



Beechwood Trust Limited, One Housing Group & Addington Estate
C/O Mr D Bond
Woolf Bond Planning
The Mitfords
Basingstoke Road
Three Mile Cross
Reading
Berkshire, RG7 1AT

5 September 2017

PLANNING DECISION NOTICE

APPLICANT:	Beechwood Trust Limited, One Housing Group & Addington Estate
DEVELOPMENT TYPE:	Major Others
APPLICATION REFERENCE:	16/07697/FULL
PROPOSAL:	Development of land within curtilage of Beechwood Sacred Heart School for a 69-bed care home (Class C2 Use) with provision of new access onto Pembury Road and associated facilities.
ADDRESS:	Part Site Of, Beechwood Sacred Heart School, 12 Pembury Road, Royal Tunbridge Wells, Kent,

The Council hereby **GRANTS** permission/consent for the proposal referred to above 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:

10090_PL400 RevC - Location Plan
10090_PL401 RevE - Site Plan
10090_PL402 RevA - Level 1 - Garden Level
10090_PL403 RevA - Level 2 - Lower Ground Floor
10090_PL404 RevB - Level 3 - Ground Floor
10090_PL405 RevA - Level 4 - First Floor
10090_PL406 RevB - Level 5 - Second Floor
10090_PL407 RevA - Roof Plan
10090_PL408 RevA - Elevations Sheet 1 of 2
10090_PL409 RevA - Elevations Sheet 2 of 2
10090_PL410 RevA - Site Elevation
10090_PL411 RevA - Site Sections
10090_PL412 RevA - Elevations in Simplified Context
10090_PL413 RevA - Access Piers and Railings
10090_PL414 RevA - Elevated View from East
10090_PL415 RevA - View from Entrance Gates
10090_PL416 RevA - View of Entrance from North
10090_PL417 RevA - View from West Through School Buildings
10090_PL418 RevA - View from South
10090_PL419 RevA - View from East
10090_PL420 RevA - View from South by New Pitch
10090_PL421 RevA - View from South On New Pitch
10090_PL423 RevB - Elevations Sheet 1 of 2 with original application building outline
10090_PL424 RevB - Elevations Sheet 2 of 2 with original application building outline
10090_PL425 RevB - South East Elevation with original application building outline
10090_PL500 RevE - School application outline

Reason: To clarify which plans have been approved.

- (3) The development hereby permitted shall be used as a care home falling within Class C2 and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order (As amended) 2016 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: In order to preserve the amenity of the locality.

(4) Prior to the commencement of any works listed below, details and drawings of the following matters shall be submitted to and approved in writing by the Local Planning Authority:-

- Large scale plans to show depth of recessions between structural elements of the building which may include sections.
- Signage positions within the site.

The development shall be constructed in accordance with the approved details.

Reason: To safeguard the character and appearance of the Conservation Area.

(5) Prior to the commencement of development, written details including source/manufacturer of all external materials (including bricks, tiles, cladding materials and paving materials to be used externally) shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity and to enable a high quality development. Such details are fundamental to the application and are therefore required prior to its commencement.

(6) Notwithstanding any details shown on the submitted drawings, prior to commencement of construction work, details of the finished floor levels of the care home building in relation to surrounding ground levels shall be submitted to and approved by the Local Planning Authority and the work shall be carried out in accordance with those approved details.

Reason: To ensure a satisfactory appearance and to safeguard the amenities on completion of the development.

(7) Prior to works commencing on site, details of parking for site personnel as well as details of loading and turning areas for construction traffic associated with the care home building shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be provided and retained throughout the development. The approved parking, loading and turning areas shall be provided prior to the commencement of development.

Reason: To ensure provision of adequate parking, loading and turning facilities for vehicles in the interests of highway safety and to protect the amenities of occupiers of adjacent buildings.

- (8) The areas shown as vehicle parking space and turning (including service vehicles and cycle parking) shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (England)(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 these areas.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users.

- (9) No care home development shall take place until full details of both hard and soft landscaping have been submitted to and approved by the Local Planning Authority. These details shall cover: Proposed finished levels or contours; Hard surfacing materials; Retaining walls; Railings; Planting plans; Written specification (including cultivation and other operations associated with plant and grass establishment); Schedules of plants, noting species, planting sizes and proposed numbers/densities, and Implementation timetables. Planting shall include proposals for retention of trees and new trees in the vicinity of all boundaries.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- (10) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect and enhance the appearance and character of the site and locality.

- (11) Prior to occupation of the development, a Travel Plan shall be submitted to and approved by the local planning authority, to quantify and seek to mitigate any impact from traffic on the adjacent roads.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations and to protect local amenity.

- (12) The development hereby permitted shall not be occupied until works for the disposal of foul water sewerage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To avoid pollution of the surrounding area and to prevent flooding.

- (13) Prior to the first use of the care home, details of entrance pillars and walls shall be submitted to and approved in writing by the local planning authority. No gates shall be installed on the access road to the site whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (England)(or any Order revoking and re-enacting that Order).

Reason: To protect the amenity of the locality.

- (14) The bicycle parking facilities for the care home building indicated on the approved plans shall be completed prior to occupation of the development and shall thereafter retained.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.

- (15) Prior to the first use of the premises hereby permitted, a scheme for the enhancement of biodiversity (including provision of bird and bat boxes) shall be submitted to and approved in writing by the Local Planning Authority. It shall include a programme of implementation and monitoring. The scheme shall be implemented in accordance with the approved details and programme, and shall be maintained thereafter.

Reason: To protect and enhance existing species and habitat on the site in the future.

- (16) No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme.

Reason: To protect the visual amenity of the area.

- (17) The development hereby permitted shall be constructed in accordance with the specifications, technologies and methods as outlined within the Renewable energy and sustainable construction statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of sustainable construction.

- (18) Prior to the commencement of any above ground works on site, the off site works to the highway (shown on plan 64009 TS 002 B for indicative purposes only) which include creation of the gap to accommodate right turn movement , relocation of the bus stop, installation of new refuge and improvement to footway to west of site to include widening and surfacing and also to include clearance of the visibility splay to the right on egress shall be carried out in accordance with standards and specification of the highway authority and fully implemented prior to the occupation of the development on site and thereafter retained.

Reason: In the highway in the interests of highway safety.

- (19) The gradient of driveway shall be no greater than 5% for first 12.0m from back of highway and 10% thereafter and the access shall be surfaced in a bound material and drained within the curtilage of the site and shall be subsequently maintained as such to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

- (20) Prior to the first use of the premises hereby permitted, the visibility splays as shown on plan number 64009 TS 002 B shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

- (21) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of controlled waters and comply with the National Planning Policy Framework.

- (22) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to controlled waters.

- (23) The development hereby permitted shall not commence until a detailed sustainable surface water drainage strategy been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based on the preliminary strategy prepared (prepared by WYG Engineering - March 2017) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of with the maximum rate of discharge restricted to a maximum of 3l/s.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions. Such details are fundamental to the application and are therefore required prior to its commencement.

(24) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

(25) The development hereby permitted shall be constructed in accordance with the recommendations and methodologies as outlined within the submitted Habitat Survey dated December 2016 unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of sustainable construction.

(26) Prior to the commencement of any works on site, the following details shall be submitted for the approval of the Local Planning Authority:

- A Tree Protection Plan; and
- An Arboricultural Method Statement, detailing all suitable methods required to ensure the effective protection of trees to be retained.
- Details for arboricultural supervision including the contact details of the arboriculturalist to be appointed by the developer or his agents to oversee tree protection on the site, including the frequency of visits, and the reporting of findings.

The approved development shall be carried out in accordance with details in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained.

Reason: To protect and enhance the appearance and character of the site and locality. Such details are fundamental to the application and are therefore required prior to its commencement.

(27) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect and enhance the appearance and character of the site and locality.

Informatives:

- (1) You advised of the need to enter into Agreement under S278 of the Highways Act 1980 with KCC as highway authority and for the approval of plans for works to the highway before commencement of any works on the land. Please contact the Agreements Team tel 03000 41 81 81.
- (2) You are also advised that works required to implement visibility splay to the right on egress will require separate consent/licence from the highway authority and you should contact the KCC District Manager Earl Bourner Earl.bourner@kent.gov.uk.
- (3) 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. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>
- (4) The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
- (5) As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.
- (6) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.
- (7) Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.
- (8) The developer is advised to review the comments submitted from Kent Police and to discuss with them appropriate measures for crime prevention which could be incorporated in to the scheme.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The applicant/agent was advised of minor changes required to the application and these were agreed.
- The applicant/agent was provided formal pre-application advice.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

A handwritten signature in black ink, consisting of a large 'S' followed by a stylized, cursive name.

Stephen Baughen
Building Control and Development Manager
Tunbridge Wells Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF CONSENT OR GRANT OF CONSENT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 or Control of Advertisements Regulations 1989.

Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant for the following:

- If this is a decision to refuse planning permission for a Householder application or a Minor Commercial application and you want to appeal the decision, or any of the conditions imposed, then you must do so within 12 weeks of the date of this notice.
- In all other cases, you will need to submit your appeal against the decision, or any of the conditions imposed, within 6 months of the date of this notice.

For applications relating to Enforcement Notices:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is subsequently served and relates to the same or substantially the same land and development and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial application decision] of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted advertisement consent for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.