additional tree and shrub planting will take place along all four boundaries. It is also proposed to erect a 1.8m high acoustic fence along the southern boundary of the site and make good the rear (east) boundary walls with matching brickwork. To the front of the site, a dwarf brick wall with railings would be erected, measuring 1.2m high, behind which a row of 5 hornbeam trees would be planted.

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

- 2.1 At the request of both Ward Members and as a result of the interest the application has created.

## **3. The Site:**

- 3.1 The site is located within the urban confines, to the south of the town centre. The site is located on the east side of Quarry Hill Road and contains 4 separate properties at present. The site of 31 Quarry Hill Road is now vacant, with the remainder of the site occupied by two storey, pitched roof buildings. The buildings are not occupied and have been recently been the subject of vandalism which was documented in the local press. The site lies partly within the Quarry Hill Conservation Area.

**4. Planning History:**

TM/69/10234/OLD Refuse 23 January 1969

Proposal alterations and extensions to mortuary.

TM/10/01707/CA Approved 24 March 2011

Conservation Area Consent: Demolition and site clearance of Gilbert House

TM/13/03681/FL Application Withdrawn 24 February 2014

Demolition of existing buildings. Erection of a 63 bedroom care home (Use Class C2), with associated access, parking and landscaping

**5. Consultees:**

5.1 KCC (Highways): The access and parking provision remains unchanged from the previous application and these are acceptable. Further information had been requested to address concerns relating to the vision splay from the access and a speed survey has been completed and the concerns have been adequately addressed.

5.1.1 In view of the above I can confirm that I do not wish to raise an objection.

5.2 KCC (Social Care, Health and Wellbeing): Kent County Council Social Care, Health and Wellbeing (SC) and its partners have developed an Accommodation Strategy to take forward the Transformation Agenda for Adult Social Care. This includes the identification of future need in every district for specialist housing, residential and nursing care homes for all adult client groups. In Tonbridge and Malling and consistently across Kent, there is a need for older people's nursing and dementia care as well as extra care housing.

5.2.1 Having looked at the application details, we have not worked with this provider in the past and therefore encourage early discussion with our Commissioning Team with regards to the model of care, targeted market to ensure it is affordable in this part of the county and support the delivery of the Accommodation Strategy.

5.2.2 Finally, SC monitors planning applications for care related provision and would appreciate receiving feedback on the decision reached by the council. This will enable us to have an overview of the new developments on the care home/extra care living market.

5.3 Private Reps: 56/0X/0S/15R. The reasons for the objections to this proposal are:

- The building would be huge in all three dimensions.
- The building would be significantly higher than the buildings it would replace and this is unjustified.
- It would be an overdevelopment of the site.
- The building in terms of its scale, form and design would be out of character with nearby properties.
- It would adversely affect the character of St Stephens Church and the wider Conservation Area.
- Loss of privacy to neighbouring residential properties.
- Harm to health due to the location of the electricity sub-station.
- The development would appear overbearing and dominate the outlook from neighbouring residential properties.
- The use of the access would harm the amenities of the neighbouring residential property.
- The development would have a shortage of car parking and goods vehicle turning space to serve the proposed development.
- Noise disturbance from the boiler flues and kitchen extract ducts.
- The noise impacts of the electricity substation have not been considered.
- The landscaping will be ineffective due to the size of the proposed building.
- There should be no CCTV coverage of the neighbouring properties.
- The access onto Quarry Hill Road will lead to collisions.
- The development will put added pressure on existing car parking spaces in the locality.
- The development will cause light pollution.
- Loss of light to neighbouring houses and gardens.
- Loss of retail space.

- The scheme does not take account of surface water running down Quarry Hill Road.
- There is no need for a care home.

**6. Determining Issues:**

- 6.1 The site is located within the urban confines of Tonbridge where policy CP11 of the TMBCS seeks to locate new development.
- 6.2 The site is also located within the St Stephens Place secondary retail area. Policy TCA6 of the TCAAP states that loss of retail use will be resisted. Changes of use from retail to non-retail activities will only be permitted if the proposed use will not undermine the retail function of the area.
- 6.3 The development would result in the loss of retail units within this secondary retail area. However, it must be remembered that one part of the site has been vacant for quite some time following the demolition of a fire damaged building. The remaining buildings were last used as undertakers or as a dwelling house. In light of this mixture of uses, the change of use of this part of the secondary retail area would not undermine the retail function of the wider retail area as a whole.
- 6.4 Furthermore, the site is located at the southern gateway to Tonbridge town centre with the frontage buildings being within the Conservation Area. Whilst the detailed design, form and size of the building will be considered in more detail later in this report, the site at the moment does not make a positive contribution to the character and appearance of the Conservation Area and is in need of improvement. Accordingly, I have no objection to a development for non-retail use of this site that would enhance the character of the street scene and the wider Quarry Hill Conservation Area.
- 6.5 Policy CP1 of the TMBCS requires new developments to result in a high quality sustainable development. It also states that when determining applications residential amenity will be preserved. The policy goes on to state that developments will be concentrated at the highest possible density compatible with the local built environment, mainly on previously developed land and at those urban settlements where a reasonable range of services is available with the potential to be well served by sustainable modes of transport.
- 6.6 In light of the above, I consider that the principle of erecting a care home on this site is acceptable in broad policy terms.

- 6.7 Policy CP1 echoes the requirements of current Government policy contained within the NPPF, which states at paragraph 14 that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means:

*“approving development proposals that accord with the development plan without delay; and*

*Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*

*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits...”*

- 6.8 Section 12 of the NPPF relates to development and the historic environment. Paragraph 131 states:

*“In determining planning applications, Local Planning Authorities should take account of:*

*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;*

*the desirability of new development making a positive contribution to local character and distinctiveness.”*

- 6.9 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that when exercising its powers in respect of buildings within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that Area.

- 6.10 Policy CP24 of the TMBCS requires all developments to be well designed and in terms of scale, layout, siting, character and appearance be designed to respect the site and its surroundings.

- 6.11 Much concern has been expressed by local residents regarding the scale, form and detailed design of the building. The Government provides guidance on the issue of “good design” in section 7 of the NPPF. It states at paragraph 60:

*“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*

6.12 Paragraph 64 states:

*“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*

- 6.13 The proposed building is undeniably large and would include a wide, single frontage within Quarry Hill Road. The development has been criticised as it does not reflect the traditional form and design of the adjacent buildings. The building contains two and three storeys of accommodation above ground. The front elevation of the building has been articulated with alternate recessed and projecting bays. The building has been designed to step up in height from two storeys (6.9m) at its northern end adjacent to Tonbridge Chambers to three storeys (10.2m) at its southern end adjacent to the proposed site access. The scale, height and mass of the building are significantly less than as previously proposed under application TM/13/03681/FL and the third floor (fourth storey) has now been omitted.
- 6.14 Whilst the building would stand taller than the buildings it would replace this does not necessarily make the scheme unacceptable. Three storey buildings are located on the same side of Quarry Hill Road as the application site. The proposed building, in terms of its overall height and the way it steps up the hill, would be in keeping with the height of other buildings in the wider street scene and would not appear overly tall.
- 6.15 The building would have a more contemporary appearance than the traditional form of the neighbouring buildings. It would have a flat roof instead of a pitched one, for example. The building would also potentially present a large mass to the Quarry Hill Road frontage. However, the mass of the front elevation is broken up by the use of alternate recessed and projecting elements which helps to reduce the mass of the building offsetting, to an extent, the perception of a single, unrelieved frontage. The use of these bays and the window arrangement presents a regular vertical rhythm to the building that is a respectful interpretation of the character of the existing buildings at 37- 44 Quarry Hill Road. The south west corner of the building has been designed as a more prominent feature to mark the entrance to the site. The frontage of the building would also align well with that of the neighbouring properties.
- 6.16 The building would chiefly be built externally from facing brickwork, with rendered panels and cladding used to highlight certain sections of the building. The design and use of materials would help to visually break up the bulk of the proposed building.
- 6.17 The Quarry Hill Conservation Area Appraisal refers to the buildings currently located on the east side of Quarry Hill Road. It describes 2 and 3 storey Victorian buildings in mixed use incorporating offices, shops and houses. The properties

are built externally from red brickwork or painted render and the ground floor of many of the buildings has been modernised with little uniformity.

- 6.18 In light of the above, I consider that the building as now proposed would bring a welcome enhancement to the appearance of the existing site. Whilst being of a more contemporary form and design, it would none-the-less respect the character of the street scene and would not fail to preserve the character of the Conservation Area. I am, therefore, satisfied that the proposal meets the statutory tests and the policy requirements for development within a Conservation Area.
- 6.19 Concern has been expressed that the development would detract from the setting of the Church of St Stephen located on the opposite side of Quarry Hill Road. This Church is not a Listed Building but is referred to in the Conservation Area Appraisal as the most dominant building in the sub area where the application site is located. Its spire is also said to be the most prominent landmark of Tonbridge visible from southern approaches and the railway. Due to the appropriate siting, height, form and design of the proposed building, I am satisfied that it would not compete with the Church, which was a concern held regarding the previous scheme for the care home.
- 6.20 Much concern has been raised regarding the proposed level of car parking and the access arrangements serving the proposed development. However the highway authority considers the development to be acceptable in these regards. The development would be manned by three separate staff shifts, 24 hours a day, 7 days a week. Objections have been raised that, during handover times, the car parking will be inadequate and would, therefore, put pressure on other car parking spaces in the locality. However, it has to be remembered that the site is located within a highly sustainable location at the southern end of the town centre with good access to public transport. A public car park is also located in Waterloo Road, just a short walk from the site, that members of staff or visitors could make use of if necessary. Therefore, despite the concerns raised by local residents, I consider the development to be acceptable in terms of highway safety and parking issues.
- 6.21 The building has an 'arm' extending back into the site towards the boundaries of residential properties within St Marys Road. The nearest part of the proposed building to the boundary with the St Marys Road properties would be two storeys (6.8m high) and would be located 8m away from the boundary with these neighbouring properties. This (rear most) part of the proposed building would be located between 26m and 28m away from the rear elevation of the nearest dwelling houses within St Marys Road (nos. 5-7). The three storey element of the proposed building would be located a further 4m back from the boundary with the St Marys Road properties. I am satisfied that, due to this separation and the height of the proposed building, it would not cause unacceptable overshadowing to these neighbouring residential properties nor appear overbearing from them.

- 6.22 I am also satisfied that the proposed building would not result in unacceptable overlooking to the residential properties in Waterloo Place located to the south of the site. Whilst first and second floor windows would be located within the south elevation of the building, they would be located over 30m away from the boundary of these residential properties and over 45m away from the rear elevation of the dwellings within this street.
- 6.23 The access to the site and parking spaces would be located next to the boundary with the residential property at 38 Quarry Hill Road. This boundary of the site is to now be defined by a 1.8m high acoustic fence which would help to reduce the level of noise experience by the neighbouring property as a result of vehicles accessing the application site.
- 6.24 The site is, of course, located within an urban area, close to the town centre and is on the main road leading into and out of Tonbridge to the south. The neighbouring properties are, therefore, already subject to a certain level of background noise arising from traffic generally, as well as the surrounding land uses. The proposal is for the 24/7 operation of a care home and there will, of course, be staff movements to/from the site in the evening (at 8pm) with the next shift at 8am, as well as deliveries and visitors to the site. Whilst such movements would take place throughout the week and weekend alike, the use is unlikely to cause such harm in terms of noise and general disturbance to the neighbouring properties as would warrant a recommendation to refuse permission. Of course, due to the nature of the use itself, care will need to be taken by staff and delivery vehicles to minimise disturbance to the residents themselves.
- 6.25 The building will include plant and equipment necessary to regulate the temperature of the building to an appropriate level. Information has been submitted detailing the position of ventilation flues and the location of roof plant on this building. It is also proposed to erect 1.5m high acoustic screening around the air source heat pumps located on the north side of the roof, to reduce their impact upon the neighbour's amenity. The measures put forward are considered to be acceptable in residential amenity terms. It has been queried as to whether the proposed acoustic screen around the roof plant would detract from the character of the locality. However, due to the height of the building and the position of the roof plant shown on the submitted roof plan, I am satisfied that it would not be readily apparent from public vantage points.
- 6.26 The building will include measures to protect the amenity of the care home residents from road traffic noise (the use of appropriate glazing).
- 6.27 Concerning the proposed electricity sub-station, this work would appear to be permitted development as defined within Schedule 2, Part 17, Class G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), and therefore does not need a specific planning permission from the Borough Council.



- 6.28 One of the residents considers there to be no need for this development. However, in this particular case, there is not a requirement to demonstrate that there is a need for this type of facility within the town. Notwithstanding this, Members will recall from recent discussions regarding other sites in the wider locality that there is a genuine need for this type of care facility in the Tonbridge area.
- 6.29 The development is for a care home that falls within use class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Consequently, the development does not generate a requirement for affordable housing provision.
- 6.30 In conclusion, the building, whilst being of a large size, is considered to fit comfortably within this urban site and has now been designed to respect the height and character of other buildings in the locality. Consequently, the development is considered to be acceptable in terms of its impact upon the street scene and the wider Conservation Area. The development is also considered to be acceptable in terms of parking issues and highway safety. It has also been designed to respect the amenity of neighbouring residential properties as well as that of the intended residents. Consequently, the development is considered to be acceptable in planning terms and I recommend that permission be granted.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 01.05.2014, Design and Access Statement dated 01.05.2014, Planning Statement dated 01.05.2014, Drainage Statement dated 01.05.2014, Ecological Assessment dated 01.05.2014, Noise Assessment dated 01.05.2014, Tree Report dated 01.05.2014, Contaminated Land Assessment dated 01.05.2014, Transport Statement dated 01.05.2014, Transport Statement ADDENDUM dated 01.05.2014, Location Plan 13-084-101 dated 01.05.2014, Site Plan 13-084-110 H dated 01.05.2014, Signage Drawing 13-084-111 A dated 01.05.2014, Proposed Floor Plans 13-084-119 A dated 01.05.2014, Proposed Floor Plans 13-084-120 I dated 01.05.2014, Proposed Floor Plans 13-084-121 H dated 01.05.2014, Proposed Floor Plans 13-084-122 H dated 01.05.2014, Proposed Roof Plan 13-084-135 B dated 01.05.2014, Proposed Elevations 13-084-150 B dated 01.05.2014, Proposed Elevations 13-084-151 B dated 01.05.2014, Section 13-084-152 B dated 01.05.2014, Elevations 13-084-153 dated 01.05.2014, Elevations 13-084-154 dated 01.05.2014, Planting Plan BRS.4350\_05-A dated 01.05.2014, E-mail dated 05.06.2014, subject to the following:

### **Conditions / Reasons**

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 development, other than the demolition of the existing buildings, 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. The scheme of soft landscaping and boundary treatment shown on the approved plans (as varied by email dated 05.06.2014) shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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 use shall not be commenced, nor the premises 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 1995 (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 noise mitigation measures specified in sections 5 and 6 of the Resound Acoustics Noise Assessment shall be incorporated into the building hereby approved prior to its occupation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenities of the building's occupiers and neighbouring properties.

6. The Bat mitigation works shown on drawing nos: 13-084-153 and 13-084-154 shall be implemented as part of the approved development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the ecological interests of the site.

7. No external lighting shall be installed until full 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.

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

8. No development, other than the demolition of the existing buildings, shall take place until details of hard surfacing materials to be used within the site have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

9. Any gateway to the access shall be set back 5.0 metres from the edge of the highway.

Reason: To enable vehicles to stand off the highway whilst any gates are being operated.

10. No development, other than the demolition of the existing buildings, shall take place until details of the covered bicycle stands have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

11. The construction of the boundary wall to the Quarry Hill Road frontage shall not take place until details of its design, materials and colour finishes have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

12. No development, other than the demolition of the existing buildings, shall take place until details of the finished floor level(s) in relation to the existing ground levels have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

- 13 The acoustic boundary fence shall be erected in accordance with the approved site plan 13-084-110 rev H (as clarified by email dated 05.06.2014) prior to the first occupation of the building hereby approved.

Reason: In the interests of residential amenity.

Contact: Matthew Broome