



Graham Land And Development
C/O Mrs Melissa Magee
Carless & Adams Partnership
6 Progress Business Centre
Whittle Parkway
Bath Road
Slough
Berkshire, SL1 6DQ

14 September 2018

PLANNING DECISION NOTICE

APPLICANT:	Graham Land And Development
DEVELOPMENT TYPE:	Major Others
APPLICATION REFERENCE:	17/01151/FULL
PROPOSAL:	Demolition of existing buildings and erection of a 68 suite integrated community health centre (C2 use class) and associated parking
ADDRESS:	Cornford Court, Cornford Lane, Tunbridge Wells, Kent, TN2 4QX

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

- (1) The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance 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:

- A-685- 01 C - Site Location Plan
- A-685- 100 A5 - Site Plan
- A-685- 101 A2 - Basement Plan
- A-685- 102 A2 - Ground floor Plan
- A-685- 103 A2 - First floor Plan
- A-685- 104 A3 - Second floor Plan
- A-685- 105 A2 - Existing elevations
- A-685- 203 A4 - Proposed elevations

Reason: To clarify which plans have been approved.

(3) Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority.

The code shall include:

- An indicative programme for carrying out the 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)
- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(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 (including wheel wash) 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

Reason: To protect the amenity of local residents and in the interests of highway safety. This is pre-commencement to ensure that the site set up is secured at an early stage to ensure highway safety and the amenity of local residents.

- (4) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme 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 100 year storm) can be accommodated within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- (5) 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:
- a) a timetable for its implementation, and
 - b) 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 any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 165 of the NPPF and its associated Non-Statutory Technical Standards.

- (6) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development 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 as constructed is compliant with the National Planning Policy Framework.

- (7) Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and an implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To avoid pollution of the surrounding area. This is pre-commencement to ensure that suitable drainage is designed at early stage to prevent flood risk.

- (8) Notwithstanding the details submitted, prior to the commencement of above ground construction works, written details including source/ manufacturer, and samples of bricks, tiles, cladding and all roofing 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.

- (9) 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 prior to the commencement of the development of above ground works. 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 unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the rural character and appearance of the locality, neighbouring amenity, and in the interests of biodiversity.

- (10) Notwithstanding the details submitted, prior to the first occupation of the dwelling hereby permitted, details of a Landscape and Environmental Management Plan (LEMP) for the site in accordance with BS42020 Biodiversity shall be submitted to and approved in writing by the Local Planning Authority. This will include details of avoidance measures with regards to the protected and notable species (such as nesting birds) as well as enhancement measures for biodiversity and the long term design objectives, management responsibility and maintenance schedules for all communal landscape areas. The approved management and monitoring plan shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity;

Reason: In the interests of ecology, the landscape and scenic beauty of the area

- (11) Prior to the commencement of above ground construction works, 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: To protect and enhance existing species and habitat on the site in the future.

- (12) Notwithstanding the details submitted, prior to any above ground construction works, details of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This should include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the first occupation of the dwellings hereby approved. Development shall be carried out in accordance with the approved details and shall be permanently maintained.

Reason: In the interests of the amenity of the area.

- (13) No development shall take place until an Arboricultural method statement (AMS), to cover the following; Arboriculture supervision, phasing of works and construction of the parking area within the RPA of the retained trees, and in accordance with the current edition of BS 5837, has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of the amenity of the area. This is a pre-commencement condition to ensure that trees are protected at an early stage of the development.

- (14) No development shall take place until details of tree protection in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the local planning authority. All trees to be retained must be protected by barriers and/or ground protection. The approved measures shall be fully implemented prior to any works commencing on site.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development. This is a pre-commencement condition to ensure that trees are protected at an early stage of the development.

- (15) Notwithstanding the details submitted, no development shall take place until a landscape scheme, to include hard and soft landscaping, 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 and 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 new planting with positions, size and species to be used.

Reason: No such details have been submitted and to ensure a satisfactory setting and external appearance to the development. This is a pre-commencement condition to ensure that trees are protected at an early stage of the development.

- (16) All planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is sooner and any trees or plants (including trees and plants shown to be 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 a similar size and species, unless the Local Planning Authority gives written consent to any variation.

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.

- (17) No development shall take place until a plan of the proposed services into the site has been submitted to and approved in writing. All services shall be installed to NJUG specifications where appropriate.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development. This is a pre-commencement condition to ensure that trees are protected at an early stage of the development.

- (18) No development shall commence 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: To protect future occupiers of the site. The reason these details are required prior to commencement are to prevent harm to the environment and protect the health and safety of construction workers and future occupiers.

- (19) Prior to the first use of the premises, details of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission 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. The scheme shall ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 (in areas of low background sound levels a target of NR30 shall be achieved) as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever its operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority

Reason: In the interest of residential amenity.

- (20) The rating level of noise emitted from the proposed plant and equipment to be installed on the site (determined using the guidance of BS 4142 : 2014 Rating for industrial noise affecting mixed residential and Industrial areas) shall be low as can be possible. In general this is expected to be 5dB below the existing measured background noise level LA90, T. In exceptional circumstances, such as areas with a very low background or where assessment penalties total above 5 the applicants consultant should contact the Environmental Protection Team to agree a site specific target level.

Reason: In the interest of residential amenity.

- (21) Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: To prevent pollution of the water environment.

- (22) Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back garden and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: In the interest of residential amenity.

- (23) Prior to the occupation of the development hereby approved, details of the provision of at least 2 'fast charge' electric vehicle-charging points, including a timescale for its provision, shall be submitted to, and approved in writing by, the Local Planning Authority. The charging point 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 which meets the needs of current and future generations.

- (24) The area shown on the approved site layout plan as vehicle parking and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the buildings they serve are occupied, and shall be retained for the use of the occupiers of, and visitors to, the development in accordance with the approved details, 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: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users.

- (25) Prior to the occupation of the development hereby permitted, written and illustrative details for renewable energy technologies within the development shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

- (26) Prior to the occupation of the development hereby permitted, written and illustrative details for water conservation within the development, shall be submitted to, and approved in writings by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

- (27) Prior to the occupation of the development hereby permitted, written and illustrative details for energy conservation within the development, shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

- (28) Before the occupation of any part of the building, details of the balconies shall be submitted to and approved in writing, to include, screening panels on the northern terrace shall be installed to a height of 1.8m from the terrace or balcony, to be of obscured glass Pilkington level 3. The balconies shall be installed and maintained thereafter, in accordance with the approved details.

Reason: To protect the residential amenity of the locality.

- (29) The Integrated Community Health care Centre (Care Home) hereby approved shall be used for no other purpose than (including any proposed in Class C2 (Residential Institutions)) of the schedule of the Town and Country Planning (Use classes) order 1987 (as amended), or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order) only.

Reason: To ensure the development meets the particular need identified to justify the grant of permission notwithstanding the site in the Green Belt.

- (30) Prior to the commencement of above ground construction works, details of the finished ground floor levels, shown in relation to the existing and proposed site levels as well as eaves and ridge heights of neighbouring buildings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory appearance on completion of the development.

Informative(s):

- (1) Your attention is drawn to the Mid Kent Environmental Code of Development Practice, the terms of which should be met in carrying out the development.
- (2) 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 Your attention is drawn to the need for early consultation with Southern Water regarding the drainage on this site.
- (3) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.
- (4) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development along with the need to discuss the potential diversion of the sewer. The applicant/developer should contact Southern Water regarding drainage matters, at Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.
- (5) 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. The applicant's attention is drawn to the comments of Southern Water and comments regarding diversion of the sewer and the pumping station.
- (6) The applicant is advised to review the HSE Publication HSG47 "Avoiding Danger from Underground Services" regarding safe digging practices in proximity to gas mains and review the comments of Scotia Gas Networks.
- (7) The applicant, agents, or successors in title, are encouraged to undertake discussion external bodies such as Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety. CPDA Team are; Kent Police Headquarters, CPDA Team, Sutton Road, Maidstone ME15 9BZ email: pandcr@kent.pnn.police.uk Tel No- 01622 653209/3234.
- (8) This development is the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990.

The Council's approach to this application:

In accordance with the paragraph 38 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 was advised of amendments required, and the application was determined based on the revised details.
- The application was reported to Planning Committee where the applicant had the opportunity to speak.
- The Council worked with the applicant on the conclusion of a S106 agreement and the decision issued.

A handwritten signature in black ink, appearing to read 'S. Baughen', with a stylized flourish at the end.

Stephen Baughen
Head of Planning
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.