

REPORT SUMMARY

REFERENCE NO - 19/02384/FULL
APPLICATION PROPOSAL Demolition of existing house and garage; erection of a terrace of 5 dwellings, with associated parking, new access and landscaping.
ADDRESS 1 Hollyshaw Close Camden Park Royal Tunbridge Wells Kent TN2 5AB
RECOMMENDATION to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation)
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none">- The site is located within the Limits to Built Development where the principle of the development is considered acceptable.- The scale, location and design of the development would respect the context of the site and preserve the visual amenity of the street scene.- The proposal would preserve the character and appearance of the Conservation Area, Arcadian Area and Area of Landscape Importance.- There would not be any significant adverse impact upon occupants of neighbouring properties.- The proposed parking layout would make adequate independent parking provision for each resulting property and would facilitate safe access to the highway.- Other environmental impacts have been assessed and there are not any which are potentially significant and which cannot be controlled by conditions.
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL <p>The following are considered to be material to the application:</p> <p>Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A</p> <p>Net increase in numbers of jobs: N/A</p> <p>Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A</p> <p>The following are not considered to be material to the application:</p> <p>Estimated annual council tax benefit for Borough: £715</p> <p>Estimated annual council tax benefit total: £7218.12</p> <p>Annual New Homes Bonus (for first 4 years): £4000.00</p> <p>Estimated annual business rates benefits for Borough: N/A</p>
REASON FOR REFERRAL TO COMMITTEE <p>The application has been called into the planning committee by Councillor Pope for the following reason:</p> <p><i>“The scale of the proposed development and tree loss would harm the character and appearance of the Conservation Area with no public benefits and the number of responses to this planning application and related planning applications for this site shows a high level of local concern”.</i></p>

WARD Pantiles & St Marks	PARISH/TOWN COUNCIL N/A	APPLICANT Mr & Mrs Rachel Saunders Properties LLP AGENT Open Architecture	
DECISION DUE DATE 13/11/19	PUBLICITY EXPIRY DATE 21/10/19	OFFICER SITE VISIT DATE 30/09/19	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
18/03799/FULL	Demolition of house and garage and erection of a single dwelling and a new garage, realignment of vehicular access, plus landscaping	Approved	04/07/19
18/03726/FULL	Variation of Condition 2 (approved plans and documents) of Planning Permission 17/03582/FULL (Demolition of existing house and garage and erection of 5 No. dwellings with new access, parking and landscaping). Amendments include - changes to fenestration and doors; changes to private amenity space and basement ventilation; bat mitigation strategy; addition of roof lanterns and chimneys; and, internal amendments.	Withdrawn	15/02/19
17/03582/FULL	Demolition of existing house and garage and erection of 5 No. dwellings with new access, parking and landscaping	Approved	26/03/18
85/00670/FUL	Two storey extension, single storey extension, detached double garage	Approved	31/07/85
84/00280/OUT	Outline – Detached dwelling and garage	Withdrawn	12/03/84

MAIN REPORT

1.0 SITE LOCATION AND DESCRIPTION

- 1.01 The application site, 1 Hollyshaw Close is a large, detached two-storey dwelling. It is set within a large plot off Camden Park. The dwelling is set back from the highway. In front of the property is a detached double garage. The dwelling dates from the 1950s and has a rendered first floor above a brown stock brick.
- 1.02 The land levels rise from the road frontage towards the centre of the site and drop again towards the rear boundary. The properties to the rear and to the east are on lower level land than the application site. Adjoining the western boundary of the site is a driveway leading to nos. 2 and 3 Hollyshaw Close. To the west of this driveway is a Public Right of Way (PROW). Nos. 1, 2 and 3 Hollyshaw Close currently access their driveways off this PROW. There is another PROW on the opposite side of Camden Park that runs to the south of The Meadow (which is a designated area of Important Open Space).

1.03 The site lies within a Conservation Area (CA), Arcadian Area (AA) and Area of Landscape Importance (ALI). The area is characterised by large detached dwellings in large plots, with mature and attractive landscaping. The site is well landscaped and contains a number of mature trees. All the trees are protected by virtue of being within a CA. The following trees are protected by a Tree Preservation Order (030/2003):

- Group of limes along eastern boundary.
- Red oak in rear garden
- Ash towards the front of the site
- Oak tree (outside the application site adjacent to the shared driveway with 2 & 3 Hollyshaw Close)

1.04 Adjoining the driveway with nos. 2 and 3 Hollyshaw Close is a well-established rhododendron hedge, interspersed with trees. In the south-east corner of the garden is a small wooded area.

2.0 PROPOSAL

2.01 This application follows two previous approved applications, one submitted in 2017 under ref. 17/03582/FULL, which was approved in March 2018 for the demolition of the existing dwelling and garage and its replacement with five terraced dwellings.

2.02 In 2018, a second application was submitted for the demolition of the existing dwelling again but to replace it with one detached dwelling under ref. 18/03799/FULL, which was approved at Planning Committee in July 2019. Under this application there were extensive discussions with the Tree Officer and Landscape Officer and negotiations with the applicant to secure a comprehensive landscaping scheme with replacement trees.

2.03 This current application is an amalgamation of the two previous applications, with the proposed five terraced dwellings of the first application and the landscaping from the second application, but includes a few minor alterations to the design of the dwellings. The application proposes the following:

- Demolition of existing dwelling and garage and construction of a new building to provide five new dwellings.
- New access.
- Underground parking.
- The proposed building will be set back in its plot compared to the existing and occupy the widest part of the site.
- The proposed building would appear two storeys high (with additional roof space accommodation) and a basement providing underground parking. Four floors altogether.
- The roof space accommodation would be set back from the parapet wall.
- The proposed dwellings would have a small private garden area immediately adjacent to the rear elevation. The rest of the garden would remain open.
- The proposal would provide three, 4 bed dwellings and two, 5 bed dwellings.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area	0.38ha	0.38ha	No change
Car parking spaces	3	10	+7

No. of storeys	2	2 (excluding underground parking level and roofspace accommodation)	Note: Basement and accommodation in roof proposed
Max height (excluding chimneys)	7.8m	9.5m (excluding chimneys)	+1.7m
No. of residential units	1	5	+4
No. of bed spaces	7	27	+20

4.0 PLANNING CONSTRAINTS

- Ashdown Forest 15 Km Habitat Regulation Assessment Zone
- Tunbridge Wells Conservation Area (CA) (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)
- Inside the Limits to Built Development (LBD)
- Public Right of Way (PROW)
- Tree Preservation Order (TPO)
- Area of Landscape Importance (ALI)
- Tunbridge Wells Central Access Zone (Residential)
- Arcadian Area (AA)
- Adjacent to The Meadow, which is an Area of Important Open Space (Aeios)

5.0 POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework 2019 National Planning Practice Guidance

Tunbridge Wells Borough Core Strategy 2010

Core Policy 1: Delivery of development
Core Policy 3: Transport infrastructure
Core Policy 4: Environment
Core Policy 5: Sustainable design and construction
Core Policy 6: Housing provision
Core Policy 9: Development in Royal Tunbridge Wells

Tunbridge Wells Borough Local Plan 2006

Policy EN1: Development control criteria
Policy EN4: Demolition in Conservation Areas
Policy EN5: Development within, or affecting the character of, a Conservation Area
Policy EN13: Tree and woodland protection
Policy EN18: Flood risk
Policy EN21: Areas of Important Open Space
Policy EN22: Areas of Landscape Importance
Policy EN24: Arcadian Areas
Policy H5: Residential development within the Limits to Built Development
Policy TP4: Access to road network
Policy TP5: Vehicle parking standards
Policy TP6: Tunbridge Wells Central Access Zone (Residential) Vehicle Parking Standards
Policy TP9: Cycle Parking

Supplementary Planning Documents (SPD):

Rusthall & Royal Tunbridge Wells Conservation Area Appraisal 2000
Tunbridge Wells Borough Landscape Character Assessment 2017

6.0 LOCAL REPRESENTATIONS

6.01 Site notices were put up on 30/09/19 notifying neighbours of the application.

6.02 112 Letters of objection have been received with the following concerns:

- Unsafe access, increased traffic causing safety concerns for pedestrians and school children
- Increased traffic to surrounding roads
- Loss of number of mature trees causing harm to Conservation Area and wildlife. No justification for their removal
- Proposed landscaping does not take account of replacement Beech Tree
- No details of drainage, increased surface water will increase flooding which already occurs at bottom of SW Hill
- Size and height of proposal is out of keeping with area and visually prominent
- Light pollution from large windows and roof lanterns
- Large parking area to front is excessive
- Harm to Conservation Area and Arcadian area
- Drive is narrow, no allowance for passing cars
- Insufficient parking, garage spaces will not be used, no visitor parking
- Ecology measures are unacceptable, further details are required for enhancement
- Design is out of keeping with area
- Overdevelopment
- No Transport Study
- No S106 contributions for highways improvements
- Removal of large quantiles of rock and soil is unacceptable
- Not carbon neutral houses
- Loss of privacy
- Reference make to the Green Travel Plan
- Reference make to climate change emergency
- Concerns previous application for 5 dwellings included land which was not in applicants ownership and was not determined at committee
- Concern that proposal shows lift and potential to change to flats
- Increased noise
- Subsidence

Other matters which have been raised but are not planning matters

- Sets a precedent for felling trees
- Impact on house prices
- Covenant on land
- Large resale price of properties

7.0 CONSULTATIONS

Conservation Officer

7.01 04/10/19: This application is a very similar proposal to that approved under 17/03582, with just minor changes to red line, elevation treatment and clarification on the elevations of elements not shown on the previously approved plans. These changes have no impact on the previous conservation comments and remain supportive of the application.

- 7.02 Summary of comments from 2017 application from Conservation Officer:
1 Hollyshaw Close is a modern house located within a parkland setting. The current building does not contribute positively to the character and appearance of the CA, due to its prominent position and unremarkable architecture. Its demolition would not harm the significance of the CA. The CA Appraisal notes that large houses and parkland setting are the key characteristic of this part of the CA. The current building encroaches on the parkland setting and causes harm. The replacement of the existing building with one whose architectural merits are of greater quality and respect the 19th century character, and which is set further back, would preserve the special character of the CA in comparison with the existing.
- 7.03 Typical architectural feature drawings have been submitted. The details are robust and appropriate to the style and period. A single large house would be preferable, but despite the size some care has been taken to be faithful to the Classical orders and to appear as one large mansion. It will recede into the background somewhat due to the position and landscaping. The proposal will preserve the character of the CA.

KCC Public Rights of Way

- 7.04 Restricted Byway WB42 is adjacent to the site, following the north western boundary. From the information supplied, I do not believe the proposals will adversely affect the public right of way which is separated from the site by existing boundary fencing/hedging. The public right of way must remain open and available at all times. No materials or waste arising from the development should be stored on the public right of way.

Tree Officer

- 7.05 05/11/19: There are two significant arboricultural differences with the single-unit scheme: oak T64 is shown for removal (as per the original five-unit scheme) and there is inadequate space for the cherry avenue (reducing replanting numbers and the average size of new specimens).

It is suggested that a native, broadleaved specimen tree (not semi-mature, a heavy standard) to be planted just north of T35-T37, which would be longer-lived than the birches and help to define the corner of the wooded area – perhaps wild service, common alder, small-leaved lime or field maple. This would replace oak T64, which cannot be replaced in a nearer position.

- 7.06 Also suggested is a similar species to be planted instead of the proposed *Q. robur* between birch T13 and the *Q. frainetto* (and perhaps 3m to the west). The ultimate crown spread of English oak can reach 10m radius and not only would there be insufficient room for this individual to reach maturity but I think the *Q. frainetto* should remain the focal point of this area of the garden, in much the same way as the red oak is now.
- 7.07 The reduced area for tree planting in the northern end of the garden is unfortunate and will count against this scheme, though I recognise that there is precedent in the approved 2017 scheme.

TWBC Tree Officer (comments from 2018 application as extensive discussions were held regarding the landscaping under the previous application)

- 7.08 (12/06/19 and 18/06/19): Recommend Woodland Management Plan withdrawn from application due to ambiguities between the plans. No objection to trees proposed to be removed on landscape plan. Any future tree work would be controlled by a Tree in a Conservation Area notification application.

- 7.09 The species, density, quality and value of trees is variable across the site. The tallest trees are at the southern end of the site, particularly in the south-east corner where a row of limes are growing along the boundary with Chafford House. West of this row is a low, suppressed holly hedge, beyond which (but forming contiguous canopy cover with the limes) is a grove of mostly drawn-up, self-seeded birch, with an understorey of holly, rowan and English oak. Some of the birch trees are dead or have failed base. This grove is bounded to the west and north by various planted conifers including cypresses, firs and spruce, with a single, mature English oak to the north. This oak shows significant damage to the trunk and colonisation by honey fungus.
- 7.10 Along the southern site boundary, further to the west, is a tall, solitary birch and additional conifers. Set several metres from the boundary is a red oak, positioned as a feature specimen within the garden. This tree shows severe squirrel damage to most limbs and branches, which has impaired the structural integrity of the branches.
- 7.11 Planting along the eastern boundary is dominated by a rhododendron hedge mixed with cherry laurel in places. Several cherries and a cryptomeria are growing within and overtop the rhododendron, and a number of small ornamental and fruit trees (including apple, sweetgum and a young cedar) have been planted alongside the rhododendron.
- 7.12 The existing entrance to the site is dominated by an off-site oak growing near the northern edge of Hollyshaw Close. Some smaller trees are growing in the north-east corner and in the adjacent garden of Chafford House, including silver birch, goat willow, ash and Norway maple. None of these are particularly good specimens, but the northern-most individuals are readily visible along Camden Park and are in keeping with the sporadic tree cover to the north of the road.
- 7.13 The whole site was recently covered by a provisional area TPO (no. 003/2018), which was not confirmed, though some of the trees (specifically the row of limes, red oak and an ash on the frontage) are still protected by an older TPO (no. 030/2003) and all of the trees are within the CA.
- 7.14 The tree cover on this site is eclectic, the result of different objectives (or simply lack of management) in different areas of the site. Most of the trees are small and generally screened in public views. Such trees, particularly the ornamental and fruit trees near the rhododendron hedge and in the interior of the site, are not appropriate subjects of a long-term TPO and should not be considered constraints on the development.
- 7.15 The Camden Park CA Appraisal recommends the “retention of green cover” in this area. The retention of the following trees is especially desirable:
- the row of limes on the eastern boundary;
 - the adjacent group of birch and other broadleaves (as a whole; the retention of every tree within this group is not necessary or desirable);
 - the birch (T13) on the southern boundary;
 - the rhododendron/laurel hedge on the western boundary and the cherries planted within it.
- 7.16 A Woodland Management Plan has been submitted for the group of birch and other broadleaves. Whilst this group of trees would not normally be considered woodland as it is essentially a small group of self-seeded pioneer species in a private garden, the applicant has expressed a desire to retain the better specimens and augment them with new planting at woodland establishment densities, including with

understorey and ground flora species, effectively managing this area as a small amenity woodland. Given the number of defective or heavily suppressed trees in this area of the site and the scope for improvement, this approach is reasonable. If this planning application is approved, a woodland TPO would be placed on this area. This would automatically protect any new tree planting (unlike other forms of TPO) and would require a woodland management plan or equivalent information in a TPO application for any works to trees here. The submitted plan has various enforceable components (including tree species, planting quantities, boundary drawn to scale and a time limit), and would prevent the wholesale felling of trees in this area. However, it is noted that the 'wooded area' on the Woodland Management Plan does not appear to correspond to the 'Woodland Area' on the Proposed Landscaping plan.

- 7.17 The tallest conifers growing near the birches (noble fir T62 and Norway spruce T63) are visible in glimpses from Camden Park over the roof of the existing dwelling, but are incongruous with the adjacent limes, birches and oak which collectively have higher amenity, landscape and nature conservation value. The quality of T62 and T63 is not sufficient to warrant their retention.
- 7.18 It is noted that the red oak (T14) was included in a TPO application last year to be felled or reduced, and that the previous Tree Officer supported its retention. However, the previous Tree Officer recognised the limited potential of this specimen and in Informative 2 of that decision recommended a replacement tree be planted "in case this tree needs to be removed in the future". Removal of the red oak would maximise room for the replacement tree's growth and allow its most appropriate positioning. However, even with its poor form this tree is an important component of the garden's tree stock and the size and quality of the replacement tree should be commensurate to the value of the existing specimen.
- 7.19 The English oak (T64) may recover from the honey fungus and its removal would be premature loss. The largest tree near the existing site entrance shown for removal (goat willow T52) is, by virtue of its species and form, not of long-term potential and like the birch (T54) and ash (T53) is not prominent in the wider landscape. Some appropriate tree cover near the site entrance is desirable. The proposed fastigiate oaks would be more durable and attractive trees.
- 7.20 The proposals related to tree removals and planting are acceptable, subject to conditions. Conditions to include, at a minimum, submission of a tree protection plan, arboricultural method statement and details on the planting and aftercare of the replacement tree for the red oak (T14).

Tunbridge Wells Civic Society

- 7.21 03/10/19: This application is the sixth application from the same owner in less than two years and resembles 17/03582 to which we objected on grounds of scale, access, landscape impact and design. These objections remain, and are in some cases stronger. The house is too large for the site and out of keeping with the scale of its surroundings and neighbouring properties. It doesn't replicate the Camden Park pattern of large villas in spacious grounds, in 'which the buildings recede into the background' (Conservation Area Appraisal para 10.3.1). The proposed access to five substantial properties is now single track and results in three adjacent access lanes at a point where the road is crossed by an actively used footpath. The access requires the removal of three significant trees at the front of the site and we do not believe the space available will enable them to be replaced as illustrated; between 20 and 30 further trees will be removed elsewhere on the site, in addition to the site clearance which has already taken place, apparently without consent. The design of the house purports to be an essay in the Italianate style of the original Camden Park

mansions, but is more a pastiche regency, lacking the deep eaves, heavy mouldings and asymmetry of the surviving mansions. These proposals conflict with the adopted Local Plan in respect of Strategic Objective 1: *to protect the high quality environmental character of the area*, and Environmental Aims 11 and 12: *to create high quality, accessible and safe new environments and to ensure that development is compatible with neighbouring uses and to protect residential amenity*. In policy terms it fails under policies EN1, EN5, EN13 and EN24. The draft Local Plan now out for consultation lists Camden Park as a special example of an Arcadian Area (para 6.205), and it fails under draft policy EN19 which restricts development in Arcadian Areas.

Southern Water

7.22 11/11/19: Please find attached a plan of the sewer records showing the approximate position of a public foul sewer in the immediate vicinity of the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or new tree planting should be located within 3 metres on either side of the external edge of the public sewer.
- All existing infrastructure should be protected during the course of construction works.
- No new soakaways should be located within 5 metres of a public sewer.
- It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

8.0 APPLICANT'S SUPPORTING COMMENTS

8.01 Following the discussions with TWBC for the approved application 18/03799/FULL, the approved landscape has largely been carried over into this scheme. These include the approved landscape and tree works at the rear and side boundaries. The approved entrance gates and planting at the front of the site are also incorporated. As per the previous schemes intend remains to provide a considered landscape scheme that provides a viable long term strategy for the health and appearance of the plot, and provides a positive high quality contribution to the Camden Park area. This application also includes more detailed proposals for the soft and hard landscaping around the driveway and ramp, which features retained from the original approved scheme.

8.02 Amendments to the scheme include alterations to side windows at ground floor level, and swapping some of the rear windows for doors. The drawings have also been updated to show roof lanterns and chimneys on all elevations, including where they are visible only in the distance. The lightwells to the basement level have been replaced, removing the need for railings to the rear of every property. Some internal walls have also been repositioned to suit, including the removal of the bat loft (following the emergence survey, mitigation measures have been scaled back) as per the Corylus report. There is a nominal increase in GIA due to the inclusion of the approved lightwells. None of this is visible above ground, and will enable the railing to the rear to be removed. In summary, the proposed scheme incorporates all of the aspects of the previously approved.

9.0 BACKGROUND PAPERS AND PLANS

Application form

Site location plan
Existing and proposed site plan
Existing plans and elevations
Proposed plans and elevations
Design and access statement
Preliminary Ecological appraisal
Preliminary Ecological appraisal (update)
Proposed landscaping plan
Arboricultural Survey and Tree Protection Plan
Bat Emergence Survey Report
Bat Emergence letter (Sept 2019)
Details of confirmed Bat Roost
Heritage Statement

10.0 APPRAISAL

Principle of Development

10.01 Planning permission was granted on 26th March 2018 (17/03582/FULL) for the demolition of the existing dwelling and construction of a single building to provide five dwellings and this remains an extant consent. A second application was then granted permission at planning committee on the 04th July 2019 (18/03799/FULL) for the demolition of the existing dwelling and construction of one replacement dwelling, which is again extant. The proposal is very similar to the 2017 application but includes the proposed landscaping and access from the 2018 application along with some minor alterations to the design of the dwellings.

10.02 The principle of demolishing the existing dwelling and the construction of five new building for residential use has already been granted. The site is located within the Limits to Built Development of Tunbridge Wells. The principle of the proposal remains in accordance with Policy H5 of the Local Plan, which states:-

Within the Limits to Built Development, as defined on the Proposals Map, the following types of residential development will be permitted, provided that the comprehensive development of a site would not be prejudiced:

.....3) At Royal Tunbridge Wells; Southborough; Paddock Wood; Cranbrook and Highgate, Hawkhurst:

- (i) infilling;*
- (ii) the redevelopment of existing developed sites;*
- (iii) the inclusion of an element of residential use within a mixed use development;.....*

10.03 The proposal would result in a five for one replacement in terms of housing numbers and therefore the proposal would have a modest contribution of four dwellings (net) towards the 5 year housing land supply. In this case, the main issues for consideration are the changes proposed to the design of the dwelling; realignment of the access; tree loss; impact on residential amenity; impact on biodiversity; and flood risk, and these issues (along with all other material considerations) are discussed in greater detail below.

10.04 It is noted that comments received by residents state that this application should be determined without recognition to the previous applications. Each application is determined on its own merits, however, the relevant planning policies remain the same and the planning history of a site is a material consideration in the determination of an application and cannot be ignored.

Impact on the Conservation Area (CA), Arcadian Area (AA) and Area of Landscape Importance (ALI)

- 10.05 The proposed scheme retains the same size, massing, location, accommodation and overall appearance of the approved scheme 17/03583/FULL. Some minor amendments are proposed to amend architectural proposals. These minor changes are clearly demonstrated on the submitted proposed plans but include new basement ventilation, secondary windows to the flank elevations at ground floor, the removal of the lightwell and stair to basement and to be replaced with walk-over roof lights. Insertion of integrated bat tubes, increase in height of windows on south west elevation on ground floor, in section of roof lanterns, alteration to chimneys and internal alterations. It is considered that the proposals are small changes which would not appear significantly different from the 2017 approved plans. The access however, does differ from the 2017 plans and shows the approved access from the 2018 plans.
- 10.06 While the proposal is really for the minor changes and the landscape changes it is noted that there are still a significant amount of objection to the proposal. Therefore the assessment of the development as a whole will be looked at again.
- 10.07 Camden Park forms part of the Tunbridge Wells CA. Para 10.2.7 of the CA Appraisal states that in Camden Park *‘a significant amount of modern infill development has taken place during the latter half of the 20th century and this has impacted upon the historic character of the area. Where the character of the original houses is to recede into the planting and landscape of their surroundings, more recent additions tend to stand out. Design factors include the loss of planting cover and the arrangements of frontage areas for car parking rather than as gardens, as well as the plainer architectural forms and detailing’.*
- 10.08 The existing dwelling is considered to be of low architectural merit. To the front of the property is a large area of hardstanding and a garage. The existing property, garage and area of hardstanding are highly visible from the public realm and do not make a positive contribution to the character and appearance of the CA, AA and ALI. From a heritage point of view, there is no objection to demolition of the existing buildings and the proposal therefore complies with Policy EN4 of the Local Plan.
- 10.09 Camden Park is characterised by large detached dwellings in large plots where the landscape setting is an important part of the character of the area. The existing dwelling and garage are highly visible from the public realm. The proposal would see the new building be set back into the plot, which is the same location as the previous two approved applications. It is considered that by pushing the development back into the plot it will be more in keeping with the area and also help to conceal the additional bulk so it will be less prominent.
- 10.10 The Conservation Officer has again been consulted on the new proposal and notes that this application is very similar to the 2017 approval with some minor changes to the red line, elevation treatment and clarification on the elevations of elements not shown on the previously approved plans. It is considered that these changes have no impact on the previous conservation comments and they remain supportive of the application.
- 10.11 For clarification the summary of comments from the 2017 application from the Conservation Officer stated that the replacement of the existing building with one whose architectural merits are of greater quality and respect the 19th century character, and which is set further back, would preserve the special character of the

CA in comparison with the existing. It was considered that the submitted architectural details are robust and appropriate to the style and period of the area. While a single large house would be preferable, it is accepted that despite the size some care has been taken to be faithful to the Classical orders and to appear as one large mansion. It was considered that it would recede into the background somewhat due to the position and landscaping and that the proposal will preserve the character of the CA.

- 10.12 As well as being part of the CA the site is also part of the Tunbridge Well Arcadian Area where Planning Policy EN24 states: Proposals for development which would affect the character or appearance of an Arcadian Area, will only be permitted if all of the following criteria are satisfied:
1. The proposal would result in a low density of development where building heights, site coverage, distance from site boundaries, and front and rear building lines respect the predominant characteristics of the area;
 2. Landscaping would dominate within the site and along boundaries;
 3. Access widths would be narrow; and
 4. Buildings and parking would be well concealed in views from public places.
- 10.13 The proposal for five units on the site would increase the density from the existing, however, it is considered to still remain relatively low for the size of the site at 13 dwellings per hectare. While the proposal is different to the immediate neighbouring properties it is still considered to reflect the scale and form of other dwellings in Camden Park particularly to the northern part where there are larger dwellings which spread across the width of the plot with small space between each plot and there is no harm to the Arcadian Area caused by the proposal.
- 10.14 Concerns from residents have been raised with the larger footprint, bulk and height than the existing dwelling, and how it has been located at the highest point of the plot. However, the building would still have the appearance of a two storey dwelling which accommodation in the roof and the benefit of setting it back into the plot, will help ensure it is not prominent in the street scene. Furthermore, additional planting around the side, front and rear boundaries would help to give the property an appropriate landscaped setting.
- 10.15 Comments have also been received with regard to the proposed amount of hardstanding and drive to the front of the building; however this has been kept to a minimum with the main parking area placed underneath the building to keep it off the front garden and the access width kept narrow in compliance with policy EN24. Also in comparison to the amount of existing parking (including garage) to the front of the dwelling the proposal is considered to be an improvement.
- 10.16 The proposed building, in design terms, would have greater architectural merit than the existing dwelling. Architectural feature drawings have been submitted, which the Conservation Officer considers are robust and appropriate to the style and period.
- 10.17 While it will be visible from the public realm and adjoining residential properties it is considered that large parts of it will recede into the background somewhat due to the position and landscaping, which is supported by the Conservation Officer as it is more typical of development in the locality. The underground parking and open gardens help to retain the landscaped setting and sense of openness. Although, it is larger than the existing dwelling and occupies a greater proportion of the width of the plot; it is considered that the proposal would preserve the character and appearance of the CA, AA and ALI.

10.20 It is acknowledged that the proposed building differs in character from those immediately adjoining the site. However, it reflects the scale and form of dwellings particularly along the northern part of Camden Park. The proposed building is well designed and would have greater architectural merit than the existing dwelling. It would be visible from the public realm and adjoining residential properties. However, it would recede into the background somewhat due to its siting and the proposed landscaping. Although, it is larger than the existing dwelling, it would be an appropriate scale for the plot and the design rationale. In comparison to the previously approved scheme, the proposal represents a reduction in built form, increasing the opportunities for landscaping around the building. Although there would be tree loss (which is discussed in detail below), a comprehensive replanting scheme is proposed which is supported by the Council's Tree Officer and Landscape & Biodiversity Officer. The overall scheme is considered to be an improvement when compared to the previous 2017 approved scheme and would preserve the character and appearance of the CA, AA and ALI.

Impact on residential amenity

- 10.21 The proposed development would intensify the use of the site, from one to five dwellings. This will result in additional disturbance (noise, traffic and light pollution) to adjoining properties; however, it is not considered that this would be significant to warrant a refusal due to the existing residential nature of the site and surrounding area.
- 10.22 Nos. 2 and 3 Hollyshaw Close are located to the rear of the site. The proposed building would be set back in its plot compared to the existing dwelling and would be larger and higher than the existing dwelling. The proposed development would be noticeable from adjoining residential properties; however, given the length of the rear garden (over 29m) it is not considered that the proposal would be unduly harmful to the residential amenity of the adjoining occupiers in terms of loss of privacy, loss of daylight/sunlight and overbearing. Additional planting is proposed around the side and rear boundaries of the property, which will over time help to soften the impact of the building and provide some screening even when considering the loss of trees as part of the proposal. Furthermore, the plot backs on to the front of nos 2 and 3, which is less of a concern than if it was back to back development.
- 10.23 The proposal would also be visible from properties to the north of the PROW. The proposal would be larger than the existing dwelling and come closer to the north-west boundary. It would therefore have a greater impact on neighbouring properties than the existing. The dwellings known as 'Fratton' and 'Silver Birches' would be separated from the application site by the PROW and the vehicular access to nos. 2 and 3 Hollyshaw Close. Tree planting is proposed along the north-west boundary. No windows are proposed above ground floor level on the side elevations of the development, however, balconies are proposed on the front and rear elevations. The proposal would have a greater impact on neighbouring properties than the existing dwelling; however, given the distance and physical separation of the site (by PROW and driveway), it is considered that the proposed development would not be unduly harmful to neighbouring residential amenity in terms of overlooking, loss of light, overbearing and noise.
- 10.24 Chafford House is sited to the south-east of the site and is located on lower level land. Given the change in levels, size, design and materials proposed, the proposed development would have an impact on this property. No windows are proposed on the side elevation above ground floor level. However, as stated above balconies are

proposed on the front and rear elevations. There are some existing trees along this boundary, which are within the neighbour's ownership. There would now be approximately 6m (at the narrowest point) between the side of the building and the south-east boundary. Additional tree planting is proposed along this boundary. This will help to soften the visual impact of the development on this neighbour and reduce overlooking. The proposal would result in some harm to this property; however, given the distance and relationship between properties and the size, design, siting and landscaping of the proposal, it is not considered that the proposal would result in significant harm in terms of overbearing, overlooking and loss of daylight/sunlight to warrant a refusal.

- 10.25 The proposal by reason of its size, design, siting and landscaping would not result in significant harm to the residential amenity of adjoining occupiers when assessed against Policy EN1 of the Local Plan.

Highway safety and parking

- 10.26 Hollyshaw Close and this part of Camden Park are not part of the public highway. This part of Camden Park is a no through road and is not heavily trafficked. It is popular with pedestrians due to its quiet and attractive landscaped setting with good footpath links to the town centre and local schools. At present the property has a shared driveway with nos. 2 and 3 Hollyshaw Close, which is accessed off the PROW.
- 10.27 The 2017 approved scheme included a new vehicular access onto Camden Park, which was considered acceptable. However, prior to the 2018 application it was identified by the applicant that that part of the approved access would be on land outside of the applicant's ownership. The 2018 proposal sort to realign this access, to ensure all the access is on land within the applicant's ownership this was then approved.
- 10.28 The proposal now seeks to use the approved access point from the 2018 for the one dwelling for this current five unit scheme. The new access would be sited in close proximity to the access to the adjoining PROW and driveway to nos. 2 and 3. Low level planting would be required close to the entrance to ensure visibility is not obscured for the proposed access and neighbouring driveway. Although the proposal would intensify vehicular movements in this quiet part of Camden Park it is not considered that the development would result in a significant increase in vehicular movements. There would be a net increase of 4 units on the site, which is considered to be relatively low with regard to car trips generated. It is noted that the access is close to an existing PROW which is used by parents and children going to Claremont Primary School and links with three other public routes. However, this is an existing situation where people already have to negotiate the road. The addition of four dwellings to this junction is not considered to be significant enough to be harmful to highway safety or resulting in a significant increase to traffic to surrounding roads to warrant a refusal. Furthermore, Camden Park is already a reasonably quiet road with little traffic. There is also a speed bump close to the access and cars would either be turning into one of the dwellings or traveling up the track to the south east which is narrow, therefore cars would be traveling a low speed levels.
- 10.29 The site is located within a highly sustainable location, close to facilities, services and public transport links. The site lies within the Tunbridge Wells Central Access Zone (Residential). Policy TP6 of the Local Plan states that within this zone a maximum of one parking space per dwelling applies. An underground car park is proposed for the development with two spaces per unit. Two drop off spaces are also proposed to the front of the building for delivery vehicles and these could also be used by visitors. A number of objections have been received about the lack of parking and impact of

overspill parking on the landscape and public highway. The development has been designed to appear as one house. Given the size of the dwellings, the design approach (to appear as one single dwelling) and the sensitivity of the site (CA, AA and ALI); no objection is raised to two parking spaces per unit. The provision of underground parking benefits the scheme by reducing the amount of parking visible from the public realm accordance with policy EN24. Comments have been made that garages tend not to be used, and the underground parking would not be used for parking and residents would park on Camden Park. The underground car parking shows 2.5m wide parking spaces, which is a little small as normally 2.6m is expected for garage style parking, however it is noted that the whole space for each dwelling is between 6-7m so there is sufficient room for two cars. Furthermore residents are more likely to want to park their cars in a secure location rather than on the road away from their property.

- 10.30 Comments have also been received that the access into the site is only a single track lane with no passing places. However, the drive includes turning space which would allow motorists to see down the drive to check for on coming cars. It is considered that five units is not going to cause a significant level of traffic where cars will be waiting to come in and out of the site and the provision of passing places or a drive wide enough for two cars would be disproportionate and in itself harmful to the character of the area. Furthermore it is noted that this is a similar situation for people traveling east along Camden Park towards other properties such as Chafford House, Hollyshaw, East House, The Oaks etc. This is a single track lane and provides access for approximately 14 properties.
- 10.31 The ramp to the underground car park would be in close proximity to the north-west boundary, however, it is considered that there is sufficient space along this boundary for planting to provide some additional screening. A store is provided within the basement of each property, which could be used for cycle parking.
- 10.32 Lastly comments have been made about why no transport statement has been included. These are only mandatory for largescale major development and this application is not classed as such. A request for a transport statement for a net increase of four houses would not be reasonable.

Biodiversity

- 10.33 A Preliminary Ecological Appraisal was submitted with application 17/03582 which confirmed that the existing building was being used as a bat roost. The Preliminary Ecological Appraisal recommended that emergence surveys were carried out during the bat active season to establish the size and nature of the roost. An update to the Preliminary Ecological Appraisal has also been provided.
- 10.34 A Bat Emergency Survey has been submitted with the current application. The applicant's ecologist concludes that *"the building is used by a low number of brown-long eared bats on an infrequent basis but no maternity roost of any species is present"*. Given the status of the identified roost, a bat loft is not required. The applicant's ecologist recommends that six bat access tiles, a bat tube and a bat box are proposed as mitigation. The applicant would also have to apply for a European Protected Species Licence from Natural England. The Council's Landscape & Biodiversity Officer acknowledges that the bats present are a common species of low conservation concern. In this case, it is considered that mitigation can be dealt with by condition, which would maintain the population of species. Details of external lighting can also be secured by condition in order to minimise light disturbance to the bats.

- 10.35 The site contains some areas of semi-natural habitat at the periphery and some mature trees, however, it is essentially garden. Being a garden, any value to wildlife is dependent upon the management regime employed by the owners which is normally beyond the control of planning. There is a relatively low possibility that reptiles, dormice, hedgehogs and other protected species might be encountered during the works; however, provided that a scheme of avoidance, mitigation and enhancement is secured by way of a planning condition together with a management plan for key areas, there is every reason to assume that these key species would not be harmed and biodiversity more generally would be enhanced as part of the development. An informative is recommended stating that should protected species be found during works, all works must stop and further advice sought from a suitably qualified ecologist.
- 10.36 It has been recommended that habitat clearance work should take place outside the main nesting season (March and August inclusive), this has been included as a condition.
- 10.37 Neighbours have raised concerns that the proposal may impact on badgers and their setts. However, no evidence of badgers or badger setts were found on site during the Extended Phase 1 Habitat Survey. Should badgers or their setts be found on site during works then these are protected by law under The Badger Act (1992).
- 10.38 In this case, ecological mitigation and enhancement measures can be secured by condition to preserve and enhance species and habitats on site. Additional planting would enhance the provision of habitats for native species. Details of external lighting can be required by condition, in order to protect bats and prevent light pollution.

Impact on trees

- 10.39 The proposal seeks to remove a number of trees to facilitate the development. This application has been subject to careful consideration by the Council's Tree Officer. Following concerns raised by Officers and members of the public regarding tree loss under the 2018 application, a meeting was held on site to discuss the tree works. As a result of this meeting, amended landscaping plans were submitted, reducing the extent of tree loss and providing additional tree planting.
- 10.40 The current scheme which now proposes the five dwellings with the addition of the majority of the landscaping agreed in the 2018 application. These include the approved landscape and tree works at the rear and side boundaries. The approved entrance gates and planting at the front of the site are also incorporated. This application also includes more detailed proposals for the soft and hard landscaping around the driveway and ramp, which features retained from the original approved scheme.
- 10.41 The Tree Officer has confirmed that there are two significant arboricultural differences with the single-unit scheme: oak T64 is shown for removal (as per the original five-unit scheme) and there is now inadequate space for the cherry avenue (reducing replanting numbers and the average size of new specimens).
- 10.42 It is suggested that a native, broadleaved specimen tree (not semi-mature, a heavy standard) to be planted just north of T35-T37, which would be longer-lived than the birches and help to define the corner of the wooded area – perhaps wild service, common alder, small-leaved lime or field maple. This would replace oak T64, which cannot be replaced in a nearer position.

- 10.43 Also suggested is a similar species to be planted instead of the proposed Common Oak between birch T13 and the Hungarian/Italian Oak (and perhaps 3m to the west). The ultimate crown spread of English oak can reach 10m radius and not only would there be insufficient room for this individual to reach maturity but the Hungarian/Italian Oak should remain the focal point of this area of the garden, in much the same way as the red oak is now.
- 10.44 The Landscaping Designer and the Tree Officer have been in discussions about the landscaping plan, and it was agreed that additional trees should be planted to the rear of the site to make up for the loss of the other trees. In addition it was also requested that a landscaping/maintenance statement be submitted with details the planting and planning compliance, in addition to details about biodiversity enhancement measures. The amended plan and additional details have been submitted and the tree officer finds these acceptable.
- 10.45 The rest of the landscaping is largely the same as the approved 2018 application which can be read in the 2018 committee report. Although the proposal would result in tree loss, significant tree planting is proposed as part of the development in order to preserve the character and appearance of the CA, AA, ALI, the biodiversity value of the site and help to mitigate climate change and air pollution.

Other material considerations

- 10.46 Concerns have been raised in respect to the impact of the development on flooding and drainage. The site does not lie in an area at high risk of flooding; however, drainage is often problematic at times of high rainfall. Further details of the excavation works; the impact the development would have in respect to flooding/drainage; and details of where the spoil will be taken will be required by condition to ensure the proposal does not increase water runoff or flooding in the locality and that the spoil is disposed of appropriately. Although a number of trees would be removed, a large number of new trees are proposed to be planted, particularly along the boundary with no. 2 Hollyshaw Close where concerns about water runoff have been raised.
- 10.47 There have been comments from neighbours who are concerned that the additional windows and roof lanterns would result in light pollution. However it is considered that this would not be significantly more harmful than an existing single dwelling on the site. Furthermore a dwelling along Camden Park could change the size of windows and insert roof light under permitted development. While it is agreed that the area is darker than surrounding edge of centre locations and may impact bat species, however, light pollution effecting bats is usually from street lights and external security lighting which emit UV lighting. It is considered that the internal light blubs are very unlikely to be UV or a high level of UV and would not be constantly on during the night. The level of light produced is considered to be minor and there would still be dark commuting corridors for foraging and commuting bats in and around the area.
- 10.48 A comment has been made about how there are no S106 contributions towards highway improvements. However, due to the low level of dwellings the contribution policies do not apply.
- 10.49 Comments have been made about the fact that the plans show the properties to have lifts and that it would be the intension to turn them into flats at a later date. This application is for five dwellings, if they were to be turned into flats planning permission would be required and whether such a proposal would be acceptable would be determined at that point, not under this application.

- 10.50 The proposed development would not be harmful to the appearance or open character of The Meadow, which is classified as an Area of Important Open Space.
- 10.51 Concerns have been raised regarding land stability caused by the proposed building. In planning, land stability can be a consideration; however it relates to the land stability of the land the development is being built on upon and is mainly a consideration when a development is taking place above old mines and unstable land, not impact upon neighbouring gardens. The potential impact upon or damage to neighbouring properties is a civil matter and paragraph 179 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 10.52 Reference from some neighbours has been made with regard to the properties not being carbon neutral houses and the climate change emergency. Core policy 2 of the core strategy 5 refers to Sustainable Design and Construction. The policy refers to the Borough Council encouraging sustainable design and construction principals and best practice in order to combat avoidable causes of climate change. All new developments will be expected to:
1. Make efficient use of water resources and protect water quality
 2. Be located in accordance with the PPS25 sequential test, generally outside of the Borough's high risk flood zones
 3. Have regard to, and implement, South East Plan renewable energy and energy efficiency targets, as well as wider carbon reduction targets
 4. Manage, and seek to reduce, air, light, soil and noise pollution levels
 5. Be designed to minimise waste creation and disposal throughout the lifetime of the development
- Developments will also be of high-quality design, which will:
6. Create safe, accessible, legible(7) and adaptable environments
 7. Conserve and enhance the public realm
- 10.54 Following a discussion with the agent it has been confirmed that the overall development is intended to be constructed using a low carbon/high efficiency strategy based on a 'fabric first' approach. The design of the building fabric will include high levels of insulation to standards in excess of the building regulations to ensure a high level of thermal performance. The building will include thermally efficient load bearing elements utilising modern methods of construction with sustainably sourced materials. The scheme will far exceed the carbon reduction targets set out within Part L of the building regulations – achieving this will include using high efficiency gas-fired condensing boilers, low water consumption appliances & fittings, plus low energy lighting.
- 10.55 Through the combination of the above, the overall development will achieve a high level of sustainable energy performance with a final expected energy performance certificate rating of A-C. This will be conditioned to ensure that this high level of sustainable energy performance is met.

Conclusion

- 10.51 The principle of demolishing the existing dwelling and constructing five new units is acceptable when considered against the policies of the Development Plan, predominantly Policy H5 of the 2006 Local Plan. This proposal has already been agreed as part of application 17/03582 for that reason. The proposed development

remains very similar to the approved 2017 application and includes the extensive landscaping plans from the approved 2018 application. The amendments to the scheme are considered acceptable and would not significantly appear different from what was previously approved and the design approach is supported by the Conservation Officer. The access would result in the loss of some trees along the frontage; however, the proposed tree planting would ensure there is no harm to the character and appearance of the CA, AA and ALI. The realigned access would not be harmful to highway safety. The proposed development would not result in significant harm to the residential amenity of neighbouring properties. Although, the proposal would result in the loss of a large number of trees, a comprehensive landscaping scheme is proposed, which includes significant tree planting. Subject to conditions, the proposed development would preserve and has the potential to enhance biodiversity on site. The proposed development would preserve the character and appearance of the CA, AA and ALI.

11.0 RECOMMENDATION – GRANT Subject to the following conditions

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers:

Proposed Site Layout, 17046-P1100
Proposed basement plan ,17046-P1300
Proposed ground floor plan, 17046-P1301
Proposed first floor plan, 17046-P1302
Proposed second floor plan, 17046-P1303
Proposed roof plan, 17046-P1304
Proposed sections, 17046-P1400
Proposed elevations, 17046-P1450
Proposed landscaping, 17046-P1160-P1
Email received 02nd December 2019 re: Sustainable construction

Reason: To clarify which plans have been approved.

- (3) Prior to any above ground construction of the new building hereby approved, written details of all materials to be used externally, including source/ manufacturer of bricks, tiles and cladding materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved external materials.

Reason: These details are required prior to the commencement of construction, in the interests of visual amenity.

- (4) Prior to the installation of doors and windows, a joinery section, elevation and plan (scale 1:5 or 1:10) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include finishes. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (5) Prior to the installation of any means of enclosure to include gates, walls, fences, posts and railings, 1:20 or 1:50 scale elevation drawings, including details of materials and finishes, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- (6) Prior to the commencement of site clearance, demolition or construction works, a scheme for biodiversity avoidance, mitigation and enhancement, including a biodiversity management plan for the woodland area shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. The biodiversity enhancement measures shall be fully installed/implemented prior to the first occupation of the development hereby approved and thereafter retained.

Reason: This information is required prior to the commencement of the development in order to preserve and enhance protected species.

- (7) No demolition, construction or ground works shall take place until an Arboricultural Method Statement in accordance with the current edition of BS: 5837 has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: The condition is required pre commencement as it is 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.

- (8) No development shall take place until details of tree protection in accordance with the current edition of BS: 5837 have been submitted to and approved in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre-commencement operations approved in writing by the Local Planning Authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the prior written consent of the Local Planning Authority.

Reason: The condition is required pre commencement to safeguard existing trees to be retained, including those off site, and mitigate impacts from demolition and construction which could lead to their early loss.

- (9) Prior to the felling of the red oak, details of the planting and aftercare for the replacement tree shall be submitted to and approved in writing by the Local Planning Authority. The replacement tree shall be planted prior to the first occupation of the dwelling hereby approved. The planting and aftercare shall be carried out in

accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, residential amenity and to preserve and enhance biodiversity.

- (10) Prior to the first occupation of the dwelling hereby approved, the proposed hard and soft landscaping as shown on drawing 17046-P1160-P1 shall be implemented in full. The works shall be carried out in accordance with the submitted Arboricultural Works Statement dated 26th August 2019 and the planting and planning compliance report received 11th November 2019. All hard and soft landscaping works shall be carried out in accordance with the approved details. Any trees or plants which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In the interests of visual amenity, residential amenity and to preserve and enhance biodiversity.

- (11) Prior to the installation of any external lighting on site, details of external lighting shall be submitted to, and approved in writing by the Local Planning Authority. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution.

- (12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no development shall be carried out within Classes A, B, C, D, E and F of Part 1 of Schedule 2 of that Order without prior approval of the Local Planning Authority.

Reason: To protect the character and appearance of the Conservation Area and in the interests of residential amenity.

- (13) The area shown on drawing numbers 17046-P1100 and 17046-P1300 as vehicle parking and turning space, shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the first occupation of any part of the development hereby approved, and shall be retained for the use of the occupiers of, and visitors to, the development and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position 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 parking inconvenient to other road users, also in the interests of visual amenity.

- (14) Details of any services to be laid within the Root Protection Areas of the trees shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works. The details shall show that the services are to be laid with regard to National Joint Utilities Group Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees Volume 4. Once approved the development shall be carried out in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

Reason: This information is required prior to the commencement of above ground works, to ensure adequate tree protection during construction/demolition works.

- (15) Prior to the construction of the development, details of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the dwellings and thereafter retained.

Reason: This information is required prior to the construction of the development in order to ensure satisfactory drainage, minimise water runoff to neighbouring properties and in the interests of sustainable development.

- (16) Prior to the commencement of any earthworks, details of all earthworks and levels shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- Topographic survey of the existing site;
- Site plan with contours and spot heights, indicating existing and proposed ground levels;
- Comparative plans showing existing and proposed levels for the new buildings;
- The proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform and the proposed buildings; and,
- Details of where the spoil will be disposed of.

The works shall be carried out in accordance with these approved details

Reason: In the interests of visual and residential amenity.

- (17) Prior to the first occupation of the dwellings hereby approved, a garden management plan for the communal areas shall be submitted to and approved in writing by the Local Planning Authority. Domestic paraphernalia (including washing lines, trampolines etc.) shall not be permitted within the communal gardens at any time.

Reason: In the interests of visual amenity.

INFORMATIVES

- (1) The public right of way must remain open and available at all times. No materials or waste arising from the development should be stored on the public rights of way.
- (2) The applicant's attention is drawn to the Mid Kent Environmental Code of Development Practice, which is available to view at www.tunbridgewells.gov.uk. The construction works shall be carried out in accordance with this guidance.

- (3) As part of Condition 18, it is recommended that the access gates are set back 5 metres into the plot from the road to ensure that when vehicles enter the site they do not overhang and inconvenience other road users.
- (4) Habitat clearance work should take place outside the main nesting season (March and August inclusive). Should this not be possible, all trees and shrubs must be inspected by an ecologist to determine the presence of any nesting birds prior to any clearance works being carried out.

Case Officer: Charlotte Oben

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.