

REPORT SUMMARY

REFERENCE NO - 19/03426/FULL			
APPLICATION PROPOSAL Utility room extension to side of house and erection of garage building with room in roof			
ADDRESS Tadpoles 6 Blatchington Road Royal Tunbridge Wells Kent TN2 5EG			
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. - There would not be any significant adverse impact upon occupants of neighbouring properties. - The proposal would not result in a significant increased risk of flooding in the area. 			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL			
The following are considered to be material to the application:			
Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A			
Net increase in numbers of jobs: N/A			
Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A			
The following are not considered to be material to the application:			
Estimated annual council tax benefit for Borough: N/A			
Estimated annual council tax benefit total: N/A			
Annual New Homes Bonus (for first year): N/A			
Estimated annual business rates benefits for Borough: N/A			
REASON FOR REFERRAL TO COMMITTEE			
The application has been called into the planning committee by Councillor Scholes for the following reasons:			
Material planning considerations: For further consideration due to the impact of the development in regards to surface water run off and flooding in the area.			
Reasons that warrant discussion at Committee: Important that the determination of the application be undertaken by Committee given the particular nature of the site and area.			
WARD Pantiles & St Marks	PARISH/TOWN COUNCIL N/A	APPLICANT Mr & Mrs S Hutt AGENT Mr Andrew Gerken	
EOT 13/05/20	PUBLICITY EXPIRY DATE 03/03/20	OFFICER SITE VISIT DATE Various	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
16/501663/FULL	Erection of replacement detached garage and demolition of existing bike store.	Approved	14/04/16

12/03333/FULL	Retrospective - Detached outbuilding and lean-to bicycle store	Approved	03/01/13
12/00699/FULL	Single storey rear extension and installation of velux roof windows in side lean-to	Approved	01/05/12
74/00702	Three marley garages.	Approved	29/11/74

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site is located Inside the Limits to Built Development and within the Madeira Park and Warwick Park Conservation Area in a residential low-medium density built area, to the south-eastern side of Blatchington Road. A culvert also runs across the western side of the site.
- 1.02 Neighbouring properties include no. 4 Blatchington Road to the south-western side of the site, approximately 13 metres away from the proposed development, separated by a mix of close boarded fencing and high laurel hedging. No. 8 Blatchington Road is to the north-eastern side, also approximately 13 metres from the proposed development. No. 13 and 15 Blatchington Road are to the front (north-west) of the site, over 30 metres from the proposed development. To the rear (south-east) of the site is backs onto the rear garden of 57 Warwick Park.
- 1.03 The host property is a 2.5 storey detached dwelling. The site is fronted by a driveway (extending to the side of the house towards a detached single bay garage to the south-western side of the house), and a small lawn to the front left hand side of the house. Boundary treatment is provided by a well established laurel hedge. To the rear of the site, exists a small outbuilding and attached bike store, which is separated from the garage by a close boarded fence and side gate.

2.0 PROPOSAL

- 2.01 The application seeks permission for Utility room extension to side of house and erection of garage building with room in roof
- 2.02 The utility room would infill the south western corner of the host-dwelling, extend slightly past the flank wall and have a pitched roof.
- 2.03 A detached garage is proposed to the western side of the main house in a similar position to the existing garage.
- 2.04 The materials would be brick and tile hanging with tiles roof to match existing.
- 2.05 Plans also show the brick wall surrounding the external staircase would be increased in height.

3.0 SUMMARY INFORMATION

Extension	Proposed
Max height	4.6m
Max eaves height	3.0m
Max width	2.6m
Max depth	5.4m

Garage	Existing	Proposed	Change (+/-)	Previously approved (16/501663/FULL)	Change (Previously approved & proposed) (+/-)
No. of storeys	1	2	+1	1	+1
Max height	3.00m	5.50m	+2.50m	5.30m	+0.2m
Max eaves height	1.90m	2.90m	+1.00m	3.0m	-0.1m
Max width	3.10m	5.50m	+2.40m	5.50m	0.0m
Max depth	4.95m	10.20m	+5.25m	10.30m	-0.1m
Parking spaces	1	2	+1	2	0.0m

4.0 PLANNING CONSTRAINTS

- Madeira Park And Warwick Park Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)
- Limits to built development INSIDE LBD1
- Local Plan 2006 Tunbridge Wells Central Access Zone (Residential) - TP6
- Public Access Land Mount Sion Village Green, Berkeley Road, Tunbridge Wells
- Wind Turbine Development Consultation Area Biggin Hill Airport

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) 2019 National Planning Practice Guidance (NPPG)

Tunbridge Wells Borough Core Strategy 2010

Core Policy 4: Environment

Core Policy 5: Sustainable Design and Construction

Core Policy 9: Development in Royal Tunbridge Wells

Tunbridge Wells Borough Local Plan 2006

EN1: Development Control Criteria

EN4: Demolition in Conservation Areas

EN5: Development within, or affecting the character of, a Conservation Area

EN16: Protection of groundwater and other watercourses

EN18: Flood Risk

TP6: Tunbridge Wells Central Access Zone (residential) Vehicle Parking Standards

Other relevant documents

Madeira Park and Warwick Park Conservation Area Appraisal

KCC Flood Investigation Report: Flooding affecting the Tunbridge Wells Area on 19 July 2017

6.0 LOCAL REPRESENTATIONS

- 6.01 Site notices were displayed on the 2nd January 2020 at three locations surrounding the site.

- 6.02 5 responses have been received from 2 residents (including the chairman of the Warwick Park Area Residents Association) raising the following (summarised) concerns and objections:
- Flood Risk: the proposed development is in the vicinity of an important drain pipe (750mm culvert) which distributes rain water safely into the river below Upper Cumberland Walk.
 - Existing flooding problems and groundwater in the area.
 - TWBC should adopt a policy that where a culvert passes through a development site, development should only be permitted if the watercourse is restored to open channel.
 - Warwick Park area is a recognised “hot spot” for flooding.
 - When No. 17 Blatchington Road applied to build over a culvert, planning permission was refused and the building had to stop 1 metre short of the culvert.
 - Guidance from the Environment Agency makes clear that the EA would oppose any building over a culvert.
 - The culvert at present does not have buildings over it, running between houses 4 and 6 in Blatchington Road and then between 13 and 15.
 - There should be no buildings over the culvert or so near to it as to risk compromising its integrity or future access for repair and maintenance.
 - Concerns regarding overlooking.
 - Request existing hedging is protected and additional screening put in place.
 - Request planning condition to ensure integrity of drainage.

7.0 CONSULTATIONS

Southern Water

- 7.01 (3/3/20) Southern Water requires a formal application for a connection to the foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link southernwater.co.uk/infrastructure-charges

The disposal of surface water from this development shall follow the hierarchy within Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a 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.

KCC Flood and Water Management

- 7.02 (10/3/20) Whilst this application would fall outside of our statutory remit, we do have the following comments to make in regards to surface water management at the proposed site:

The application site is within an area considered to be at risk from surface water flooding and a culverted watercourse runs through the site boundary.

The planning proposal would appear to be situated in what is considered to be at "High" risk of surface water flooding from supporting EA mapping. Whilst we emphasise that developments should be located outside areas considered to be at "High" risk, we would advise in this instance that suitable measures are put in place to ensure that the property is suitably protected from surface water flooding.

As noted above, an existing culvert runs through the site and continues onto Blatchington Road. The exact path of the culvert through the site is not known and therefore this will need to be established. An annotated Southern Water drawing (attached with this response) indicates the culvert passes between the dwelling and the existing outbuilding.

It is essential that the culvert is not built over by future developments as this may render any future maintenance of the culvert impossible. Therefore, a suitable separation distance should be maintained between the permanent structure and the culvert itself.

To ensure the culverts path is identified and suitable measures are put in place to protect the culvert, we recommend the pre-commencement condition below is attached to this application should planning consent be granted:

Condition:

Prior to commencement of construction works, investigations shall be undertaken to locate and map the culvert. A report shall be submitted (and approved in writing) by the Local Planning Authority as to the results of the investigation and details of the measures to be undertaken to protect the culvert on site. Details of the measures to protect the culvert shall be carried out in accordance with the approved details.

Reason:

To protect the culvert during and after construction works and ensure the culvert continues to operate as existing so that flood risk is not increased.

- 7.03 (21/1//20) Unfortunately, no surface water drainage strategy has been provided for the proposed development. It is therefore recommended the application is not determined until a complete surface water drainage strategy has been provided for review.

At a minimum, a drainage strategy submission must comprise:

- A location plan
- A site layout
- A drainage proposal schematic or sketch
- A clear description of key drainage features within the drainage scheme (e.g. attenuation volumes, flow control devices etc.)
- Information to support any key assumptions (e.g. impermeable areas, infiltration rates etc.)
- Supporting calculations to demonstrate the drainage system's operation and drainage model network schematic
- Drainage strategy summary form (from our Drainage and Planning Policy Statement)
- Consideration of key questions and / or local authority planning policy requirements.

KCC Drainage and Planning Policy Statement sets out how Kent County Council, as Lead Local Flood Authority and statutory consultee, will review drainage strategies and surface water management provisions associated with applications for major

development and should be referred to for further details about our submission requirements. This is available to download at: www.kent.gov.uk

TWBC Conservation Officer

- 7.04 (03/01/20) As noted in the heritage statement accompanying this application, 6 Blatchington Road is located in the Madeira Park and Warwick Park Conservation Area and is part of an architecturally coherent group of buildings developed at the same time. The rear/part side extension is very modest and it is agreed that it will have no impact on the conservation area. The garage is also, as stated, similar to the previously approved garage from a 2016 planning application. This was granted permission prior to the designation of the Conservation Area. However, as the garage remains subservient to the house, is located along the same building line rather than to the front, and is designed to reflect the character and materials of the main house, the important characteristics of this part of the conservation area (strong boundary features and architectural quality and consistency of the houses) will be sustained by the proposal. A standard condition of submission of details of all external materials for approval is suggested.

RTW Civic Society

- 7.05 (14/01/20) Whilst a smaller single storey garage was approved in 2016 this much larger version with a very large loft room, some odd roof detailing and a somewhat clumsy lean-to extension together comprise an inappropriate design for a house on the Local List in the newly designated Conservation Area. We also have concerns about building above a culvert, which appears to be proposed here.

8.0 APPLICANT'S SUPPORTING COMMENTS

- The side extension is modest in scale and has been designed to appear as a sympathetic addition that reflects the character and appearance of the host dwelling.
- Consent has previously been granted for a similarly designed building in this location (16/501663/FULL)
- That proposal was accepted within this Conservation Area location as being appropriated and upholding the architectural merits of the site and locality.
- The proposed development as a whole will not harm the special character and appearance of the Conservation Area.

9.0 BACKGROUND PAPERS AND PLANS

- Application Form
- Design and Access Statement
- Heritage Statement
- Drawing no.s:
 - 6365/LBP
 - 6365/EX
 - 6365/1/A
 - 6365/2/A

10.0 APPRAISAL

Principle of Development

- 10.01 The site is located within the Limits to Built Development of Tunbridge Wells where there is no objection to the principle of development, subject to the proposal meeting all relevant planning policies and material considerations.
- 10.02 In this case, the main issues for consideration are the design and visual impact of the development, impact on residential amenity, impact upon heritage assets, impact on

flooding and these issues (along with all other material considerations) are discussed in greater detail below.

Visual Impact

- 10.03 Tunbridge Wells Borough Local Plan 2006 Policy EN1 requires the design of a proposal to respect the context of its site. Tunbridge Wells Borough Core Strategy 2010 Policy 4 (1) requires the Borough's urban landscapes to be conserved and enhanced. Part 12 of the NPPF addresses good design, which is a key aspect of sustainable development (as stated in paragraph 124). Paragraph 127, *inter alia*, requires that developments respond to local character and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation; also that they are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 130 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.
- 10.04 Paragraph 185 of the NPPF states that Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 200 states:
- 10.05 *"Local Planning authorities should look for opportunities for new development within CAs and World Heritage Sites, and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."*
- 10.06 As the proposed development would be visible from the street scene it would impact on the visual amenity.
- 10.07 Policy EN1 of the Local Plan states that the design of new developments, encompassing scale, layout and orientation of buildings, site coverage by buildings, external appearance, roofscape, materials and landscaping, shall respect the context of the site.
- 10.08 The garage outbuilding is of a relatively simple design with appropriate levels of fenestration. From the street scene, the perspective would be of ancillary outbuilding providing parking for a residential site, with a room above. In the context of this residential area, and given the size of the dwelling, although larger than the existing the garage, it is the same width, not as deep, and only slightly higher than (0.2 metres) as the garage previously approved (under 16/501663/FULL) and is considered an appropriate size and relatively submissive. It is not considered the proposed development would appear overly cramped, constitute overdevelopment or be at odds with the context of the site.
- 10.09 Similar outbuildings have also been erected along Blatchington Road, including to the adjacent property (no.4).
- 10.10 In addition the garage is set back over 12 metres from the highway, and behind the front building line of the host dwelling (albeit marginally), its siting is somewhat sympathetic to the principal dwelling and would not harmfully detract from the site's character, or the setting of the main house. The gable style incorporated into the design is harmonious with the main house which itself supports a number of distinct gables as do the others along Blatchington Road. The structure, whilst not prominent in the wider area, would still uphold the architectural merits of the site and wider locality.

- 10.11 Regarding the side extension to provide a utility room, this new single-storey extension, seeks to fill the existing envelope of the building and extend 1.1 metres (approximately) to the side, remaining modest in size in relation. Due to its location behind the external staircase the proposed extension would not be visible from the street scene and it is not considered that the proposal would cause a detrimental impact to the street scene or visual amenity in the area as the proposed extension is regarded as being in character and scale with the surrounding area.
- 10.12 The materials of clay tiles and brickwork are sympathetic would match those of the main house and correspond to the local materials in the area, and help to uphold the character appearance of the road. As the Conservation & Urban Design Officer has commented above, in order to ensure a satisfactory appearance to the development a condition is recommended requesting material samples and details are submitted to and approved in writing prior to works commencing.
- 10.13 No concerns are raised with the loss of the bike store to the rear of the site which would be incorporated within the new design. Overall, the proposal would preserve the visual amenities of the area.
- 10.14 It is concluded that the amount, scale and design of the proposals would be in keeping with the character and appearance of the surrounding area, in accordance with Local Plan Policy EN1.

Impact upon Heritage Assets

- 10.15 The site is located within the Madeira Park and Warwick Park Conservation Area
- 10.16 Paragraph 189 of the NPPF sets out that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'*
- 10.22 Policy EN5 of the Local Plan sets out that proposals for development within, or affecting the character of, a Conservation Area will only be permitted where they would preserve or enhance the character and appearance of the area.
- 10.23 The Madeira Park and Warwick Park Conservation Area Appraisal sets out that Blatchington Road is an attractive group of Edwardian and inter-war houses. Number 6 is a detached property with a pebble-dashed first floor, red brick ground floor and tile hung gables facing the road. A small section of the hedge fronting the road has been removed and part of the garden surfaced to provide off-street parking spaces and was constructed by Leonard Towner.
- 10.24 From the above consultation comments by the Council's Conservation & Urban Design Officer the rear/part side extension is very modest and will have no impact on the conservation area. The garage remains subservient to the house, is located along the same building line rather than to the front, and is designed to reflect the character and materials of the main house, the important characteristics of this part of the conservation area (strong boundary features and architectural quality and consistency of the houses) will be sustained by the proposal. A standard condition of submission of details of all external materials for approval as suggested has been added. The proposal is therefore not considered to have a detrimental impact upon the character or appearance of the Madeira Park and Warwick Park Conservation Area.

- 10.25 The proposed development, by virtue of its scale and size would not be prominent in the locality or impact upon the wider Conservation Area. The proposal is considered that the proposal would preserve the character of the Conservation Area in accordance with the relevant planning policy and guidance.

Residential Amenity

- 10.26 The proposed development is considered to have the most impact upon the amenity of the neighbouring property no. 4 Blatchington Road to the south west of the site, with no.8 Blatchington Road shielded from the effects of the proposed development by the host dwelling.
- 10.27 The garage outbuilding is of a similar size to the previously approved garage, and only slightly higher (0.2 metres approximately), and would be set away from the side boundary by approximately 1.2 metres. This structure would not exacerbate any existing losses of light or create a significantly harmful overbearing presence, particularly as this neighbouring property is to the south-western side of the site and on slightly higher level land. No windows are indicated to the south-western (side closest to no.4) side elevation of this outbuilding, which is ancillary in use (for vehicular parking/storage on the ground floor and office on the first floor).
- 10.28 Concerns have been raised regarding overlooking and it is noted that there are glazed doors and a Juliet balcony proposed to the rear of the first floor of the outbuilding, however the rear building line of this proposed outbuilding is largely in line with the neighbouring no.4's outbuilding, which, along with the trees and hedging in the rear garden would assist in screening and reducing any views, overlooking and loss of privacy from this. It is also noted that a request for conditions to protect hedging has been requested. Hedging cannot be protected in the same way trees can and in any event this is not considered necessary.
- 10.29 Regarding the proposed extension, this would be set over 8 metres from the boundary with no.4 Blatchington Road. It is considered that there is a sufficient separation gap proposed between this element of the proposal and the neighbouring dwelling.
- 10.30 The single storey nature of the extension ensures there would not be significant loss of light, or privacy, particularly as there are no side windows proposed. The glazed door and window to the rear elevation would overlook the host-dwelling's garden and not give additional views towards the adjacent property due to the position of the outbuilding which screens and views. By reason of its design, scale and size this element of the proposal would not harm the neighbouring residential amenity and it would not dominate the adjacent or host dwelling-houses.
- 10.31 For the reasons given above the proposed development is considered acceptable in terms of impact on residential amenity.

Flooding and Drainage

- 10.32 Paragraph 155 of the NPPF states that *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'* Paragraph 163 goes on to comment that *'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'*

- 10.33 Local Plan Policy EN18 sets out that within those developed areas identified by the Environment Agency as being at high risk from flooding, built development and conversions will only be permitted where practicable and effective flood protection and mitigation measures would be proposed and maintained and practicable and effective measures would be included as part of the development proposals to prevent the increased risk of flooding elsewhere.
- 10.34 This site is not designated as being within a Flood Zone by the Environment Agency or a Strategic Flood Risk Area, but is situated in what is considered to be at "High" risk of surface water flooding. The area has been known to hold surface water during periods of high rain fall and a culvert runs across the western side of the site.
- 10.35 KCC Flood and Water Management have assessed the application and had originally requested a drainage report/strategy be submitted in support of the application, after discussions it was agreed this could be submitted as part of Building Regulations. It is acknowledged that it is considered essential that the existing culvert passing through the site is protected and adequate space is provided should maintenance works be required in the future.
- 10.36 KCC Flood and Water Management commented later that whilst development should be ideally located outside areas considered to be at "High" risk, and acknowledge that the proposed development would be sited close to the culvert, they do not object to the application and are of the view that in this instance, provided that suitable measures are put in place to ensure that the property and area is suitably protected from surface water flooding that the development can be carried out without a significant increased risk to flooding in the locality. A condition is recommended to be attached, in line with KCC Flood and Water Management recommendations, requiring detailed measures of how the culvert is to be protected during construction and details of the exact culvert path to be submitted and approved prior to works commencing.
- 10.37 Southern Water were consulted, have not objected to the application and requested informatives be added.
- 10.38 Following consultation with KCC Flood and Water Management and Southern Water that the proposed development would not have a detrimental impact upon flooding and surface water run off, subject to conditions. It is therefore not considered that the proposed development would warrant refusal on such grounds.

Highways safety and parking

- 10.39 The proposed layout shows the existing parking area to be retained. The garage will be large enough for two vehicles, which will provide sufficient parking for the existing dwelling. There is a no change to the vehicular access to the site. The proposed development would not be harmful to highway safety.

Other Matters

- 10.39 The proposed development would have no adverse impact on the Public Access Land or Wind Turbine Development Consultation Area for Biggin Hill Airport.

Conclusion

- 10.40 Based on the above, the proposed development is considered to be acceptable in principle. The scale, massing and design of the proposal is considered to be acceptable and not be detrimental to the surrounding area or character of the Conservation Area. The siting and scale of the proposed extension and outbuilding in relation to the neighbouring properties is not considered to be detrimental to residential amenity. It is considered that there is sufficient parking provision to serve the site and

that the proposal would not be detrimental to highway safety. Issues relating to drainage can be adequately controlled through conditions. It is therefore recommended that this application be approved subject to the conditions set out below.

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: 6365/1/A and 6365/2/A.

Reason: To clarify which plans have been approved.

- (3) Prior to the above ground construction of the development hereby approved, written details of external materials to be used within the development, 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: In the interests of visual amenity

- (4) Prior to commencement of above ground construction works, details of the measures to be undertaken to protect the culvert on site, including details of the exact path of the culvert shall be submitted to and approved in writing by the Local Planning Authority. Details of the measures to protect the culvert shall be carried out in accordance with the approved details.

Reason: To protect the culvert during and after construction works and ensure the culvert continues to operate as existing so that flood risk is not increased.

INFORMATIVES

- (1) A formal application for connection to the public sewerage system is required in order to service this development. Please read Southern Waters New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link
<https://beta.southernwater.co.uk/infrastructure-charges>.

Case Officer: Ellouisa McGuckin

- 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.