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SN10 4SB

Dated: 2 December 2009

Town and Country Planning Act 1990

Notification of Grant of Permission to Develop Land

Planning Application Number: 09/02929/FUL/SW3

Tunbridge Wells Borough Council grants permission for:

Detached single-storey ancillary administration building in the grounds with associated landscaping at 8 Culverden Park Road, Royal Tunbridge Wells, Kent, TN4 9QX .

The approved plans/documents are listed below:

Design and Access Statement, received 25 September 2009, Drawing Numbers 2905 PL 02B, 2905 PL 04, 2905 PL 06, 2905 Survey, received 28 September 2009
Email form agent and Drawing Number 2905 PL 07A, received 4 November 2009
Drawing Number 2905 PL 01B, received 19 November 2009

The permission is granted 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 building shall be used for B1(a) office use only and for no other purpose (including any purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To protect the residential amenity of the locality in accordance with Policy EN1 of the Local Plan.

- (3) The offices and meeting room hereby approved shall be occupied only in conjunction with the use of No.8 Culverden Park Road as a health related and care support facility, and shall not be occupied or let separately.

Reason: To protect the residential amenity of the locality in accordance with Policy EN1 of the Local Plan.

- (4) Except with the consent of the Local Planning Authority, use of the premises shall be restricted to the period between the hours of 08.00 and 21.00 on Mondays to Fridays, and between the hours of 08.30 and 12.00 on Saturdays.

Reason: To protect the residential amenity of the locality in accordance with Policy EN1 of the Local Plan.

- (5) The development shall be carried out using the materials specified in the application.

Reason: To ensure a satisfactory appearance upon completion of the development in accordance with Policy EN1 of the Local Plan.

- (6) The development to which this consent relates shall be constructed at the level indicated on the approved drawing.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy EN1 of the Local Plan.

- (7) The development shall be carried out in strict accordance with the approved plans. The exterior walls of the building shall be situated no less than 4m from the north eastern rear boundary and 6m from the south eastern side boundary of the site, as shown on approved plan Drawing Number 2905 PL 07 A, received 4 November 2009.

Reason: In the interests of the amenity of occupants of the adjoining property in accordance with Policy EN1 of the Local Plan.

- (8) The windows hereby approved on the north east elevation shall be non-opening as shown on plan Drawing Number 2905 PL 01B, received 18 November 2009, and thereafter shall be so retained.

Reason: In the interests of the amenity of occupants of the adjoining property in accordance with Policy EN1 of the Local Plan.

- (9) Details of any external lighting required, including the hours at which such lighting is to be operated, shall be submitted for the written approval of the Local Planning Authority prior to the installation of such lighting and no external lighting shall be operated other than in accordance with the details so approved.

Reason: In the interests of amenity in accordance with Policy EN1 of the Local Plan.

- (10) Prior to the erection of the building(s) hereby approved, written details for water 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 safeguard the characteristics of the locality in accordance with Policy EN1 of the Local Plan.

- (11) The flue shown on the plans is not approved. Prior to the first use of the premises, details of any mechanical extract systems (including ventilation, refrigeration and air conditioning) and the location of their terminals and materials shall be submitted to, and approved in writing by, the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To protect the residential amenity of the locality and ensure a satisfactory appearance upon completion of the development in accordance with Policy EN1 of the Local Plan.

- (12) The proposals for landscaping shown on the approved layout shall be carried out in the first planting and seeding season following occupation of the buildings or the completion of the development, (whichever is the earlier) or in accordance with a programme agreed with the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the appropriate British Standards or other recognised Codes of Good Practice, to the satisfaction of the Local Planning Authority. All new planting shall be adequately staked and tied and shall be maintained for a period of 5 years. Any trees or plants which, within this period, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or diseased shall be replaced in the next planting season with others of the same species, size and number as previously approved, 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 in accordance with Policy EN1 of the Local Plan.

- (13) The existing trees and shrubs shown on the approved plan, other than any shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed without such consent shall be replaced within 12 months with suitable stock, adequately staked and tied and shall thereafter be retained to the satisfaction of the Authority for a period of 5 years.

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 in accordance with Policy EN1 of the Local Plan.

- (14) The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
- (a) Prior to the commencement of development a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details. The Tree Protection Plan shall be based on a survey of the trees to BS5837:2005 (Trees in relation to construction – Recommendations).
 - (b) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2005 or otherwise to the satisfaction of the Local Planning Authority. The fencing shall be erected after the tree works have been carried out but before any other ground works proceed. Such tree protection measures shall remain throughout the period of construction;
 - (c) No fires shall be lit within the spread of branches of the trees and other vegetation;
 - (d) No materials or equipment shall be stored within the spread of the branches of the trees and other vegetation;
 - (e) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees and other vegetation;
 - (f) Ground levels within the spread of the branches of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

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 in accordance with Policy EN1 of the Local Plan.

- (15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no windows or similar openings shall be constructed in the building other than as hereby approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenity of occupants of the adjoining property in accordance with Policy EN1 of the Local Plan.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

South East Plan 2009 – Policy BE1, CC4

Tunbridge Wells Borough Local Plan 2006 – Policy EN1, EN13, TP4

The following is a summary of the main reasons for the decision:

The development would respect the context of the site and would not be harmful to the street scene.

The development would not be harmful to the residential amenities of nearby dwellings.

The site is within the limits to built development where there is no objection to the principle of the proposed development.



Jim Kehoe
Head of Planning Services

Your attention is drawn to the attached applicant notes

Informatives:

- (1) Your attention is drawn to the Councils Environmental Code of Development Practice for Construction Sites, the terms of which should be met in carrying out the development.

Please note you must comply with all the conditions attached to this permission. Otherwise the permission may not be valid and any development would not have permission. Application Form 24 which should accompany any request to discharge conditions is available online at <http://www.tunbridgewells.gov.uk/section.asp?catid=1537&docid=5269>. All material samples should be delivered to the Town Hall and not to Gateway. The fee for householder developments is £25 for each request and all other categories £85 for each request. There is no charge of applications relating to Listed Buildings.