

**Tonbridge  
Medway**

**TM/21/02298/FL**

**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**

**Tonbridge P R S Medway Wharf Road Tonbridge Kent**

DPHEH:

Members please note that following confirmation from the Environment Agency, **condition 17** in the report has been amended to read as follows:

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 22.00mAOD.
  2. There is to be no residential uses at the ground floor of the development.
  3. The plant rooms for the development are to be located on the ground floor, however the Design Technical Note (REF 18156-HYD-XX-XX-TN-FR-0005 P02 | 02/03/22 | Hydrock) states that the plant rooms will be raised off the ground floor by 400mm to meet the 1 in 100 year plus climate change modelled level. As ground levels have been lowered to 22.00mAOD since this technical note was published, we would condition the following:
    - 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.
  4. The external and finished floor levels will be as proposed in the DWG ref 15772-102 Rev D, by the Harris Partnership dated 12.05.2022
  5. 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.

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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.

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**Hadlow (Hadlow) (a) TM/22/00101/FL**  
**Hadlow And East (b) TM/22/00102/LB**  
**Peckham**

**(a) Retrospective application for the removal of 3 windows and replacement with 3 black aluminium double glazed windows**

**(b) Listed Building Application: Retrospective application for the removal of 3 windows and replacement with 3 Black aluminium double glazed windows**

### **1 Hadlow Castle High Street Hadlow Tonbridge Kent TN11 0EG**

DPHEH:

Since publication of the main agenda papers, three comments have been received on application TM/22/00101/FL from one person, objecting to the development and summarised below:

- This is a very sensitive site – buildings are Grade I and Grade II\* Listed, therefore should be afforded highest level of protection.
- Replacement windows are adjacent to the tower and can be seen in key views from the south.
- The rectangular windows are standard windows/do not relate to the building.
- The lancet pattern white windows were not original but were a bespoke design using features of the original gothic building, in-keeping with the Tower.
- Windows should not have been removed without Listed Building Consent.
- The listing notice recognises that alterations have been made to the original house but identifies that the retained features and windows contribute to the overall group value of the range, as well as the setting of the tower.
- The modern windows with rectangular frames appear discordant, affecting the group value, affecting views of the Tower, are not in-keeping with the location and harm the Grade II\* Listed range and Grade I Listed Hadlow Tower.
- Set a precedent if they remain.
- Request the applications are refused and the windows are removed to allow reinstatement of the earlier windows, or replacement with suitable units, with enforcement action.
- The application fails to locate the work, to record the lost windows, does not provide evidence to justify the removal of the windows and installation of new windows, does not include any form of heritage impact assessment to demonstrate how harm is

mitigated by the design of the new windows and there is no assessment of significance.

- Insufficient reference has been made to Historic England Guidance.
- Wall was once part of the internal service court of the original house, being left exposed following demolition.
- Windows are often the single feature which contribute most to the character of historic buildings – their loss must be resisted.

Issues relating to the level of protection afforded to the Listed Buildings, acceptability of the units installed and assessment of the removal of the existing windows have already been addressed in the main report. Photographic evidence of the windows which have been removed will be provided during the committee presentation.

Questions relating to the level of information submitted are noted, however the non-inclusion of detailed information has been accounted for in the assessment of the applications and are considered to not affect the acceptability of the replacement windows. Notwithstanding this, it should be noted that an assessment and justification of the works has been provided within the Design and Access Statement, which is considered to be proportionate to the assets' importance given that the windows removed were modern, with two units comprising of UPVC.

In relation to the statement as to how Listed Building Consent should have been submitted prior to the removal of the windows, members should note that The Planning (Listed Buildings and Conservation Areas) Act 1990 does not preclude the submission and granting of retrospective Listed Building Consent.

The public comments state that if these applications were granted, they would set a precedent. However, this is not the case as each site and application is assessed on a site-by-site basis, with one previously approved scheme not being binding upon future decisions.

Concerns relating to the lack of reference to Historic England Guidance are noted. The Council is fully aware of such guidance, with the assessment and Committee Report specially referring to all relevant planning policy and legislation.

As such, in light of the above, the recommendations in the main agenda papers remain unchanged.