

REPORT SUMMARY

REFERENCE NO - 22/00088/FULL
APPLICATION PROPOSAL Erection of four mews houses with associated access road, car and bike parking, gardens, hard and soft landscaping and ancillary refuse storage.
ADDRESS Land Rear Of 2 - 16 St Johns Road Royal Tunbridge Wells Kent
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 proposal would result in the delivery of sustainable development and therefore, in accordance with Paragraph 11 of the NPPF, permission should be granted, subject to all other material considerations being satisfied. The proposal is considered to accord with the Development Plan and Local Policy in respect of these material considerations.• The site is sustainably located within the Limits to Built Development where the principle of the development is considered acceptable.• The number of residential units and sizes are considered to be appropriate to this site and would not constitute overdevelopment.• The proposal would not adversely affect the appearance of the street scene or character of the area including its setting within the Conservation Area.• The proposal would not harm the significance of any nearby listed building.• The proposal would not cause significant harm to the residential amenities of neighbouring properties.• The proposal would have adequate on site parking and cycle parking provisions and would not result in a significant increase in on street parking pressures that would impact on highways safety.• The traffic movements generated by the development can be accommodated without detriment to highway safety.• 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: £755.00</p> <p>Estimated annual council tax benefit total: £7870.92</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 Rands for the following reasons:</p> <p>Material planning considerations: For further consideration due to the impact of the</p>

development in regards residential amenity impacts, particularly in regards to those properties situated along Grosvenor Park and Culverden Square.			
Reasons that warrant discussion at Committee: Important that the determination of the application be undertaken by Committee given the particular nature of the site.			
WARD Culverden	PARISH/TOWN COUNCIL N/A	APPLICANT Mr Stephen Curwen AGENT Mr Lorenzo Pandolfi	
DECISION DUE DATE 30/03/22 (EOT 15/08/22)	PUBLICITY EXPIRY DATE 27/06/22	OFFICER SITE VISIT DATE 20/05/22	
RELEVANT PLANNING HISTORY (including appeals)			
App No.	Proposal	Decision	Date
93/00018/FUL	Demolition of existing buildings and laying out of car park (duplicate application).	Appeal Against Non Determination (Appeal Withdrawn)	13/04/93
93/00017/FUL	Demolition of existing buildings and laying out of car park.	Approved	02/04/93
90/00292/FUL	Two/three storey office block and access road and associated parking	Refused (Appeal Withdrawn)	05/06/90
90/00946/FUL	Two/three storey office block; Associated parking	Refused	29/01/92
RELEVANT PLANNING HISTORY ON NEIGHBOURING SITES (including appeals):			
<i>Car Park, Culverden Square (to the north east of the application site)</i>			
20/00561/TPO	Trees: LONDON PLANES X 14 (G1) -A scheme of rolling maintenance to all protected London Planes, re pruning the trees to the historic pruning points, maintaining their existing candelabra primary branch structures, on a 4 year cycle	Withdrawn	13/03/20
20/00476/FULL	Redevelopment of the existing car park to provide three residential dwellings with associated parking, landscaping and refuse storage.	Approved	13/07/20
18/00646/FULL	Redevelopment of existing car park to provide 3no. 3 bedroom residential dwellings (C3 use) with associated parking, landscaping and refuse storage.	Approved	25/05/18
17/02547/FULL	Redevelopment of existing car park to provide 4no. 3 bedroom residential dwellings (C3 use) with associated parking, landscaping and refuse storage.	Refused (Appeal Dismissed)	13/10/17 (04/12/18)

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17/00654/TPO	Trees: London Plane trees – Pollard	Approved	21/04/17
<i>1 Culverden Square (to the east of the application site)</i>			
21/03808/TPO	Trees: T1 to T14 (LONDON PLANE) – Pollard	Approved	01/02/22
<i>17 Grosvenor Park (to the east of the application site)</i>			
16/500406/LAWPRO	An application for a certificate of lawful development for a proposed development being replacement dormers, folding doors to rear, new flue and internal alterations.	Approved	07/03/16
<i>15 Grosvenor Park (to the east of the application site)</i>			
17/01613/LAWPRO	Lawful Development Certificate (Proposed) - Removal of outbuilding and erection of a single storey extension and internal alterations; New window to side elevation/alterations to fenestration	Approved	30/06/17
<i>11 Grosvenor Park (to the east of the application site)</i>			
11/03212/CPD	Certificate of Lawful Development (Proposed) Loft conversion and internal alterations	Approved	10/11/11
<i>Friends Meeting House, Grosvenor Park (to the south of the application site)</i>			
17/00210/FULL	Proposed re-development of the property consisting of the conversion and extension of the hall and second floor of the main building to provide 9 bed spaces for West Kent YMCA; and refurbishment of the ground and first floor of the main building for continued use as a Friends Meeting Hall. The re-development includes the demolition of a single storey side entrance, behind the main building	Approved	21/08/17
15/505188/FULL	Proposed re-development of the property consisting of the conversion and extension of the hall and second floor of the main building to provide 8 bed spaces for West Kent YMCA; and refurbishment of the ground and first floor of the main building for continued use as a Quakers Meeting Hall. The re-development includes the demolition of a single storey side entrance, behind the main building. (Revised Scheme)	Approved	17/11/15
14/502440/NMAMD	Non Material Amendment for fire exit moved to quakers hall to rear. This requires minor changes to openings at	Approved	08/09/14

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	ground level.		
14/00013/FULL	Demolition of rear wall of main building to allow conversion and extension of existing building to form 10 No. bed-sit accommodation for West Kent YMCA; Single-storey extension and refurbishment of rear hall for continued use as Quaker Meeting House	Approved	01/07/14
<i>Carriage House/88 Grosvenor Road (to the south west of the application site)</i>			
21/02896/FULL	Conversion of the existing building from commercial use to 14 residential units with associated internal and external alterations	Approved	03/02/22
21/02897/LBC	Listed Building Consent - Conversion of the existing building from commercial use to 14 residential units with associated internal and external alterations	Approved	22/10/21
96/01187/CIRC	Circular 18/84 consultation - use of lower ground, ground, first and second floors for Job Centre and administrative offices	No Objections	11/09/96
<i>2 St Johns Road (to the west of the application site)</i>			
88/00408/FUL	Change of use from offices (B1) to class A2	Approved	14/04/88
<i>4 St Johns Road (to the west of the application site)</i>			
05/00158/FUL	Change of Use of basement from office to two dwellings.	Approved	30/03/05
<i>6 St Johns Road (to the west of the application site)</i>			
15/504881/FULL	Demolition of single storey rear extension. Erection of single storey rear extension and alterations to existing self contained flat.	Withdrawn	20/07/15
<i>Seabridge House/8 St Johns Road (to the west of the application site)</i>			
20/02812/FULL	Creation of roof terrace to existing flat roof	Refused	18/12/20
16/503090/FULL	Minor Material Amendment to 15/507314 - Change of use and conversion of existing second and third floor offices into a self contained flat. Amendment - A roof access gate been added to the walkway for maintenance of flat roof.	Approved	09/06/16
15/507314/FULL	Change of use and conversion of existing second and third floor offices into a self contained flat.	Approved	06/11/15
14/506277/FULL	Single storey rear extension and	Approved	13/02/15

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	conversion of existing office to self contained flat.		
<i>10 St Johns Road (to the west of the application site)</i>			
12/03537/FUL	Change of use from offices and workshop to four bed dwelling to include conservatory at basement level and rear balcony at upper ground level	Approved	05/03/13
12/02316/FUL	Change of use from offices and workshop to 3 x one bed flats and 2 x 2 bed flats	Refused	24/10/12
<i>12 St Johns Road (to the west of the application site)</i>			
11/01792/HOUSE	Change of use from office (B1) to residential comprising 1 No. two-bedroom flat and 1 No. four-bedroom house with ancillary car parking; Formation of balcony with screen over existing flat roof at rear; Demolish part existing lower ground extension to form small garden to plot 1; Take out existing window on upper ground floor and install a bay window to plot 2	Approved	14/09/11
10/03450/FUL	Change of use from office (use Class B1) to a residential use comprising one two-bedroom apartment and a four bedroom house with ancillary car parking and the formation of a balcony over the existing flat roof projection at rear	Approved	10/12/10
<i>14 St Johns Road (to the west of the application site)</i>			
02/03060/FUL	Change of use of part ground floor from offices to consulting rooms and shared use of reception and waiting area	Approved	06/02/03
<i>16 St Johns Road (to the west of the application site)</i>			
10/01567/FUL	Change of use from A1 shop to A2 offices	Approved	25/06/10
<i>18 St Johns Road (to the west of the site)</i>			
13/02974/FULL	Extension of existing retail premises to form 3 new dwellings at upper levels	Withdrawn	06/12/13
10/03580/FUL	Extension of existing retail premises to form 3 new dwellings at upper levels	Approved	17/12/10

* The above history only includes the most recent applications for adjoining sites and those which are most relevant to this application.

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site is located in Tunbridge Wells and comprises a hard surfaced private car park, with an approximate site area of 880m². The site is accessed from Culverden Square, located to the north of the site, via a relatively narrow private roadway which is accessed from St Johns Road (A26) to the west. The site is devoid of any built form and is largely open in nature, but does include a few largely self-sown shrubs and trees. The east and south boundaries of the site are marked by a brick wall, the west boundary is marked by a chain linked fence and the north boundary is largely open other than a parking barrier and low level brick wall. The land levels of the site slope notably downwards towards the south and east.
- 1.02 The site is located between four-storey buildings at 2-16 St John's Road to the west and the rear gardens of the terrace properties including Nos. 11-25 Grosvenor Park to the east of the site. The properties adjacent to the site along St Johns Road comprise a mix of commercial and residential units whereas the properties along Grosvenor Park are predominantly residential properties in the form of a terrace row. These properties are two storey, but some of which appear to include basement levels and habitable roof spaces.
- 1.03 The application site is bounded on the southern boundary by 1 Grosvenor Park (The Friends Meeting House). A car park is located to the north of the site, within Culverden Square, which serves Nos 20-26 St Johns Road. An additional car park is located to the north east of the application site, adjacent to the one immediately opposite, which has been granted planning permission for its redevelopment for three dwellings. 88 Grosvenor Road, a grade II listed building, located to the south west of the site at the junction of St John's Road, Grosvenor Road and Mount Ephraim, has been granted planning permission for a change of use/conversion from a commercial use to 14 residential apartments. The site being located within Tunbridge Wells and in close proximity to the town centre is within a more built up/dense urban area.
- 1.04 The vacant car park, comprising circa 30 spaces, was historically used in conjunction with the former offices located at 88 Grosvenor Road (previously the Job Centre and Department for Work & Pensions offices). The plot was previously occupied by workshops, but these were demolished in the early 1990's to create the office car park.
- 1.05 The site is located Inside the Limits to Built Development (LBD) and within the Tunbridge Wells Conservation Area.

2.0 PROPOSAL

- 2.01 The application seeks full planning permission for the erection of four mews houses with associated access road, car and bike parking, gardens, hard and soft landscaping and ancillary refuse storage.
- 2.02 Two properties (plots 1 and 2) are proposed in the form of a two storey semi-detached properties with habitable roof spaces, to the front (north) of the site fronting Culverden Square. A detached 1.5 storey dwelling (plot 3) is proposed relatively centrally within the site towards the western boundary and front towards the east. An additional 1.5 storey detached property (plot 4) is proposed to towards the rear (south) of the site fronting towards the north. Each of the proposed properties

includes an amenity space to the rear. All of the proposed dwellings are shown to be finished in red brick.

- 2.03 The site's access point is proposed to be positioned in the north east corner of the plot where a cobbled paved access road is proposed to run along the site's eastern boundary. The existing, more centrally located, entrance point along the north boundary is proposed to be closed. Each of the detached properties would have a single parking space accessible from the internal access road. Parking for the two properties at the front (along with a visitor space) is proposed in the north west corner of the site and accessed directly from Culverden Square. Each unit is also proposed to have its own cycle store.
- 2.04 Plots 1 and 2 are proposed to front Culverden Square and each comprise three bedrooms. They are proposed to be set back from the road by approximately 3.5m and include gardens to the rear approximately 8m in length. These properties are each proposed to host an entrance hall, wc, kitchen/diner and living room to the rear which opens out on to the rear garden. The first floor levels are proposed to comprise a bathroom and two bedrooms with the proposed habitable roof space containing a third bedroom with an en-suite bathroom. These properties include a juliet balcony on the front elevation serving a bedroom.
- 2.05 Plot 3, located most centrally within the site, is proposed to comprise three bedrooms. The property is proposed to be situated approximately 4.3m from the sites western boundary, at its closest point, and front towards the east with a garden to the rear (west). The ground floor level is proposed to host an entrance hall, wc, open plan kitchen/living/dining space and a bedroom. The upper floor is proposed to comprise two additional bedrooms and a bathroom.
- 2.06 Plot 4 is proposed to be sited towards the rear (south) of the site where it is set approximately 3.4m from the boundary at its closest point. The property is proposed to comprise of three bedrooms and front towards the east with a garden to the south. The ground floor level is proposed to host an entrance hall, wc, open plan kitchen/living/dining space and a bedroom. The upper floor is proposed to comprise two additional bedrooms and a bathroom.
- 2.07 The proposal is to retain the most significant tree present at the site, located in the north east corner of the plot along with providing additional planting. This includes four new trees to the front of Plots 1 and 2, adjacent to Culverden Square along with additional planting and trees within the gardens of the proposed plots.
- 2.08 Amended plans have been received during the application process, reducing the proposal from a 5 unit scheme to a 4 unit scheme along with a reduction in built form, alterations to the fenestrations and increasing the sizes of the parking spaces.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area	880m ²	880m ²	-
Land use	Private Car Park	Residential	-
Car parking spaces	Circa 30	5	-25

Proposed

No. of residential units	4
No. of storeys	Plots 1 & 2: 3 (including habitable roof space) Plot 3: 2 Plot 4: 2
Max height	Plots 1 & 2: 9.0m Plot 3: 5.8m Plot 4: 5.8m
Max width	Plots 1 & 2: 12.2m (6.1m per unit) Plot 3: 10.4m Plot 4: 10.4m
Max depth	Plots 1 & 2: 9.1m Plot 3: 8.0m Plot 4: 8.0m

**The above measurements are approximate and have been calculated from measuring the submitted plans via the Council's online measuring tool.*

4.0 PLANNING CONSTRAINTS

- Air Quality Management Area
- Archaeological Potential Areas
- Ashdown Forest 15 Km Habitat Regulation Assessment Zone
- Economic Development Area
- Tunbridge Wells 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
- Tunbridge Wells Central Access Zone (Residential)
- Tunbridge Wells Central Parking Zone (Commercial)
- Potentially Contaminated Land + 50M Buffer
- Public Access Land Tunbridge Wells Common
- Grade II Listed Building - 88 Grosvenor Road (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

5.0 POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF) 2021

National Planning Practice Guidance (NPPG)

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

Policy EN8: Outdoor Lighting
Policy EN10: Archaeological Sites
Policy EN13: Tree and Woodland Protection
Policy H2: Small and intermediate sized dwellings
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):

Tunbridge Wells Borough Landscape Character Assessment
Royal Tunbridge Wells and Rusthall Conservation Area Appraisal
Renewable Energy SPD
Kent Design Guide: Interim Guidance Note 3 Residential Vehicle Parking Standards – 2008
Noise & Vibration SPD

Tunbridge Wells Borough Submission Local Plan 2020-2038

Policy STR1: The Development Strategy
Policy STR2: Place Shaping and Design
Policy STR3: Brownfield Land
Policy STR4: Ensuring Comprehensive Development
Policy STR5: Infrastructure and Connectivity
Policy STR6: Transport and Parking
Policy STR7: Climate Change
Policy STR8: Conserving and Enhancing the Natural, Built, and Historic Environment
Policy STR/RTW1: The Strategy for Royal Tunbridge Wells
Policy STR/RTW2: The Strategy for Royal Tunbridge Wells Town Centre
Policy EN1: Sustainable Design
Policy EN2: Sustainable Design Standards
Policy EN3: Climate Change Mitigation and Adaptation
Policy EN4: Historic Environment
Policy EN5: Heritage Assets
Policy EN8: Outdoor Lighting and Dark Skies
Policy EN9: Biodiversity Net Gain
Policy EN12: Trees, Woodland, Hedges, and Development
Policy EN14: Green, Grey, and Blue Infrastructure
Policy EN16: Landscape within the Built Environment
Policy EN21: Air Quality
Policy EN22 Air Quality Management Areas
Policy EN23: Biomass Technology
Policy EN24: Water Supply, Quality, and Conservation
Policy EN25: Flood Risk
Policy EN26: Sustainable Drainage
Policy EN27: Noise
Policy EN28: Land Contamination
Policy H1: Housing Mix
Policy H2: Housing Density
Policy TP1: Transport Assessments, Travel Plans, and Mitigation
Policy TP3: Parking Standards

6.0 LOCAL REPRESENTATIONS

6.01 Six site notices were displayed around the site on 21/02/22, 20/05/22 and 13/06/22 notifying surrounding neighbours and local residents of the application and subsequent amendments. 52 letters of objection have been received on the application raising the following, summarised, concerns:

- Overlooking/loss of privacy and overshadowing/loss of light of neighbouring properties and gardens by virtue of the proposed heights and proximities of the dwellings.
- Impact upon neighbours "right to light" which is already very limited. The proposal will be in breach of the right to light act (Prescription Act 1832).
- No mention of anything being done with the existing retaining/boundary wall, which is already in a poor condition and raise concerns that building near this wall without supporting it/rebuilding it would be very dangerous.
- Additional noise and disruption caused by both the construction of the properties and their occupancy will be detrimental to the amenities of surrounding residents/properties.
- The proposal will have a detrimental impact upon house and rental values of surrounding properties.
- St Johns Road is often congested with traffic and there developments are already taking place in the old bus station and a proposed development with the old job centre. This proposal will detrimentally add to traffic flow, pedestrian safety and access.
- The proposal would have an overbearing impact upon adjacent properties.
- Loss and detrimental impact upon the outlook of surrounding properties.
- The new dwellings and planned trees would reduce and possibly remove sunlight all together from many gardens and homes thus negatively impacting quality of life and comfort.
- The provided light assessment illustrations are incorrectly calculated. The gardens are not currently shrouded in darkness at 3 pm in either July, March or September.
- The line of 26 degrees (shown on the drawings and within the submitted supporting documents) clearly shows a significant impact to light beyond the existing buildings on St John's Road side, contradicting their assessment the impact will be minimal.
- The BRE light tests are either incorrect or misleading.
- The proposal is incorrect to state 'many of these properties do not have a window from a habitable room in this location, all properties have a window from a habitable room in this location.
- The drawings do not reflect an accurate representation of the houses at 17 & 19 Grosvenor Park.
- There are already 4 significant developments in the immediate area (Westcombe House, 2-4 Mount Ephraim - 34 Flats, Carriage House (The Job Centre), 58 Grosvenor Rd - 14 Flats, 5 St. Johns Road - 14 Flats, Old Bus Depot, 36 - 40 St Johns Road - 89 Flats) For all developments, as well the proposed development there has, thus far, been no discussion of Section 106 or any attempt to mitigate the impact on the local community.
- Amenities such as schools, doctors and dentists are already overstretched.
- Dangerous road crossings and adding to already challenging local traffic on Mt Ephraim and St John's Road.
- The entire immediate area is at risk of over-development.
- The proposed development allows for minimal parking and will put additional strain on the already dire lack of on-road parking in the immediate zone C permit

zone. In the South-East of the UK, there is an average of 1.41 Cars per household. Source: Department of Transport.

- The proposal of 5 spaces is inadequate for family homes.
- The site is located within a conservation area and the overall design of the dwellings is not in keeping with the surrounding environment.
- Brickwork and window placement indicated in the design and access statement does not reflect the Victorian aesthetic that gives Tunbridge Wells its character.
- The proposal is contrary to both local and national planning policy and guidance.
- The proposal and plans fail to take account of the significant difference in land levels.
- Inadequate overshadowing and sunlight assessment.
- Harmful to the character of the Conservation Area.
- The proposal fails to preserve or enhance the character and appearance of the local environment.
- The development will appear dominant.
- The properties are of an excessive height.
- The proposed dwellings are not in keeping with surrounding properties.
- The submitted plans and details are inaccurate.
- The development is too cramped for the site and overly dense well in excess of the advocated 30 units per hectare.
- Inappropriate development.
- Unsuitable access and turning arrangements.
- Light pollution.
- Concern about the potential for water run off both during construction and after.
- Concern in regard to land contamination.
- The proposed dwellings should only be single storey.
- No details of drainage or SUDS.
- Unsuitable refuse collection arrangements.
- Unsuitable emergency vehicle access.
- Loss of natural sunlight promotes poor mental and physical health.
- The proposed amendments fail to address all of the previously raised concerns.

6.02 Comments have also been received from a Right of Light Consultant on behalf of local residents. These comments were received prior to the submission of a Shadow Study and object to the application. The response comments that given the scale of the proposal, its close proximity to neighbouring properties and its raised elevation, they are of the opinion that a full assessment is needed to properly consider the impact on three separate material planning considerations - namely, daylight, sunlight and overshadowing. The comments refer to the Council's Alterations & Extensions SPD. The response concludes and requests that no decision is made in favour of the application until:

- 1) the applicant has submitted a complete and accurate daylight and sunlight assessment prepared in accordance with the BRE guide, and
- 2) the assessment shows that the proposed design; or amended design, complies with the BRE guide and Tunbridge Wells Borough Council's Planning Policy.

7.0 CONSULTATIONS

Southern Water

7.01 (02/03/22) Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

KCC Highways and Transportation

- 7.02 (10/03/22) It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Environmental Protection

- 7.03 (21/02/22) Noise: While the site is near a busy road it is effectively screened by the existing buildings on St Johns Road. However, the use of air source heat pumps increases the potential for noise to be caused to other nearby residential receptors.

Land contamination: The desk study report submitted demonstrates the potential for land contamination to have been caused by the former uses of the site notably vehicle repair. An intrusive investigation is recommended.

Air Quality: The report submitted on the site is satisfactory and demonstrates that the site will not have a significant impact on the AQMA or be affected by poor air quality.

Recommendation: No objection subject to conditions.

TWBC Conservation Officer

- 7.04 (20/07/22, verbal comments) No further comments to add following comments made on the 14th February.

(14/02/22) Largely agree with the conclusions of the heritage statement which supports this application for the development of five houses within the Tunbridge Wells Conservation Area (CA). The site is within the northern boundary of the CA but it is unclear why the boundary includes it rather than extending to just the rear ownership boundaries of the houses facing St John's Road. It appears that it was originally a rear service yard when the houses were built in the late 19th century, with a smithy at the north end. The smithy disappeared and was replaced by small 'works' buildings typical of the small industry buildings populating the rear yards and courtyards of this part of town. By 2003, these buildings had been demolished and it was given over entirely to car parking. Maps appear to show that there was never any functional relationship with the grade II listed No. 88 Grosvenor Road to the south, and otherwise it does not form a part of its setting that contributes towards significance - there is no relation at all.

The site, in the view of the Conservation Officer, currently detracts from the significance of the Conservation Area as a poorly managed space, which is open to Culverden Square where previously it was enclosed at the front by the smithy. There is therefore no importance to it as an open space, and the historic maps provide us with everything we would need to understand its past functions. Whilst the proposal is somewhat cramped, it is fairly typical of the high density of some of the smaller houses that were developed historically here. The houses on the north end will also enclose the road and resolve the leaked space here. The Conservation Officer can therefore support these proposals as sustaining the significance of the Conservation Area and the listed building to the south.

TWBC Client Services

- 7.05 (11/02/22) Bins/containers are to be purchased from TWBC prior to the properties being sold or occupied. Bins/containers are to be presented at the shared entrance for collection adjacent to Culverden Square.

TWBC Parking Services

- 7.06 (25/03/22) The parking provision set out in the Transport Statement is shown below compared to the calculated adopted and emerging standards for the development.

Source	Resident and Visitor Parking Standards	Provided	Difference
TWBC New Local Plan	8 Mandatory	5	-3
<i>Emerging Kent Design Guide</i>	5 Standard		0
<i>Kent Design Guide (2008)</i>	5 Maximum		0

Parking Services' recommendation as consultee, is that the TWBC New Local Plan standards are the most appropriate. The provision represents a 38% departure from the standards, and as such, it is likely that residents and visitors of the proposed development would struggle with the parking arrangements. It is advised that residents of the proposed development would be ineligible for residential parking permits.

Nevertheless, the Transport Statement offers two arguments against the application of the New Local Plan standards. Comments from Parking Services on these are shown in the table below.

Transport Statement justification	Parking Services comments
The emerging Local Plan is targeted for adoption in early 2023.	Although the new Local Plan is not yet adopted, Parking Services endorse the application of its standards to current developments. The standards are the most appropriate prediction of parking demand, offering location specific and up to date guidance within the Borough of Tunbridge Wells.
The standards are based on the 2011 Census data and it is anticipated that these will be reviewed following the 2021 Census data.	While the standards are subject to review, this is not a valid argument against applying the latest standards in the interim period.

On a separate point, the plans appear to indicate that bay dimensions are substandard. All bays should be at least 2.5m x 5m in accordance with KCC guidance. **Officers note - amended plans have been received increasing the size of the parking spaces to be in accordance with the KCC guidance referenced above.*

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 The Planning Statement and the specialist reports submitted with the application demonstrate that the proposed redevelopment of the land at the rear 2-16 St John's Road will comply in full with all the relevant planning policies of Tunbridge Wells' development plan.

- 8.02 The proposal involves the redevelopment of a vacant and redundant brownfield site in an established residential area with the town centre, and the construction of houses of different sizes that will meet the pressing need for new homes for different segments of the population.
- 8.03 The key benefits of the proposed project can be summarized as follows:
- 1) The proposal will make the best use of brownfield land within an urban area through a balanced residential intensification;
 - 2) There will be a net increase of 4 family residential units on a small site within the built-up area of Tunbridge Wells, a typology of potential development sites that the NPPF and the local plan identify as key deliverers of residential growth;
 - 3) The proposal will deliver housing in a local authority that cannot demonstrate a five-year supply of housing, and this should be given significant weight in the planning balance in accordance with Paragraph 11 of the NPPF;
 - 4) The proposed traditional character of the mews houses will enhance the local townscape and add a positive element to the streetscene.
 - 5) A peripheral area of the Royal Tunbridge Wells Conservation Area will be improved with an infill residential development respectful of the character and significance of the designated heritage asset;
 - 6) The residential amenity of surrounding properties and the safety of the highway network will be improved through a drastic reduction in the number of vehicle movements to and from the site;
 - 7) The proposal will increase the contribution of the site to urban greening and biodiversity;
 - 8) The amount of car parking will be proportionate to the number of dwellings and all the parking spaces, and there will be dedicated cycle parking for all houses; and
 - 9) All the residential units will meet or exceed the Nationally Described Space Standards, providing high quality living spaces to future occupiers.
- 8.04 In addition to the development's compliance with the development plan of Royal Tunbridge Wells, the proposal will provide housing in a Council that cannot demonstrate a five year supply of housing against its own delivery targets. For this reason, the proposal should also be considered in light of Paragraph 11(d) of the NPPF, which states that residential developments in underperforming local authorities should be afforded considerable weight on the planning balance, and refused only if any identified departure from the local plan's policies would "significantly and demonstrably outweigh the benefits" of providing housing.
- 8.05 Even if the Council were to find that some aspects of the proposal will not align in full with certain policies of the local plan, any such misalignment will not tilt the Paragraph 11 balance against the approval of new housing in this sustainable location, so we submit that permission should be granted also if this alternative line of assessment is pursued.
- 8.06 In summary, the proposed erection of four family houses will generate several planning benefits and will be a sustainable form of development or, alternatively, a development for which the 'tilted balance' of Paragraph 11 of the NPPF weighs in favour. For this reason, we consider that, subject to conditions and appropriate S.106 clauses, the proposal should be supported and we respectfully request that planning permission is granted.

9.0 BACKGROUND PAPERS AND PLANS

Application form
Design and Access Statement
Transport Statement (May 2022)
Shadow Study (May 2022)
Air Quality Assessment
Environmental Risk Assessment
Planning Statement
Heritage Statement
Archaeological Impact Assessment
656-CDA-ZZ-ZZ-DR-A-00-0099 Rev 01 - Site Location Plan
656-CDA-ZZ-ZZ-DR-A-00-0100 Rev 01 - Existing Site Plan
656-CDA-ZZ-ZZ-DR-A-20-0099 Rev 03 - Proposed Site Plan
656-CDA-ZZ-ZZ-DR-A-20-0101 Rev 03 - Ground Floor Plan Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0102 Rev 02 - First Floor Plan Type 1 and 2
656-CDA-ZZ-RF-DR-A-20-0103 Rev 02 - Roof Plan Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0200 Rev 02 - North and South Elevations Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0202 Rev 01 - East and West Elevations Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0104 Rev 02 - Ground Floor Plan Type 3
656-CDA-ZZ-ZZ-DR-A-20-0105 Rev 02 - First Floor Plan Type 3
656-CDA-ZZ-ZZ-DR-A-20-0203 Rev 02 - North and South Elevations Type 3
656-CDA-ZZ-ZZ-DR-A-20-0204 Rev 01 - East and West Elevations Type 3
656-CDA-ZZ-ZZ-DR-A-20-0106 Rev 02 - Ground Floor Plan Type 4
656-CDA-ZZ-ZZ-DR-A-20-0107 Rev 02 - First Floor Plan Type 4
656-CDA-ZZ-ZZ-DR-A-20-0205 Rev 02 - North and South Elevations Type 4
656-CDA-ZZ-ZZ-DR-A-20-0206 Rev 01 - East and West Elevations Type 4
656-CDA-ZZ-ZZ-DR-A-20-401 Rev 01 - Sections Type 3
656-CDA-ZZ-ZZ-DR-A-20-402 Rev 01 - Sections Type 4
656-CDA-ZZ-ZZ-DR-A-20-403 Rev 01 - Site Section

10.0 APPRAISAL

Principle of Development

- 10.01 Paragraph 74 of the NPPF requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. In addition, there must be an additional buffer of between 5% and 20%, depending on particular circumstances of the LPA.
- 10.02 The Council currently cannot demonstrate a five-year housing supply (4.66 years as of March 2022, following the Inspector's findings within two recent public inquiries in Hawkhurst). Paragraph 11 (d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

"i. the application of policies in this Framework (listed in footnote 7) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- 10.03 Footnote 8 to the NPPF states that this includes, for applications involving the provision of housing, situations where the LPA cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in Paragraph 74).
- 10.04 The site is located within the Limits to Built Development of Tunbridge Wells where Policy H5 of the Local Plan states that infilling and the redevelopment of existing developed sites is acceptable.
- 10.05 The issue of sustainability is multi-faceted, incorporating economic, social and environmental considerations. The site is in a very accessible location due to its proximity to services/facilities and public transport links. It is located within the LBD of Tunbridge Wells where adopted (but now out of date) Policy H5 of the Local Plan indicates that redevelopment of existing sites can be acceptable. The provision of an additional four units here would contribute to the Borough's housing need, which would have social and economic benefits.
- 10.06 The Council has submitted its proposed Local Plan (Submission Local Plan) to the Inspector in November 2021, upon which examination has recently concluded and the Inspectors decision letter is awaited. At this time moderate weight is attached to the Submission Local Plan whilst full weight can be attached to the currently adopted Local Plan (2006). However, Policy STR3 of the Submission Local Plan sets out that *'Proposals that provide for the effective use of redundant, disused, or under-utilised brownfield land and buildings in sustainable locations will be supported in principle.'* The policy goes on to state that *'Such proposals within settlements, as defined by their Limits to Built Development, will be encouraged...'* The proposal is considered to be in accordance with the principles of this policy.
- 10.07 Paragraph 124 of the NPPF sets out that planning policies and decisions should support development that makes efficient use of land. The proposal would be considered to make good use of the land and would not result in an undeveloped site. Clearly the proposal would result in a net increase of less than 10 units at the site (over this threshold requires affordable units and financial contributions). However it is considered that to provide a greater number of units at the site would likely result in a greater level of built form of a larger scale, height and bulk which would likely detract from the character of the area and have a greater impact upon the residential amenity of adjacent dwellings. It is also noted that an increase in units would require a greater level of parking at the site and likely increase parking pressures in the surrounding road networks, something which has also been raised as a concern by local residents.
- 10.08 Overall, the proposal is considered to comprise sustainable development and there are no objections in principle to the proposal. For its consideration as a suitable site for residential development the scheme would need to be satisfactory in all other respects, as discussed below.
- 10.09 In this case, the main issues for consideration are the design and visual impact of the development, impact upon heritage assets (including the Conservation Area and nearby listed buildings), impact on residential amenity, parking and impact on highway safety (along with all other material considerations).

Visual Impact

- 10.10 In design terms the proposal falls to be considered against the relevant adopted policies and guidance at local and national level. Local Plan Policy EN1 requires the design of a proposal to respect the context of its site and that the proposal would not result in the loss of significant buildings, related spaces, trees, shrubs, hedges, or

other features important to the character of the built up area. It also 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. CP4 (1) requires the Borough's urban landscapes to be conserved and enhanced. Chapter 12 of the NPPF emphasises the importance of achieving good design through the development process. Paragraph 126 sets out that good design is a key aspect of sustainable development and Paragraph 134 states that development that is not well designed should be refused.

- 10.11 Design is also addressed within the PPG. Paragraph 001:26 sets out that good design responds in a practical and creative way to both the function and identity of a place. It puts land and other such resources to the best possible use – over the long and short term. Paragraph 006:26 underlines the importance of the physical environment supporting economic, social and environmental objectives beyond the requirement for good design in its own right. Paragraph 020:26 underlines that distinctiveness is what often makes a place special and valued. It relies on physical aspects such as the local pattern of street blocks and plots, building forms, details and materials, style and vernacular plus landform and gardens, parks, trees and plants.
- 10.12 The site is located to the rear (east) of the properties of 2-16 St Johns Road where nos 2-14 are four storey properties and no. 16 (located adjacent to the junction where Culverden Square meets St Johns Road) is two storey. The properties along St Johns Road comprise a mix of commercial, office and residential units. The site is also located to the rear (west) of the residential properties of 11-25 Grosvenor Park, comprising two storey terrace housing (some of which have a habitable roof space) and to the rears (north) of the residential properties of 1-9 Grosvenor Park (2 storey terrace housing) and the Tunbridge Wells Friends Meeting House (a two storey property with a habitable roof space). 88 Grosvenor Park is located to the south west of the site at the junction where Grosvenor Park meets St Johns Road and comprises a four storey building with a habitable roof space.
- 10.13 Because of the surrounding built form around the application site along St Johns Road and Grosvenor Road the site is not considered to be particularly prominent from these adjacent roads and vantage points. The site is, however, open and highly visible from Culverden Square, a private roadway.
- 10.14 The proposed development is for four dwellings in the form of a two storey semi-detached property in the north and front of the site, a 1.5 storey detached unit located centrally and towards the sites west boundary along with another 1.5 storey dwelling towards the rear and south boundary of the site. By virtue of the scale and amount of surrounding built form along with the scale of the proposed dwellings; the proposed development is not considered to appear highly visible or prominent from surrounding public vantage points along Grosvenor Park or St Johns Road. The proposal by virtue of its location and scale is not considered to have a detrimental visual upon the street scenes or characters of these two adjacent roads.
- 10.15 The proposal would however appear highly visible from Culverden Square, situated to the north of the site. Culverden Square comprises a car park opposite, serving a Nos.20-26 St Johns Road, an additional car park which has permission to be redeveloped to provide three two storey terraced dwellings plus approximately 20 residential properties and a small office (The Warehouse) in the form of two and three storey buildings. The proposed residential development would not be considered to appear out of context or character with the remainder of Culverden

Square. The proposed two detached units would have an appropriate set back from the road and would be partially screened by the proposed semi-detached unit to the front of the site. Because of this these proposed units are not considered to appear highly prominent or be harmful to the character of the street scene of Culverden Square.

- 10.16 The proposed semi-detached unit that would sit adjacent to Culverden Square and front onto the road is considered to be of a scale and design that would be in keeping with the properties along Culverden Square and the surrounding area. It is not considered to appear visually intrusive or detract from the character of the area or street scene or Culverden Square.
- 10.17 The proposed form and design and materiality (brick and slate tiles) of the proposed dwellings is considered to respect the site's locality and surrounding built form. The proposed design of the dwellings would not be considered to appear at odds with its urban surroundings and would reflect the general character and appearance of the surrounding buildings and locality. A condition has been attached in relation to materials to ensure they are of an appropriate quality.
- 10.18 The land levels slope significantly down towards the east and south of the site. The proposed dwellings are considered to be of a height, eaves height and roof form that would respect the difference in land levels from a visual perspective. They would be considered to respect the surrounding roof and building lines and respect the sites context and locality.
- 10.19 Whilst the proposal includes three parking spaces to the front of the site and accessed from Culverden Square, it is considered given the current lawful use as a car park (and that a car park lies opposite) would not be considered to be out of character with the area and would not appear visually intrusive. The remaining two parking spaces are to be located adjacent to the proposed dwellings
- 10.20 The proposed development includes the retention of the most significant tree at the site, located in the north east corner of the plot, along with an additional six trees at the site. Three trees are proposed to the front of the site between the road and Plots 1 and 2, two along the site's west boundary and one in the south east corner of the site. This additional planting is considered to further soften the developments visual impact. A landscape scheme condition has been attached to ensure appropriate planting and species.
- 10.21 The proposal includes the relocation of the site's access point from its current more central position along the northern boundary to the north east corner of the plot. The proposed relocated access point is not considered to appear visually intrusive. The proposed plans show the internal access road and parking spaced being cobbled surfaced. This is considered to be appropriate for the sites location and a condition has been attached in relation to this.
- 10.22 Details relating to the proposed bin stores, boundary treatments and cycles stores have also been conditioned to ensure that they are appropriate for the sites locality and to ensure the delivery of a high quality scheme. Details relating to the external lighting have also been conditioned to preserve the visual amenity of the locality.
- 10.23 Concerns have been raised in regards to the density of the development. The site is located within Tunbridge Wells and in very close proximity to the town centre and primary a shopping area. The area is very urban in nature and the surroundings are

generally very built up and densely developed. The proposed development is not considered, on balance, to result in an overly developed site or appear cramped. It would respect the general density of development and built form in the immediate area and would not appear at odds with its surroundings. It is also noted that during the application process the scheme has been amended from five dwellings to four dwellings thus reducing the overall density of the development. Core Policy 6(3) of the Council's Core Strategy sets out that '*Housing will be developed at a density appropriate to the specific character of the locality. It will contribute towards achieving the overall regional target of 40 dwellings per hectare and will not generally be below 30 dwellings per hectare*'. The proposal would result in a density of approximately 45 dwellings per hectare. The proposal, whilst above the regional target of 40 dwellings per hectare, would be considered to be at appropriate density for the character of the locality and provide additional housing to the borough on a brownfield site in a highly sustainable location at a time when the Council are unable to demonstrate a 5 year housing supply.

- 10.24 Whilst the proposed development would result in the introduction of built form to the site it is not considered that the proposal would appear cramped, constitute overdevelopment of the site nor be at odds with the site's locality. The design and scale of the proposal is considered to be acceptable and would preserve that character of the street scene and area. It would not appear visually intrusive in the locality and it is considered that the proposed development in this location would not appear alien or out of context with the area. The proposal, is not of an excessive scale in comparison to other surrounding properties and built form in the area. The proposal is considered to be of a good quality design, appropriate for the sites setting and location.
- 10.25 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 and national planning policy and guidance.

Heritage Impact

- 10.26 The application site is located within the Tunbridge Wells Conservation Area and 88 Grosvenor Road (to the south west of the site) is Grade II listed.
- 10.27 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and case law makes it clear that, amongst other things, when a development will harm a heritage asset of its setting, the decision-maker must give that harm considerable importance and weight; with reference to S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it clear that the decision-maker is only asked to preserve the special character and appearance of the Conservation Area and not enhance it.
- 10.28 Paragraph 199 of the NPPF states that:-
- 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*
- 10.29 Policy EN5 of the Council's Local Plan sets out that development should not be detrimental to the character or appearance of a conservation area and that proposal should preserve or enhance the character and appearance of an area.

- 10.30 The Council's Conservation Officer has been consulted on the application and has commented on the application. They consider that the site does not have a functional relationship with the nearby grade II listed building (88 Grosvenor Road) and does not form part of its setting that contributes towards significance. The use as a car park ancillary to the former Jobcentre Plus / DWP Offices only subsisted for a short recent period and the two sites are in separate ownership. The CO also considers that the site in its current form currently detracts from the significance of the Conservation Area as a poorly managed space.
- 10.31 In design terms they considered the original 5 dwelling scheme (reduced to 4 dwellings during the application process) to appear somewhat cramped, but typical of the high density of some of the smaller houses that were developed historically in the immediate area. The proposed semi-detached property at the north end will enclose the road, which is considered to be a benefit from a heritage perspective.
- 10.32 The Council's Conservation Officer supports the proposed development as sustaining the significance of the Conservation Area and the nearby grade II listed building. The proposed development is therefore considered to be acceptable in regard to its heritage impact.

Residential Amenity

- 10.33 Policy EN1 of the Council's Local Plan, requires under criterion 2 that proposals would not cause significant harm to the residential amenities of adjoining occupiers, and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight and privacy.
- 10.34 Objections have been received from neighbours based on loss of privacy. It is considered important at this juncture to distinguish between overlooking (and a consequential loss of privacy) and merely being able to 'see' towards another property, which does not in itself amount to overlooking. Policy EN1 also addresses a loss of outlook from nearby occupiers. For an 'outlook' to be substantially harmed the impact must be far greater than a simple change of view. The preservation of a private view/vista or the corresponding impact on adjoining property values through any loss of that view/vista are not material planning considerations.
- 10.35 The proposed development is considered to have the most potential impact upon the adjacent properties of;
- 1 Culverden Square and 11-25 Grosvenor Park (to the east of the site);
 - 1-9 Grosvenor Park and The Friends Meeting House (to the south of the site) and;
 - the residential units within properties of 2-16 St Johns Road (to the west of the site).
- 10.36 Consideration must also be given to approved residential developments in close proximity to the site. These include 88 Grosvenor Road, to the south west of the site, which has approval for 14 residential units under 21/02896/FULL and the car park within Culverden Square (to the north east of the site), which has approval for 3 dwellings under 20/00476/FULL.

1 Culverden Square and 11-25 Grosvenor Park

- 10.37 These properties are all located immediately to the east of the application site and sit on a lower land level to the application site. The east boundary of the proposal site is marked by a boundary wall which for the most part is approximately 2.3m in height other than at the north end (to the rear of 1 Culverden Square) where there is a lower

wall with trellis above. Officers have had the benefit of viewing the site from a neighbouring garden of an adjacent property along Grosvenor Park.

- 10.38 1 Culverden Square is a two storey property which forms half of a semi-detached building fronting to the north and accessed from Culverden Square. This property has a garden to the west which adjoins the application site. This neighbouring property appears to have a doorway, opening onto the garden, and single window at ground floor level and a single first floor window on the west elevation, facing towards the application site. The side elevation of this property is situated approximately 3.5m from the boundary of the application site.
- 10.39 By virtue of the height of the boundary wall, situated along the east boundary of the site, which is proposed to be retained; it is not considered that views of these neighbouring properties from the proposed internal access track/road would be significant. Views from this access track would be the same/similar to those currently experienced with the private car park use and are not considered to result in an increased overlooking or loss of privacy to these neighbouring properties. It is also not considered by virtue of the scale, separation distance of Plots 1 and 2 and the orientation and position of openings; that the proposed properties of Plots 1 and 2 would have a detrimental impact upon the property of 1 Culverden Square.
- 10.40 The properties of 11-25 Grosvenor Park form a terrace row of two storey properties, some of which have habitable roof spaces through the introduction of roof lights and dormers, that front to the east and have tiered gardens to the rear (west). A footway is located to the rear of these gardens, and which serves these properties sits between the rear gardens and the application site. The rear elevations of these properties have openings on both ground and first floor level and in some instances roof lights and dormers within the roof slopes facing towards the application site. The gardens to the immediate rears of these properties generally sit between 3.3m-4.2m lower than the application site. Many of these openings would appear to serve habitable rooms and spaces. The rear elevations of these properties are situated approximately 8.5-11.0m from the boundary of the application site. The properties to the north are generally sited slightly closer than those situated further to the south.
- 10.41 In regard to privacy, the east-facing side elevation of Plots 1 and 2 contains a single window at ground floor level and a rooflight in the roof slope. No windows are proposed at first floor level on this elevation. The ground floor window is a slim line window serving a toilet/wc and the rooflight serves a bedroom. However, the rooflight window by virtue of its position, orientation, angled nature and height would not allow significant views of nearby properties. These proposed properties include openings in the rear (south) facing elevation that serve habitable rooms, however by virtue position they would not be considered to have views beyond the standard 45 degree viewing angle and would therefore have highly limited views of the neighbouring properties to the east of the application site. Any views from these south facing openings towards the east would be considered to be highly limited and not of an extent that would have a significant or detrimental impact upon the privacy of these neighbouring properties. It is therefore considered that Plots 1 & 2 would not cause an unacceptable level of overlooking or loss of privacy to these neighbouring properties to the east of the site.
- 10.42 Plot 3, located most centrally in the site and towards the west boundary of the application site, and Plot 4, located towards the south of the site, are both proposed to be front towards the east. These 1.5 storey dwellings are proposed to include an entrance doorway and two windows at ground floor level on the east facing elevations. No openings are proposed at the upper levels on these elevations. Whilst

the openings at ground floor level do serve habitable rooms, by virtue of their set back from the site's east boundary and the height of the boundary wall along this section of the site they are not considered to cause a significant level of overlooking or loss of privacy to these neighbouring properties located to the east of the application site.

- 10.43 The application site sits on a notably higher land level to these neighbouring properties. In terms of outlook, it is considered that the neighbouring Grosvenor Park properties' primary outlook is towards the west and therefore the application site. The site is currently devoid of built form and is open. However, it is noted that a relatively high boundary wall (approximately 2.3m at its highest point (predominantly to the rears of nos 11-19) and 1.8m at a lower stepped down section/point (predominantly adjoining nos 21-25) from the application side, the wall extends approximately a further 1.4m down on the Grosvenor Park side) along the majority of the eastern boundary of the site along with a well-established tree in the north east corner of the site. It is also noted that there is some, albeit limited, planting within some of the gardens along Grosvenor Park.
- 10.44 It is considered that Plots 1 and 2 would have the most potential impact, in terms of outlook and light, upon the neighbouring properties of 1 Culverden Square and nos 23 and 25 Grosvenor Park. Plots 1 and 2 are proposed to be sited towards the site's west boundary and approximately 3.5m from the site's boundary at its closest point with the pitches of the roof slope facing east and west. These proposed properties would be sited approximately 9.4m to the closest elevation of 1 Culverden Square and approximately 12.2m to the rear elevations of nos 23 and 25 Grosvenor Park (at their closest point).
- 10.45 Plot 3 is proposed to be located relatively centrally within the site and towards the west boundary. It is considered to have the most potential impact, in terms of outlook, on the properties of nos 17-21 Grosvenor Park. This property is proposed to be 1.5 storeys high and be sited approximately 3.6m from the site's boundary and approximately 14m from the rear elevations of these neighbouring properties.
- 10.46 Plot 4 is proposed to be located towards the rear and within the south of the site. It is considered to have the most impact, in regard to outlook, on the properties of 11-15 Grosvenor Park. This proposed dwelling is to be sited approximately 3m from the site boundary and approximately 14.2m to the rear elevations of these properties.
- 10.47 A well-established tree, which is proposed to be retained, is located adjacent to the garden of 1 Culverden Square and limits the visibility of the site from this neighbouring property and its garden (particularly during the summer months). Because of this, but primarily due to the separation distance between the proposed dwelling and this neighbouring property, it is considered that the proposed development would not result in a such a loss of outlook or light to warrant the application being refused.
- 10.48 It is noted that the properties and tiered gardens of the properties along Grosvenor Park sit on a notably lower land level to the application site and that the proposed development would result in some loss of light and outlook. However, given the land levels, the scale of the boundary wall to be retained, the separation distances of over 12m, along with the 1.5 storey height of Plots 3 & 4 it is considered, on balance, that the proposed development would not result in such a loss of outlook or light to these properties that would warrant the application being refused on such grounds. The proposed properties are not considered to be of such a scale or proximity to these neighbouring properties to result in an overbearing impact.

10.49 For the above reasons the proposed development is considered to respect the amenities of these neighbouring dwellings.

1-9 Grosvenor Park and The Friends Meeting House

10.50 These properties are located to the rear (south) of the application site. 1-9 Grosvenor Park comprises a two storey terrace row of properties which front to the south and have gardens to the rear, which back onto the application site. The Friends Meeting House is located to the west of this terrace row and comprises a small number of apartments with an amenity space to the east. The rear elevation of this property is flushed with the south boundary of the site. These properties are again sited on a lower land level to the application site.

10.51 It is considered that the neighbouring properties would be most potentially impacted upon by Plot 4, which is proposed to be located closest to the site's south boundary. It is considered that Plots 1-3, by virtue of their separation distance from these neighbouring properties would not have a significant or detrimental impact upon their amenities.

10.52 Plot 4 is proposed to comprise a 1.5 storey dwelling, which faces east. The south elevation of this proposed dwelling is to include an opening at ground floor level, but no openings at first floor level. Because of this the proposal is not considered to cause an unacceptable loss of privacy to these neighbouring properties.

10.53 In terms of light and outlook, the proposed dwelling is to be sited approximately 3.5m to the boundary of the site and situated to the north west of the properties of 1-9 Grosvenor Road and to the north east of the Friends Meeting House. By virtue of the location of the proposed unit in relation to surrounding properties, its height and separation distance, the proposed development is, on balance, not considered to result in such a loss of light or outlook to these neighbouring properties to warrant the application being refused. The proposed development is also not considered to be of a such a scale or proximity to result in an overbearing impact.

10.54 For the above reasons the proposed development is considered to respect the amenities of this neighbouring dwelling.

2-16 St Johns Road

10.55 These properties are located to the west of the application site and comprise apartments within four storey buildings where there is largely a mix of commercial and residential units. These properties sit on a higher land level than the proposal site and are located approximately 8m from the west boundary of the application site at its closest point.

10.56 Because of the difference in land levels, the separation distance and scale of the proposed development, it is considered that the proposal would not result in a significant or unacceptable loss of light or outlook to these units to warrant the application being refused. The proposed development is also not considered to be of a scale or proximity that would result in an overbearing impact.

10.57 In terms of privacy Plots 3 and 4 include first floor openings serving habitable rooms on the west facing elevation. Plot 1 includes a roof light on the west facing roof slope. By virtue of the land levels, separation distance and position of the proposed windows in relation to neighbouring properties it is considered, on balance, the proposal would not result in such a level of overlooking or loss of privacy that would

warrant the application being refused. It is also considered that the impact could be further softened through additional planting along the boundaries of the site.

- 10.58 For the above reasons the proposed development is considered to respect the amenities of this neighbouring dwelling.

88 Grosvenor Road

- 10.59 This property is located to the south west of the application site and comprises a four storey building with a habitable roof space. This building has permission to be converted into 14 apartments. However, this property is sited to the south west of the site with a reasonable separation distance and is on a higher land level. Because of this it is not considered that the proposed development would have a detrimental impact upon the amenities of this property and its potential future occupiers.

Car Park, Culverden Square

- 10.60 This site is located to the north east of the application site, on the opposite side of Culverden Square and has permission for three dwellings at the site. By virtue of the separation distance between the proposed development and this site as well as its scale, it is not considered that the proposal would have a harmful impact upon the amenities of these approved properties.

Shadow Study

- 10.61 A shadow study has been submitted in support of the application and has been largely disputed by objectors. This study is not a full daylight and sunlight assessment and merely aims to demonstrate the impact of the proposal. There is no planning policy basis for seeking a full daylight/sunlight study and the impact of the development in regard to residential amenity is a matter of judgement for Officers, including having regard to the existing surrounding buildings and the height/scale of the proposed dwellings. Officers have had considered both the submitted shadow study, neighbour comments and have also viewed the site from neighbouring land. It is the view of Officers that the proposed development, for the reasons set above would not result in such a loss of light to the neighbouring properties to warrant the application being refused. It is noted that objectors have referred to 'right to light' legislation however this is a civil matter between individual land/property owners – it is not enforced by the Local Planning Authority.

Noise

- 10.62 The use of the site for four residential units is not considered to create a significant increase in noise levels that would warrant the application being refused on such grounds. It is also noted that Environmental Protection has raised no comments or concerns in regard to noise.

Living Conditions of the Proposed Units

- 10.63 The proposed units would be considered to have adequate living conditions and no nearby property would be considered to cause an unacceptable loss of light, outlook or privacy to the proposed units. The proposed living conditions are therefore considered to be satisfactory.

Summary

- 10.64 Taking account of the above it is considered that the proposed development would, on balance, respect the amenities of all of the nearby neighbouring properties and that the proposed units would have suitable living conditions.

Highways and Parking

10.65 Policy TP4 of the Local Plan sets out that proposal will only be considered acceptable where a safe access can be provided and where proposal will not have a detrimental impact upon the surrounding road networks. Policy TP5 sets out that when assessing parking provisions that the KCC Vehicle Parking Standards, adopted by the Council, will be applied to such development proposals. Policy TP6, which reflects Kent County Council guidance (*Kent Design Guide: Interim Guidance Note 3 Residential Vehicle Parking Standards - 2008*) and requires 'a maximum parking standard of one space per dwelling'.

10.66 Paragraph 111 of the NPPF sets out that '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*'

Access

10.67 The sites existing relatively central access point from Culverden Square is proposed to be closed and a new access point is proposed in the north east corner of the site onto Culverden Square.

10.68 The proposed access point is considered to provide suitable visibility in both directions along Culverden Square and is considered to be adequate to support the proposed development. It is considered that the proposed development would result in a comparable, if not slightly reduced, number of movements in comparison to the sites current lawful use as a private car park. The proposed access arrangements for this scheme are considered acceptable to serve the proposed development.

10.69 Concerns have been raised to the potential highway and pedestrian safety implications of the development. The site is within a largely built up area with a 30mph speed limit operating along St Johns Road. The proposed access arrangements would not result in a demonstrably increased impact upon highway and pedestrian safety, particularly given the site's lawful use.

10.70 Whilst there are parking restrictions on the surrounding roads - if safety concerns (sufficient to warrant such restrictions) had historically been identified by the highway authority or parking services they would have been imposed accordingly.

Parking provision for occupiers of the proposed development

10.71 The proposal is to provide four allocated parking spaces and a visitor space to serve the proposed development along with cycle parking provisions. The currently adopted KCC parking standards guidance document sets out that for sites in City/Town Centre and Edge of Centre Locations that 1 space per unit should be provided for 3 bedroom units and 0.8 (1 rounded) visitor parking space for a four unit scheme. The proposed development would therefore be considered to meet the requirements for both of these locations. It is also noted that the site is within a highly sustainable location, inside the LBD and within walking distance to a wide range of public transport links and services. It is therefore considered that the proposal provides adequate parking to support the development (based on current adopted development plan policies) and therefore does not warrant refusal on such grounds.

10.72 It is noted that the Parking Standards policy within the Council's Submission Local Plan would require a scheme of this scale to provide 6 allocated spaces plus 1 visitor space. However this plan and policy is yet to be adopted and contrary to the views of TWBC Parking Services only limited weight can be attributed to it.

- 10.73 It is also considered that the site is within a highly sustainable location where future occupiers have access to a range of services/facilities and public transport links. It is therefore not considered that future occupiers would be highly dependant on the use of a private vehicle and there would be adequate parking to support the proposed development.
- 10.74 It is also noted that a good level of cycle parking is proposed which would aid to promote such a sustainable transport method. Therefore, it is considered that the proposed level of parking provided for the development is acceptable for the site's sustainable location.
- 10.75 It is recognised that residential areas such as this can be prone to parking saturation. Whilst TWBC Parking Services' comments are material to this decision, their remit does not relate to highway safety matters but rather the management of on-street parking. It is noted that concerns have been raised in regard to parking and increased parking pressures on the surrounding road networks. There is a difference between the inconvenience of parking to local residents, where visibility is restricted either side of a driveway (a common occurrence in residential areas in and around urban areas) and parking-related highway safety. Inspectors have, at appeal, traditionally only given weight to highway safety issues arising from parking. It would be difficult to directly attribute a significant parking-related safety issue directly to this development, given the nature of the current roadside parking, the level of on site parking proposed (in accordance with current and adopted KCC guidance) and the fact that there is some parking availability in nearby streets. Therefore, in this instance, it is not considered that the proposal would cause harm to highway safety.
- 10.76 A condition has been attached to ensure the installation of EV charging points at the site.

Summary

- 10.77 Taking the above into account, the development is acceptable in highway and pedestrian safety. The proposal is therefore considered to comply with current local, KCC and national planning policy and guidance.

Trees and Ecology

- 10.78 Paragraph 174 of the NPPF sets out that decisions should contribute to and enhance the natural and local environment including by minimising impacts on and providing net gains for biodiversity.
- 10.79 The proposed development comprises a private, hard surfaced, car park with a small level of planting most notably including a tree in the north east corner of the site. The site is considered to be of highly limited ecological value.
- 10.80 The proposed development seeks to retain the most significant planting at the site along with providing additional trees and planting. It is considered that the proposal would likely provide ecological enhancements. To ensure that this is the case a condition has been attached in relation to landscaping, tree protection measures and for a scheme of biodiversity enhancements.

Drainage and Flooding

- 10.81 Paragraph 159 of the NPPF sets out 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.'*

- 10.82 The application site falls outside of a designated flood zone or a Strategic Flood Risk Area. The proposed development would result in an increase of built form at the site through the erection of four dwellings. Details of surfacing have been conditioned to ensure that the development does not result in a significant increase in surface water run off in the immediate area. Subject to this condition the proposed development would not be considered to cause an unacceptable increase in flood risk or surface water run off in the area.

Other Matters

Land Contamination

- 10.83 Some concern has been raised in regard to land contamination where the site sits within a buffer zone. A desk study report has been submitted with the application and following discussions with the Councils Environmental Protection Team is considered to demonstrate the potential for land contamination to have been caused by the former uses of the site (notably vehicle repair). A condition has therefore been recommended to address this matter.

Construction Management

- 10.84 Some concerns have been raised in regard to disturbance caused during the construction phase. Given its temporary nature little weight can be given to this matter. It is however, considered that a construction management plan is necessary in this instance given the sites location and therefore a condition has been attached. There are also powers to deal with statutory nuisance from noise and disturbance from construction sites through Environmental Health Legislation.

Sustainable Design and Construction

- 10.85 Core Policy 5 of the Council's Core Strategy sets out that the Council will apply and encourage sustainable design and construction principles and best practice in order to combat avoidable causes of climate change and adapt to and/or mitigate already-unavoidable impacts of climate change. In accordance with the aims of the policy a condition has been attached in regards to this matter.

Accuracy of Plans and Documents

- 10.86 Comments have been made in regard to the accuracy of the submitted plans and details. The plans are within the tolerances of accuracy and all of the proposed plans are considered to be consistent with one another.

Housing Needs of the Borough

- 10.87 Local residents have commented that there is a surplus of apartments available in the Borough and that a number of developments have been permitted in the locality. As set out in the Principle of Development section of this report the Council are currently unable to demonstrate a 5 year housing supply (4.66 years) and therefore there is a need for all housing types at this present time.

House and Rental Values

- 10.88 Concerns have been raised in regards to the developments impact upon the value of the surrounding properties. The impact upon property values is not a planning consideration.

Archaeology

- 10.89 An Archaeological Impact Assessment has been submitted in support of the application. This has been prepared by a suitable professional and concludes that there would appear to be a very low potential for archaeology at the site.

Air Quality Management

- 10.90 The application site is located within an Air Quality Management Area Buffer. An Air Quality Assessment has been submitted in support of the application. The report has been prepared by a suitable professional and following discussions with the Council's Environmental Protection Team is considered to be satisfactory and demonstrates that the development will not have a significant impact on the AQMA nor be unduly affected by poor air quality.

Conclusion

- 10.91 Based on the above, the residential development proposed is considered to be acceptable in principle and would be within a highly sustainable location. The scale, massing and design of the proposal is considered to be acceptable and does not detract from the character of the surrounding area nor the significance of the Conservation Area. The siting and scale of the proposed units in relation to the neighbouring properties is not considered to be detrimental to residential amenity to the extent that refusal is warranted. It is considered that there is sufficient parking provision proposed to serve the new units and that the proposal would not be detrimental to highway or pedestrian safety. Issues relating to tree protection, ecology, landscaping and drainage can be adequately controlled through conditions. It is therefore recommended that this application be approved subject to the conditions set out below.
- 10.92 All pre-commencement conditions have been agreed with the applicant's agent.

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:

656-CDA-ZZ-ZZ-DR-A-20-0099 Rev 03 - Proposed Site Plan
656-CDA-ZZ-ZZ-DR-A-20-0101 Rev 03 - Ground Floor Plan Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0102 Rev 02 - First Floor Plan Type 1 and 2
656-CDA-ZZ-RF-DR-A-20-0103 Rev 02 - Roof Plan Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0200 Rev 02 - North and South Elevations Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0202 Rev 01 - East and West Elevations Type 1 and 2
656-CDA-ZZ-ZZ-DR-A-20-0104 Rev 02 - Ground Floor Plan Type 3
656-CDA-ZZ-ZZ-DR-A-20-0105 Rev 02 - First Floor Plan Type 3
656-CDA-ZZ-ZZ-DR-A-20-0203 Rev 02 - North and South Elevations Type 3
656-CDA-ZZ-ZZ-DR-A-20-0204 Rev 01 - East and West Elevations Type 3
656-CDA-ZZ-ZZ-DR-A-20-0106 Rev 02 - Ground Floor Plan Type 4
656-CDA-ZZ-ZZ-DR-A-20-0107 Rev 02 - First Floor Plan Type 4
656-CDA-ZZ-ZZ-DR-A-20-0205 Rev 02 - North and South Elevations Type 4
656-CDA-ZZ-ZZ-DR-A-20-0206 Rev 01 - East and West Elevations Type 4
656-CDA-ZZ-ZZ-DR-A-20-401 Rev 01 - Sections Type 3
656-CDA-ZZ-ZZ-DR-A-20-402 Rev 01 - Sections Type 4
656-CDA-ZZ-ZZ-DR-A-20-403 Rev 01 - Site Section

Reason: To clarify which plans have been approved.

3. Written details including source/ manufacturer, and samples of bricks, tiles, cladding and roofing materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before above ground development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

4. The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: These details are required pre commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Prior to development commencing, a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity.

Reason: These details are required pre-commencement to protect and enhance existing species and habitat on the site in the future.

6. No development shall take place until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on and immediately adjacent to, the site, including highway trees and land and shall indicate whether they are to be retained or removed. It shall detail measures for protection of species to be retained, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles and include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide additional tree planting at the site. The approved scheme shall be implemented in accordance with the programme of implementation.

Reason: These details are required pre-commencement to ensure a satisfactory setting and external appearance to the development. This information is required before the development commences with the programme of implementation.

7. The approved landscaping/tree planting scheme shall be carried out fully during the first planting season (October to February) following practical completion of the development hereby approved

Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In order to ensure a satisfactory setting and external appearance to the development.

8. Prior to the first occupation of the development hereby permitted, details of the external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. External lighting shall be installed in accordance with the approved details, and no further external lighting shall be installed at any subsequent time without details having first been submitted to and approved in writing by the Local Planning Authority

Reason: In the interest of protecting the character and amenities of the locality.

9. The hereby approved development shall not be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted.

Reason: To avoid unacceptable additional use of existing drainage infrastructure and to avoid pollution of the surrounding area.

10. 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 and E of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior written planning permission of the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no windows, or similar openings shall be inserted other than as hereby approved without the prior written planning permission of the Local Planning Authority.

Reason: In the interests of visual amenity and preserving the sites rural locality.

12. Details of walls and fencing within the development shall be submitted to and approved in writing by the Local Planning Authority and erected prior to the first occupation of any of the hereby approved dwellings and shall be maintained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality.

13. Before the unit hereby approved are occupied, details for the storage and screening of refuse shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details

Reason: To facilitate the collection of refuse, preserve visual amenity and to reduce the occurrence of pests.

14. The areas shown on the approved plans as vehicle parking/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 dwellings hereby permitted are first occupied. It 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 as amended (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 as to preclude vehicular access to this reserved parking space.

Reason: In the interest of visual amenity and development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users and highway safety issues.

15. Prior to the commencement of any above ground works, written and illustrative details for renewable energy technologies within the development such that a 10% saving in site wide carbon emissions can be achieved, along with details for water conservation within the development shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details which shall be retained thereafter.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generation

16. Prior to the first occupation of the development hereby approved, details of the provision of electric vehicle charging points, including a timescale for their provision, shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details and in accordance with an agreed timescale and retained thereafter.

Reason: To ensure a satisfactory standard of development that meets the needs of current and future generations.

17. No works shall take place until a site specific Construction/Demolition Environmental Management Plan has been submitted to and been approved in writing by the local authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan shall include, but not be limited to:

- All works and ancillary operations which are audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 07:30 hours and 18:00 hours on Mondays to Fridays, 08:30 and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays. Unless in association with an emergency or with the prior written approval of the District Planning Authority.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5228, Noise and Vibration Control on Construction and Open Sites shall be used to estimate LAeq levels and minimise noise disturbance from construction works.
- Measures to minimise the production of dust on the site(s).
- Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s).
- Design and provision of site hoardings.
- Management of traffic visiting the site(s) including temporary parking or holding areas.
- Provision of off road parking for all site operatives.
- Measures to prevent the transfer of mud and extraneous material onto the public highway.
- Measures to manage the production of waste and to maximise the re-use of materials.
- Measures to minimise the potential for pollution of groundwater and surface water.
- The location and design of site office(s) and storage compounds.
- The location of temporary vehicle access points to the site(s) during the construction works.
- The arrangements for public consultation and liaison during the construction works.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers and highway safety. This is a pre-commencement condition as the necessary measures will need to be provided from the start of the construction phase.

18. No development shall take place until tree protection details in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

No equipment, machinery or materials shall be brought onto the site prior to the erection of approved tree protection 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 written consent of the Local Planning Authority;

Reason: These details are required prior to the commencement of development in order to safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

19. Prior to any above ground works taking place, details of the proposed slab level of the dwellings hereby approved, shown in relation to a fixed point in the road in Culverden Square shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out at the approved levels.

Reason: In the interest of visual and residential amenity.

INFORMATIVES

1. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
3. As the development involves demolition and construction, compliance with the Mid Kent Environmental Code of Development Practice is expected.
4. Waste and recycling bins are required to be purchased from TWBC prior to the properties being sold or occupied.
5. Street Naming: Once work begins on site please apply for Street Naming & Numbering at <http://www.tunbridgewells.gov.uk/residents/planning/street-naming-and-numbering> . Applying early to officially register new addresses will prevent delays with Council, utility, postal and emergency services.

Case Officer: James Moysey

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.