



58-60 Maidstone Road | Paddock Wood | TN12 6AF

Design & Access and Planning Statement | RIBA Stage 03 | 5<sup>th</sup> January 2021

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**Studio Bloom** | Architecture + Design

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# 1.0 Introduction

## 1.1 This Document

This document is the Design and Access Statement in support of the planning application for the demolition of an existing fish and chip shop takeaway & restaurant, with 2 bed residential flat over, replacing this and the adjacent car park with a proposed 9 unit residential scheme.

The proposal is for 3 x 2 bed houses and 6 x 1 & 2 bed flats, with associated parking and landscaping.

The key design considerations have been in analysing the existing urban grain and neighbouring context, retaining a beautiful mature Oak adjacent to the north east of the site boundary, addressing parking requirements, flood risk/ impact, highways and an existing Public Right of Way [PROW].

This statements sets out the site conditions and context to the proposal, the relevant planning policy and a detailed response to pre application advice sought for the potential redevelopment of this site.

Appended in support of the application alongside this Design and Access Statement the following are submitted:

- General Arrangement Drawings describing the scheme
- Tree Survey & Report
- Flood Risk & Drainage Strategy
- Transport Assessment
- Pre App response letter



Location Map | Source: Google

## 2.0 The Site

### 2.1 The Application Site

#### 2.1.1 Site Location

The site is situated to the west side of Maidstone Road B2160, forming a corner plot with Allington Road which runs to the north.

#### 2.1.2 Site Area

The area of the application site is 844sqm. There is a gentle fall in level from east to west and south to north across the site, but is predominantly flat.

#### 2.1.3 Site Boundaries

The application site is bound by Maidstone Road to the East, with drop-kerb vehicular access to the car park area.

To the north runs Allington Road and between the 1.8m fence and the road is a tree-lined car park used for the medical centre which is located in Mount Pleasant to the north west of the site. To the north east corner of the site is a mature Oak, forming a green backdrop to the site.

The west boundary is a 1.8m brick wall behind which sits a row of single residential garages and a housing estate - comprised of clusters of 3 terraced houses. Within this boundary is a Public Right Of Way [PROW] that must be maintained, it is currently marked by 4 bollards.

The south boundary is partly a 1.8m garden fence with No 60a Maidstone Road and partly a residential garage to the rear.

#### 2.1.4 Site Character

The site is predominantly a large expanse of tarmac and car parking with a Victorian red brick 2 story commercial premises with 2 bed residential flat over. To the rear of this building is a hotch-potch of extensions, outbuildings and sheds divided and screened from the car park by a masonry wall. A 2.5m coniferous hedge lines the north boundary providing a little bit of vegetation to an otherwise very urban site.



Existing Block Plan



### 2.1.5 Site Analysis

#### Trees

The site does not have any trees within its boundary however there is a mature oak a few meters outside the north east boundary. The tree survey suggests that the root protection area extends into the application site and therefore great care has been taken to minimise the impact of the proposed development on the health of this tree.

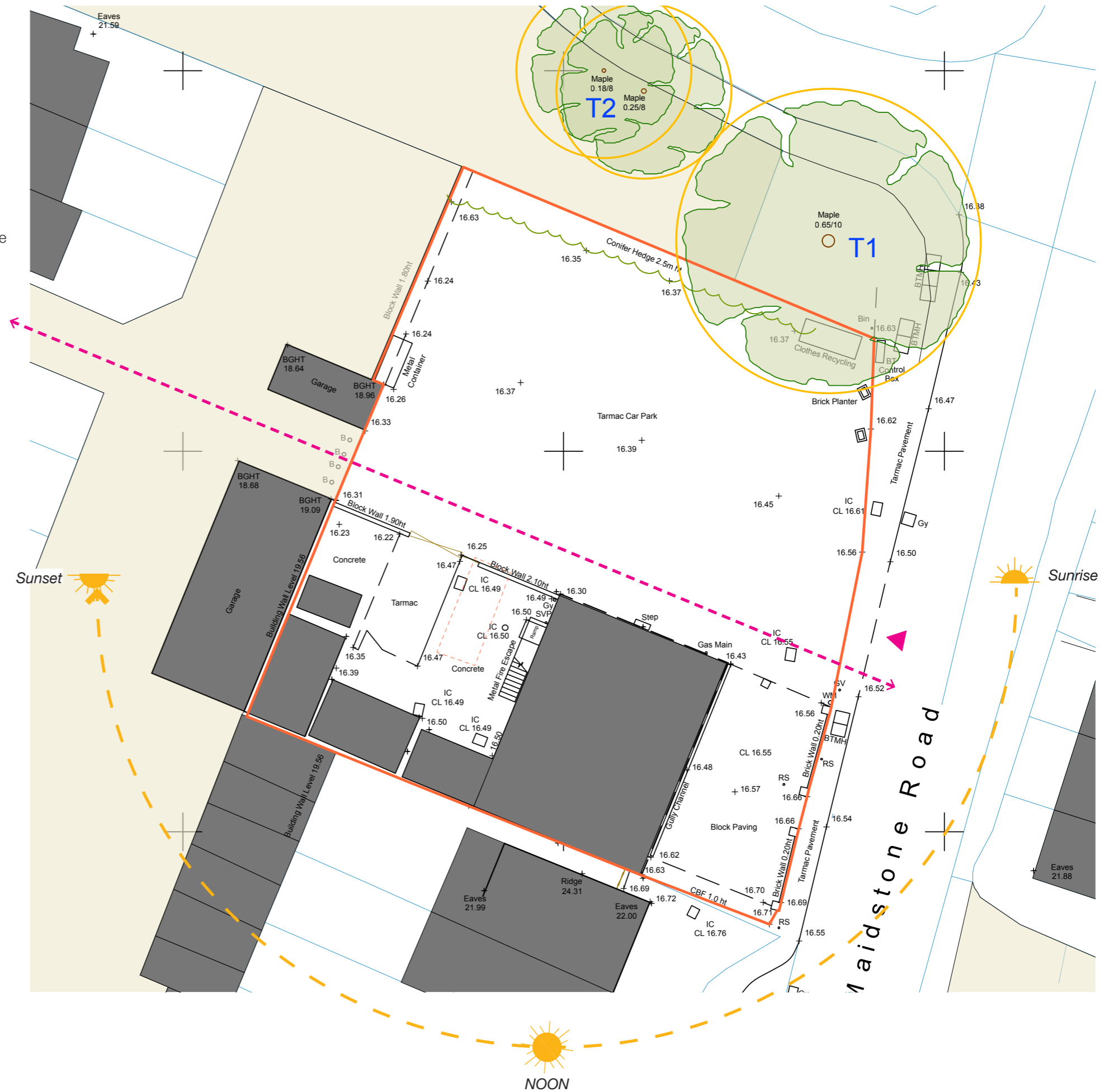
#### Public Right of Way PROW

There is a public right of way across the site which is currently marked by 4 bollards just outside the site boundary to the west. This PROW has been respected in the design & site layout to ensure access is maintained at all times.

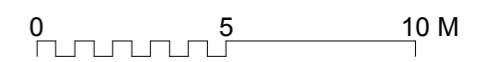
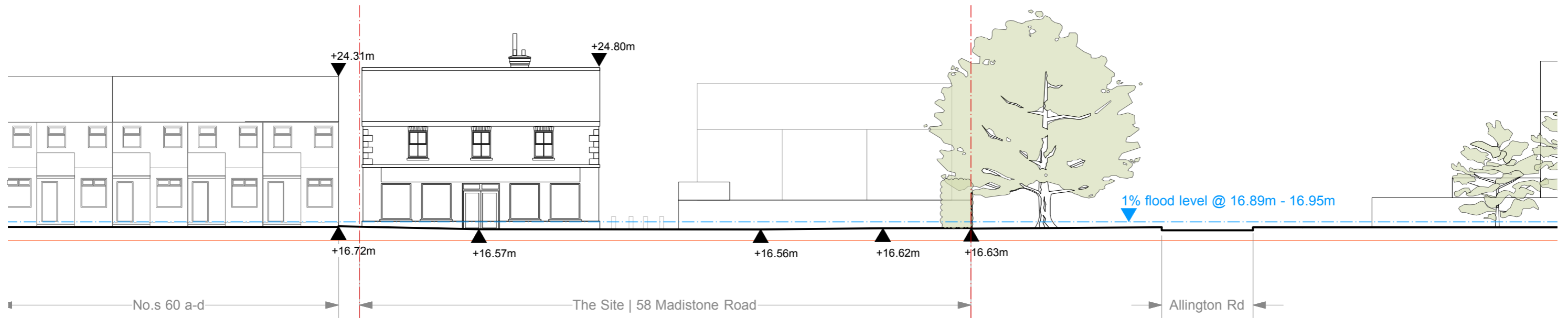
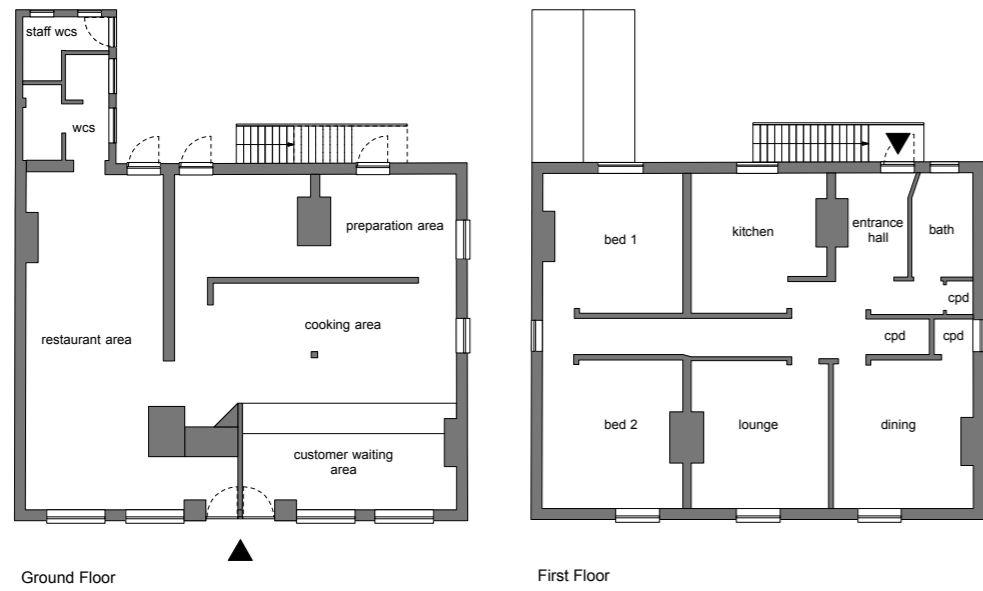
#### Flood Risk

The application site is located within flood zone 3 and therefore a flood risk and drainage strategy report has been commissioned and appended to this application.

-  trees
-  root protection area
-  building footprint
-  building to be demolished
-  yard
-  site boundary
-  sun path
-  pedestrian/ public right of way
-  vehicular access point



2.1.6 Existing Shop Plans & Elevations



2.1.7 Site Photos



1. View of existing site from southern approach on Maidstone Road



2. View into the site from Maidstone Road



3. View towards road junction between Maidstone Road & Station Access Road to the north



Photo key



4. View of road junction immediately to the north of site with Allington Road



5. Pedestrian route/ right of way connecting Maidstone Road with Mount Pleasant to the west/ rear of the site



6. View across Health Centre car park towards rear of site.



Photo key



## 2.2 Site Context

The application site is a corner plot and as such is bound by roads and buildings to three sides. The main road from which the site is accessed and gains its principal context is the B2160/ Maidstone Road. This road is predominantly made up of two-storey residential properties, with a few commercial plots interspersed between them.

### 2.2.1 Existing Grain

The existing pattern of the street along the section of Maidstone Road is made up of rows of residential terraced houses - grouped in 3s. A semi detached property on the opposite corner of the site with Allington Road as Maidstone Road breaks into a wide grassed and treed verge.

### 2.2.2 Typology

The majority of buildings along this stretch of Maidstone Road are residential dwellings. With a large cycle store a few doors down to the south, a medical centre in Mount Pleasant to the west - the car park for which is adjacent to the north boundary of the application site. An MOT garage is accessed directly opposite.

### 2.2.3 Service Yards

A characteristic of this part of Maidstone Road are the service yards - to Everdens Cycle Shop to the south and the MOT garage opposite to the east.

Communal parking and garaging to the rear/ west of the site creates additional 'yard' characteristic.

### 2.2.4 Greenery

There are a line of trees to the north of the site - a beautiful Oak overhangs the north east corner. Smaller maples line the edge of Allington Road and the medical centre car park. Maidstone Road becomes greener as it travels further north away from the application site.



0 5 10 15 M

- existing trees
- existing building footprints
- significant planting
- 'yards' and carparks
- site boundary
- stepped street line
- PROW
- dynamic corner plot - opportunity to create bookend to street
- existing larger 'block' buildings

### 2.2.5 Street Line

The street line along this part of Maidstone Road is fairly regular and residential to the south side of the road with a series of terraced Victorian properties. To the north of the street where our site sits the street line steps from the large cycle shop back to the small terraced houses and finally to the existing chip shop.

The built form of the chip shop does little to bookend this part of the street or respond to and address the corner.



View south along Maidstone Road - showing existing stepped building line.



## 2.2.6 Contextual Site Photos

### East Side of Maidstone Road



Red brick terraces with pale brick banding and detail, expressed stone lintels over window and door openings.



Painted brick & white weatherboard front elevations. A mixture of gable ends, bay windows, picket fences and assorted ridge & eaves heights.



Red brick terraced houses with dormer windows to second floor attic extensions.

### West Side of Maidstone Road



Flat roof commercial cycle store adjacent to gable end building that steps forward to the road



Brown brick more modern terraces stepping back from the road as the B2160 travels north. Projecting porches and a vehicular lay-by provide access



Large detached dwelling house to adjacent corner plot, gives way to green trees and planting to the north

The following studies illustrate some slightly more incongruous building adjacent to the application site. Namely the Doctor's Surgery & Dowding House. These buildings serve to highlight that alternative architectural styles lend further variety of expression to the local character of the area.



*Paddock Wood Medical Centre 40m to the west of the application site*



*Dowding House - 3 storey residential flats backing onto Maidstone Road and accessed from Commercial Road - 100m south of application site*

### 2.3 Site Connectivity

The proposed site is very well connected by public transport, with bus stops & bus routes [traveling to key local towns: Nine Elms, Tonbridge, Tunbridge Wells, Five Oak Green, East Peckham, Maidstone] within 100 - 200m from the proposed site.









The mainline railway to central London and out to the coast is within 400m of the site.

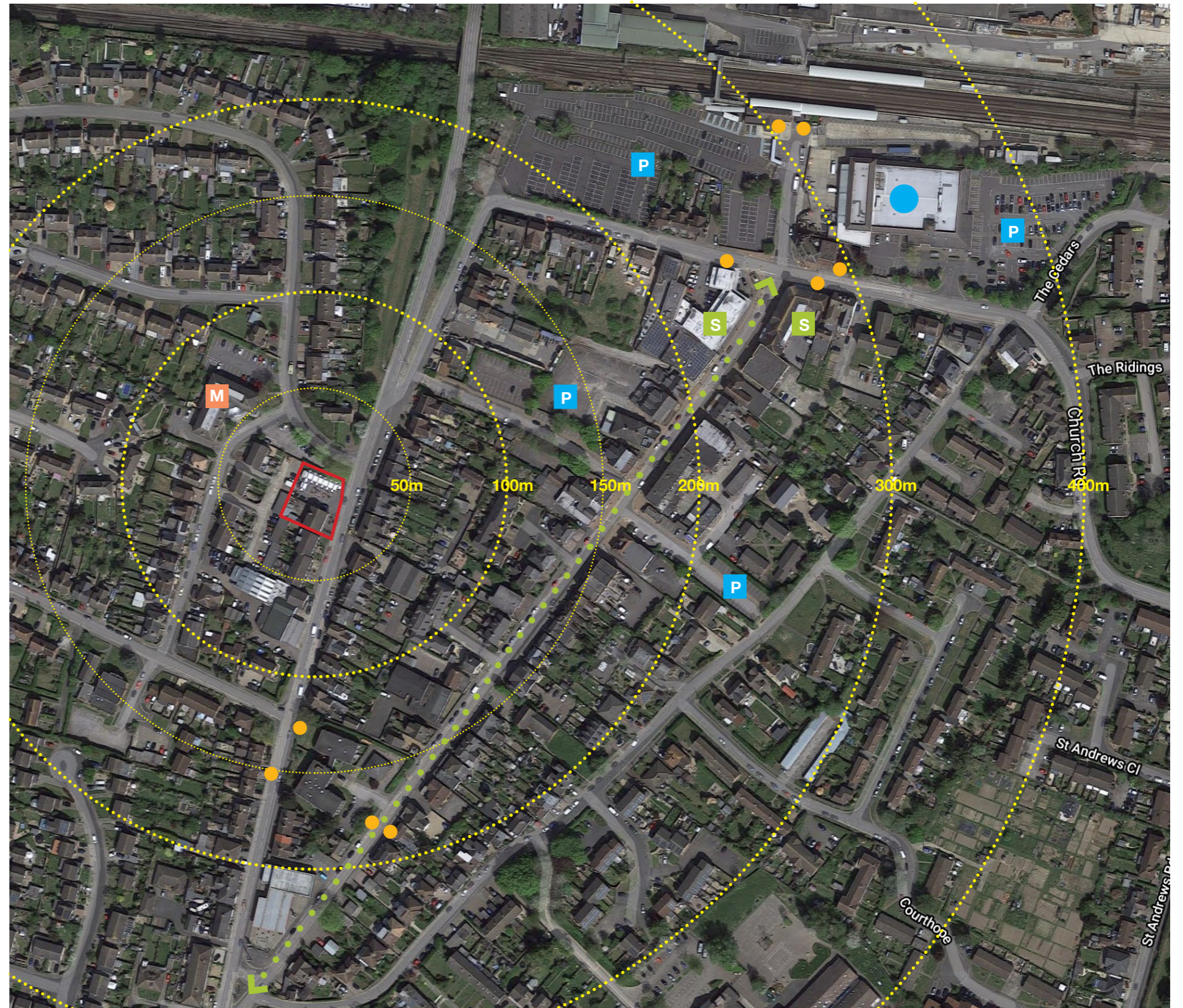
Additional public car parks are within 100 - 300m of the site.

Commercial Road is indicated, within 150m of the application site containing many local shops, cafés and amenities.

Two large supermarkets are located adjacent to the station and under 300m from site.

To the rear of the site is a medical centre within 50 - 100m.

-  Site boundary
-  50 & 100m distance markers
-  Commercial Road/ shops & amenities
-  Rail Station
-  Bus Stop
-  Public Carpark
-  Supermarket
-  Medical Centre



## 3.0 Planning Statement

### 3.1 Planning History

17/01316/FULL | retrospective use of car park for market  
 14/00287/FULL | retrospective use of car park for market  
 08/03994/FUL | Conversion to form 4 No. self-contained flats  
 00/02459/ADV | illuminated sign boards

A handful of planning applications have been submitted for the site 58-60 Maidstone Road over the years, mostly pertaining to shop signage alterations, use of car park for weekly markets along with a proposal to convert the existing building to enable an additional 3 dwelling flats to be accommodated over the chip shop.

The most relevant planning history is the pre app advice sought for 9 residential units in 2017 and this is discussed fully in section 3.2 of this report.

### 3.2 Pre App Advice

17/01263/PAPL

Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system and that good quality pre-application discussions create improved results for the community.

It continues by stating in paragraph 40 that Local Planning Authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage.

Therefore for this site Pre Application Advice was sought [by others] on 11th April 2017 from TWBC in relation to a proposed 9 unit residential scheme. Comprising a mix of: three 1 bedroom flats, 1 studio flat and five 2 bed apartments

The comments on the following page were made by the Planning Officer and form a useful and supportive planning basis for this application.

Each of the points and comments raised at pre app are addressed specifically within this document - notes indicate where these responses may be found.

#### Pre App Scheme

The following images depict the proposed layout & principal elevation of the scheme submitted at pre app.



Pre App Proposal Site Layout



Pre App Proposal Principal Elevation

## TWBC pre app response

### Constraints

The site is within the LBD for Paddock Wood and also wholly lies within Environment Agency Flood Zones 2 & 3.

### Principle

The site lies in a very sustainable location so the principle of a new residential development here would not be objectionable in itself. The proposal would also make a contribution towards the Council's five-year housing supply numbers and provide a number of smaller dwellings, including a balanced mix of dwelling sizes. I agree the site would be PDL.

With regards to the loss of fish and chip shop, the site is outside the town centre so the loss of A-class uses is not quite so critical as it would be in the town centre. However, this issue should be addressed and reference to alternative premises made clear. I can see the premises are relocating to Commercial Road however the loss of the unit itself would need to be addressed.

*[For Business Loss response see section 4.2.3]*

### Design

The area surrounding the application is characterised by two storey pitched roofed buildings arranged in either handed pairs or terraces. The proposal building is substantially larger in scale and form than what is around it and would be in a prominent site. It has a very dominant roof form which is of a much steeper pitch and higher ridge height than the surrounding buildings. The front elevation is much more complex and detailed than the surrounding dwellings too. In design terms it would dominate the buildings next to/around it, would appear out of scale and would be counter to the prevailing character of development in this part of Maidstone Road.

*[For Design response see 4.5 Massing & Volume]*

I am also concerned that a building of this scale would appear cramped in relation to its boundaries and would result in the loss of the trees and hedge on the northern boundary. Whilst these are not protected they do make a contribution to the street scene and we would expect replacement planting to soften the impact of the building, which I am not sure can be accommodated on the site using the design/layout you have shown. The potential of the trees outside the site to the north, in the doctor's surgery parking area, may also be limited due to the proximity of the building.

*[For Tree response see 4.2.6 Trees & Landscaping]*

### Residential amenity

I would consider there would be some residential amenity gain from the loss of the take-away in terms of cooking smell/nuisance.

The rear elevation of the building would appear to be approximately 20m from the rear garden boundaries of Nos. 22d – 22f Mount Pleasant and 29m from the rear elevations. The distances from 22a – 22c would appear to be 26m and 35m respectively for 22a – 22c. I would be concerned about the impact on the rear gardens of 22d – 22f from the elevated position within the top floor and would suggest that any revised design seeks to mitigate this overlooking impact or remove it altogether.

*[For Residential Amenity response see 4.7 Privacy & Overlooking]*

The proposal also shows the flank wall as being very close to the boundary with No. 60a Maidstone Road. I would be concerned with a structure of this height and depth on the boundary with No. 60a and consideration should be given to reduce the height and depth of this part of the building.

*[See 4.5 Massing & Volume & 4.6 Solar Study & Over Shadowing - the proposed scheme particularly to this boundary has been significantly reduced in height and mass to help address this concern]*

### Parking/highways

The proposal would create 9 dwellings and 14 spaces – by reference to the parking standards within Kent Design Guide Review: Interim Guidance Note 3 (20 November 2008) there should be one space for each dwelling plus three visitor spaces, so this is unlikely to be an issue.

Highways safety issues are best addressed in a separate pre-app to KCC Highways. I am not sure of the current level of use of the car park attached to the fish bar is it only used by them or do other parties use it when the fish bar is closed? The one-day per week use of the car park for retail under ref: 14/00287/FULL would be unauthorised if it is still carrying on, as the temporary permission it benefited from expired in August 2015. There are recycling bins within the parking area and it does seem to be used for general parking throughout the day. The issue of the loss of parking spaces should be addressed in full.

Given the use involves an access on to B-road where the continual free flow of traffic is important I would suggest that anything which results in a reduction of overall traffic movements is likely to be acceptable subject to proper visibility splays being achieved.

The access is close to a junction, which KCC Highways may raise issue with.

There also appears to be a right of way (now a PROW) running through the car parking and towards Mount Pleasant to the rear. This may present a constraint on the future development of the site and again the extent to which this is allowed to be used by the public and who owns/is responsible for it need to be made clear as it may inform a future design.

*[For Parking/ Highways see section 4.2.2 Parking & Highways and appended document: Transport Assessment by Monson Engineering Ltd ]*

### Flooding

Any application would require a flood risk assessment. I would suggest early consultation with the EA who are likely to recommend minimum floor levels and sections would be needed to demonstrate this.

*[For Flooding see section 4.4 Flooding & Levels and appended Drainage Strategy & Flood Risk Assessment by BPS]*

### Developer contributions

This development would not trigger a need for developer contributions or affordable housing however any application would need to demonstrate why nine dwellings are the maximum that can be provided on this site.

*[See section 4.2.5 for constraints leading to 9 units being the maximum provision for this site]*

### Summary

Overall I am afraid this proposal could not be supported for the design/amenity issues outlined above.

*This application has taken full consideration of the Pre App process & comments and the following section 3.3 Planning Policy seeks to set out the proposed scheme in context of the local and national planning policy governing the site.*

*It highlights where this proposal conforms and explains how & why it will contribute to local development criteria and demand to create a design-led high quality scheme.*

*The proposal is considered to enhance and positively contribute to the public realm and the quality of life for future occupiers. The scheme will contribute positively to the character of the area without resulting in significant harm to its surroundings.*

### 3.3 Planning Policy

- NPPF: Country wide strategy and assumption for planning decisions.
- Core Strategy [June 2010]: strategic document containing core policies for guiding the pattern of development in local borough.
- Local Plan [March 2006] : The Local Plan sets out of a number of strategic, place-based and allocation policies to guide future development in the borough.

#### 3.3.1 Core Strategy: Relevant Policies: CP1, CP3, CP4, CP5, CP6, CP11

*CP1 (Delivery of development) – new development is built in accordance with the Council's spatial strategy and its settlement hierarchy.*

Paddock Wood is identified within the settlement hierarchy as being a Small Rural Town of the Core Strategy where the focus and delivery of new residential development is considered appropriate. The application site being a brownfield site and well served by public transport and walk-able connections to the town centre make it a sustainable site for development in this manner. The provision of a mix of housing typologies will also be a beneficial addition to the wider community.

*Policy CP3 (Transport Infrastructure) – all development provides sustainable modes of transport.*

The site is very well connected [see section 2.3 Site Connectivity] to public transport with bus stops within 150m of the site and a main line railway within 400m. Local services, shops and amenity are within walking distance of a couple hundred meters. Secure cycle storage is provided for all units, encouraging a sustainable method of transport. Whilst the site is well connected it is also important to note that the majority of people do use motorcars and therefore an unallocated space is provided in a 1:1 ratio with the number of dwellings on site. Provision for electric car charging points will also be made as part of the scheme.

*Policy CP4 (Environment) – seeks to protect and enhance the local built, natural and historic environment.*

The proposal has been carefully considered to use natural, self finishing materials as part of a simple, high-quality design to sit alongside the existing housing stock, enhancing and contributing positively to the street scene of Maidstone Road and the quality of life for future occupiers.

*Policy CP5 (Sustainable Development and Construction) – new development is to*

*encourage sustainable design and construction principles.*

The proposed development will meet with Part L building regulations with insulated external walls and high performance double glazed window units for thermal efficiency and to reduce heat loss. Natural and recyclable materials are proposed for the building, eg brick, zinc, aluminium and timber all of which can be stripped and recycled in the future.

*Policy CP6 (Housing Provision) – developments to be made up of a mixed tenure of dwelling types and sizes.*

The application proposes a mixed typologies ranging from 1 and 2 bed flats, to compact houses with garden amenity. All of the units have private amenity space be it a balcony or garden - with over half the units having access to both types.

There is no statutory requirement to provide any on-site or off-site affordable housing contributions as the proposal is under the national threshold of 10 residential units. The 9 unit threshold justification is set out in section 4.2.5 of this document.

*Policy CP11 (Development in Paddock Wood) – development should contribute to the furtherance of that identity as well as paying attention to the integration of the townscape and surrounding landscape.*

The proposed development has been carefully considered and the design has responded to the existing scale and character of the clusters of buildings in existence on Maidstone Road. The gable end roof lines echo the roof lines of other buildings along the road. The red brick matches in with the character brick of the Victorian houses opposite and a modern interpretation of the brick detailing can be seen within the proposed façades.

For the above reasons it can be demonstrated that the proposal falls in line with and supports the key aims and requirements of the Core Strategy Policies.

#### 3.3.2 Local Plan Chapters, 4: environment, 6: housing, 11: transport

Development management shaped by the Local Plan is intended to be a positive and proactive approach to shaping, considering, determining, and delivering development proposals in support of the Local Plan strategy.

*Policy EN1 (Design and Other Development Criteria) – new development be required to comply with the set criterion of this policy.*

The proposal will meet policy expectations through high-quality design and layout ensuring that future residents will have a good standing of living conditions, with the design sitting well and contributing positively to the surrounding context and character.

The scale, orientation, separation distance and appropriate design concepts would ensure that no harm would occur to the amenities enjoyed by adjoining property occupiers.

*Policy EN13 Trees & TPOs*

There are no TPOs on or adjacent to the site, however T1 to the north east corner has been identified as a significant contributor to the street scape and greening of an otherwise very urban street. It has therefore been protected and considered extensively as part of this proposal.

*Policy EN18 Flood Risk - developments should contribute to an overall flood risk reduction, and development will only be permitted where it would not be at an unacceptable risk of flooding on the site itself, and there would be no increase to flood risk elsewhere.*

The proposal complies with this policy - see appended report RP-D-2125-S4 by BPS.

*H2 Dwelling Mix - proposals over 15 bed spaces to incorporate small dwellings and significant number of intermediate dwellings.*

Based on the bed space calculation the proposed development has 9 units with a total of 23 bed spaces.

4 x 1bd = 8 [GIA 45-49sqm]

5 x 2bd = 15 [GIA 62 - 65sqm]

Over 50% of the proposed units fall into the intermediate category, therefore in-line with policy H2.

*Policy H5 (Infill Development) – sets out what is appropriate development within the settlement development boundary limits.*

The proposal is located within the development boundary limits of Paddock Wood. The existing site is previously developed land and is adjacent to existing residential development. The proposal will make the most efficient use of this plot and is appropriate in principle in terms of the aims and objectives of this policy.



*Policy TP4 (Transport and highways) – new development should not to worsen traffic conditions on the surrounding highway network, new access provides sufficient visibility and ensure there is no detrimental harm upon highway safety.*

A Transport Assessment has been carried out by Monson Engineering Ltd as part of this proposal and appended to this application in support of the proposed development. Vehicles trips are projected to be lessened in the proposed scheme and the highways access point remains as per existing condition.

#### *Policy TP5 (Parking Standards)*

A total of 9 off street vehicle spaces are provided on site, this works out at 1 per unit, though they are not allocated. The parking bays are screened with planters and pushed to the north & south perimeters of the site to reduce the visual impact or site domination of motor vehicles. Instead an open paved courtyard is created with an emphasis on pedestrian over vehicle dominance.

#### *TP9 Cycle Spaces*

Secure cycle parking is proposed in line with councils adopted standards. Where private amenity space is provided the cycle stores will be within this space, otherwise they are located within communally accessible areas of the site. Provision is 1 per dwelling for the flats. The houses may have 2 per dwelling.

For the above reasons, it is considered that the proposed development accords with Development Management Policies and Local Plan in these respects.

As part of the response to the Local Plan, the emerging local plan has also been considered, although at the time of this application the plan is still in draft form.

### **The Tunbridge Wells Strategic Housing Market Assessment 2015**

The Tunbridge Wells Strategic Housing Market Assessment 2015 identified a significant rise in the need for housing throughout the period of the Councils Emerging Plan. The SHMA 2015 also points out that delivery of affordable housing through market-led development schemes (for instance as secured through Section 106 Agreements) shouldn't be considered in isolation from other mechanisms for increasing affordable housing supply.

### **3.3.3 National Planning Policy Framework NPPF:** [February 2019]:

Sets out the Government's planning policies for England and how these are expected to be applied.

The following paragraphs have been highlighted from the NPPF as particularly pertinent to the application. Many point in the NPPF are covered in the CP and LP, however it is felt a few key paragraphs set important and supportive context to this proposal. At the heart of the NPPF is "a presumption in favour of sustainable development".

#### *Paragraph 7 & 8: Sustainable Development:*

- Economic – the proposed development will create 9 households, each contributing to council taxes and supporting local services and amenities;
- Social – the proposed development creates a neighbourhood type feeling with shared and communal spaces, passive surveillance and public rights of way to keep the site active. The dwelling units are suitable for starter homes as well as perhaps downsizing. The proximity to the medical centre also offers useful healthcare provision; and
- Environmental – significant thermal upgrade of existing fabric and introduction of soft landscaping, permeable surfaces and natural materials will increase the sustainability of the site.

#### *Paragraph 59: 'significantly boosting the supply of homes'*

The proposed site is highly suitable for a brownfield development to create 9 new homes, which will contribute positively and sustainably to the borough's housing need.

*Paragraph 60 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.*

*Paragraph 68: "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites Local Planning Authorities should:*

*c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlement for homes."*

The application site is a perfect example of a small-medium sized site to be developed by a small local house builder to contribute quickly to boosting housing supply in the area.

#### *Paragraph 117/ 118: Effective use of land*

*"d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs.....".*

With the closure of the existing chip shop the supporting car park become defunct as a use. This scheme therefore seeks to regenerate use on the site and reinvigorate the otherwise now empty car park.

*Paragraph 124: The Government considers the creation of high-quality buildings and places to be fundamental to what the planning and development process should achieve.*

This is an architect design scheme where care has been taken to deliver something that is of high quality and thoughtful design making the spaces work hard to create simple efficiency and maximum enjoyment. The scheme seeks to contribute to the street scene and enhance the quality of the area.

### **3.3.4 Summary of Planning Policy Analysis**

As can be seen by the above analysis the scheme readily meets a wide spectrum of local planning policy from sustainability, to satisfying housing demand, meeting environmental challenges and raising the sustainability of the site.

The proposal will deliver a high quality design-led scheme to create a sustainable and well connected development to compliment the existing street scene and to preserve and enhance the existing character and constraints of the site.

## 4.0 Proposal

### 4.1 Proposed Site Use

The proposed use of the application site is C3 to create 3no. dwelling houses [block A] and 6 no. apartment units [block B]. With a mixture of 1 and 2 bed units. [There is an existing C3 use class on the site - namely a 2 bed first floor apartment.]

This proposal sees the loss of the A class use - Fish & Chip takeaway & restaurant - for which a detailed feasibility building and business analysis has been conducted. The feasibility concludes that the fish & chip shop business is not viable on this site and location. [see 4.1.1]

The proposed typologies are considered suitable for a range of different occupants, but particularly: young professionals, couples and small families due to the proximity to the station, schools and town centre amenities.



#### 4.1.1 Loss of A Class Use Fish & Chip Restaurant & Takeaway

At pre app it was identified that the proposal will contribute to the council's 5 year plan for providing housing in the borough, with a balance of dwelling sizes and typologies being provided. The site was also considered sustainable in terms of location and reuse of brownfield land.

The Class A Fish & Chip Shop use was noted as outside of the town centre boundary and therefore it's loss is not a critical concern, however it should be justified.

#### Viability for Business & Property of Bell's Fish Bar

The fish and chip shop closed in March 2020 due to Covid 19 restrictions. Following an increase in rent and drop in footfall the viability of the business at 58 Maidstone Road has been considered. The following reports are from the director of Bell's Fish Bar and Mandens independent Business Valuers.

#### Recent Trading History

A report from the Director of Bell's Fish Bar

*"For some time up to September 2018 the fish and chip shop known as Bell's Fish Bar was being traded by a person who due to financial difficulties ceased to be involved with the business.*

*In October 2018 Bells Fish Caterers Ltd ran the shop under new management and during the year ended 30th September 2019 the turnover was £108,000 over 40 weeks (the shop was closed for 12 weeks due to a fire) resulting in a loss of £36,000.*

*From September 2019 the rent was increased from £26,000 to £34,000 and the turnover from 1st October 2019 to 23rd March 2020 was £73,000 including the breakfast trade.*

*A large part of the takings were restaurant trade and on 23rd March the shop was closed because of Covid 19.*

*The take away customers were catered for at our other branch at 98 Commercial Road, Paddock Wood.*

*Unfortunately the lack of business at Maidstone Road and the increase in overheads meant that the business is now not able to reopen as a profitable enterprise. In fact the current rent has not been paid.*

*The shop in Commercial Road is better able to serve the customers from both branches being in the High Street of Paddock Wood with greater footfall and is more convenient for the customers, adequate parking is also provided nearby."*

#### Viability Report on the Business & Property at 58 Maidstone Road

By Mandens | Business Transfer Agent & Valuers

*"Thank you for your email and asking me to comment on the potential of being able to sell your Maidstone Road business in Paddock Wood.*

*As you know I have a good and long knowledge of both of your businesses in Paddock Wood.*

*Starting with the general state of the market for the sale of such businesses, it is clear to most that the past couple of years have not been good for business sales. 2019 was dominated by Brexit, a hung Parliament and a general election. This all lead to a drop in confidence and buyers holding back. What has happened in 2020 with the pandemic has only made a difficult situation far worse.*

*Referring specifically to fish and chip businesses, many lower turnover shops have found it increasingly difficult to return a profit, the price of fish has been at historically high levels for a couple of years, minimum wage and other costs have increased. This has meant that buyers realise that turnover needs to be higher and now any shop taking less than say £5000 per week is considered unlikely to be viable.*

*Unfortunately your Maidstone Road business ticks all of the wrong boxes, it has, in today's world, a low turnover, and a high rent. It cannot, having purchased stock, paid VAT, rent, rates, wages and other costs make a profit. I can see that, but so will any credible buyer before even doing his full due diligence.*

*It is a difficult situation and I do not know what your options may be, but it will be very hard, probably impossible to find a buyer, for what in reality is a liability not an asset."*

This report highlights that the viability of the shop has decreased over the past few years in part due to poor management, an out break of fire, rent increases and now Covid 19. Alternative premises for take away fish and chips has been provided a couple of streets away, therefore the loss of the chip shop will not be too keenly felt in the local area.

#### 4.1.2 Loss of Car Parking

Loss of car parking was raised as a concern at pre app, however it should be noted that the existing car park is private and for the sole use of customers to the fish and chip shop. The loss of the shop therefore renders the existing car park redundant.

Moreover adequate parking is provided for the proposed development and public car parks are plentiful within the town centre as highlighted in section 2.3 Connectivity.

## 4.2 Proposed Site Layout

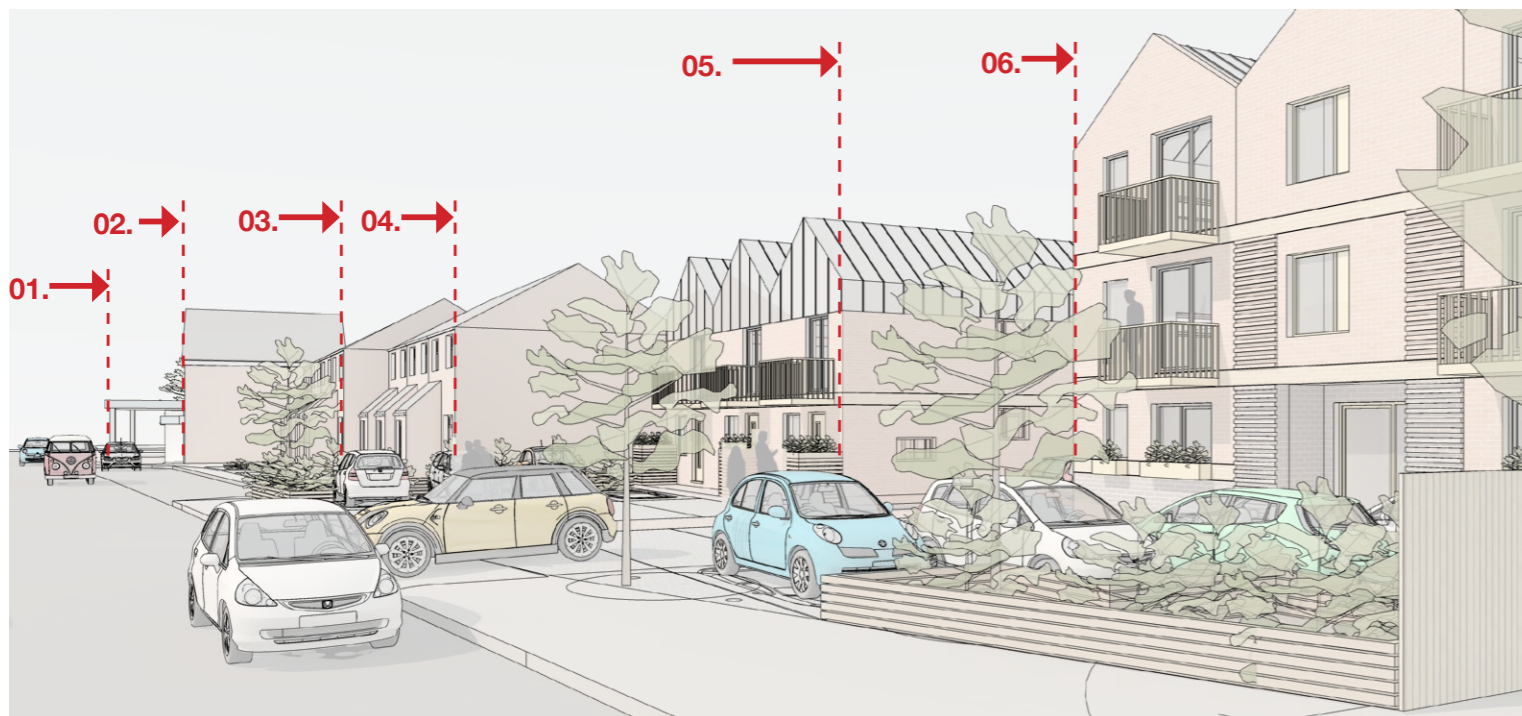
There are a number of factors at play in creating the proposed site layout that include:

- Existing Public Right of Way
- Existing mains sewage & utilities route
- Existing site access/ drop kerb/ utilities position
- Proximity/ root protection area of existing oak tree T1
- Proximity to existing neighbouring buildings - privacy & overlooking
- Car Parking & turning circle requirements
- Cycle & refuse stores
- Private amenity space
- Street scene & existing building line & orientation
- Existing grain & massing
- Building massing & suitability for character of the street/ area
- Solar studies/ overshadowing
- Flooding & finished floor levels + resulting entrance sequences
- Building & dwelling typologies suitable for the site location

### 4.2.1 Proposed Street Line

The 3 dwelling houses [Block A] follow on the pattern of groups of 3 houses already seen on this side of Maidstone Road.

- The pattern of development on the west side of Maidstone Road is formed of a series of stepped back facade lines creating an 'openness' to this part of the street.
- The proposed development continues this language and the buildings are set back to retain this sense of openness, as well as providing parking, soft landscaping and protection to T1 the Oak Tree on the corner of the plot.
- The PROW and mains sewer create a physical break within the site - a 'no build zone' Therefore Block B can be built to the other side of this and extend to the north boundary.
- Being a corner plot a slightly taller building has been considered suitable to bookend the street and enable three floors of apartment units.



View south along Maidstone Road - note stepped building line.



#### 4.2.2 Parking, Highways & Transport

A full Transport Assessment has been conducted by Monson and appended as part of this application.

Whilst the level of the development falls below that which would normally require either a Transport Assessment or Transport Statement however the Pre-App response from Tunbridge Wells Borough Council advised that the issue of highway safety should be considered, and therefore it is considered appropriate to provide a TS to support the application.

##### Highways

- The statement shows that the number of vehicular trips is significantly reduced with the introduction of 9 residential units in place of the fish & chip shop.
- The vehicular access/ crossover remains as existing, creating no change in impact on access or egress to the site.
- A shared surface of block paving creates a safer space for pedestrians and vehicles within the site.
- Vehicular movement is kept to the east/ front of the site to increase pedestrian safety.

##### Parking [1., 2., 3., etc]

- 9 unallocated parking spaces are provided for the site with no visitor parking as there is provision within the area for this - see 2.3 Connectivity for car parks.

##### Cycles [1c, 2c, 4c]

- 6 cycle spaces are provided for the flats - 4 within a secure store externally for the FF and SF flats, the other 2 provided within the courtyard gardens for the GF flats.
- The houses have space for 2 cycles to be stored within the garden.



### 4.2.3 Proposed Residential Units

*Pre App Comment: Justification for maximum of 9 units is required.*

- There are 9 residential units in total, this is the same number set out and considered suitable at pre app. This number is defined by the tight constraints of the site:
  - The parking, refuse and cycle stores take up a good proportion of the site area, particularly due to vehicular turning circles & existing location of the crossover
  - The constraints of the PROW & mains utilities
  - Root protection area for T1 pushes Block B to the west of the site
  - Neighbour proximity and overlooking
  - Requirement for private amenity gardens to block A;

The above results in the building footprints and internal arrangement therefore falls into the resulting layout.

- Additional units could be added to Block B if a 4th storey were to be added, however this was considered to be too tall for the context. These additional units would require additional parking spaces which cannot be accommodated within the footprint of the house

Block A: Houses

3 x 2 Bed Terrace Houses [65 sqm + 28sqm garden + 3sqm balcony]

Block B: Apartments

4 x 1 Bed Flats [45 sqm + 3sqm balcony]

2 x 2 Bed Flats [62 sqm + 3sqm balcony]

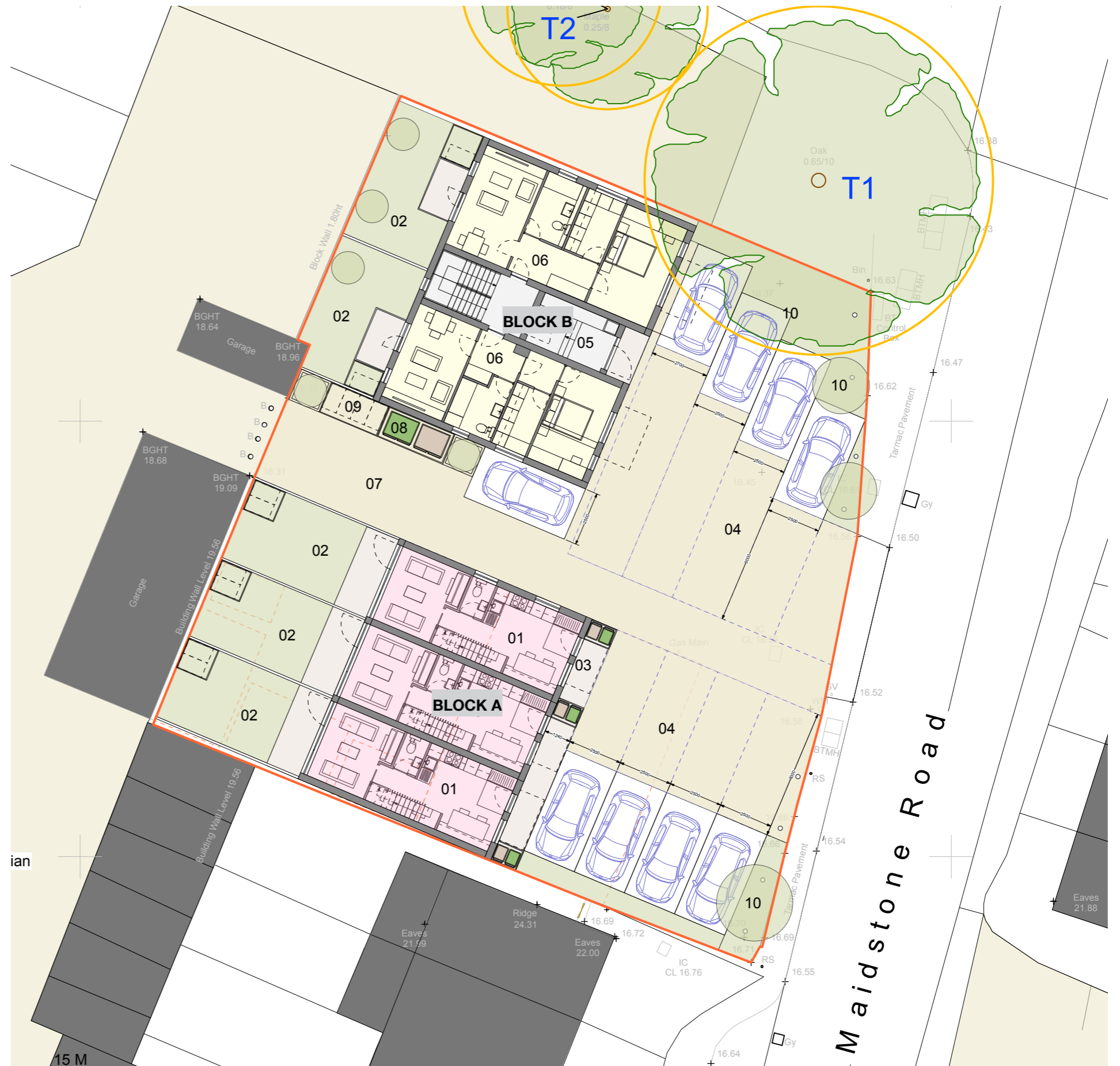
Parking Spaces: 9 Total

#### Overlooking [see section 4.7]

The orientation and window placement within the proposed dwelling units have been carefully positioned to maximise on daylight and minimise on overlooking or being overlooked.

#### Overshadowing [see section 4.6]

Due to the orientation of the site most of the shadows through out the course of the day will fall within the site itself.



#### 4.2.4 Trees, Landscape & Planting

Whilst the low grade C2 Leyland Cypress hedge is proposed to be removed (and replaced with low level planting to the front/ east of the site, the proposed development has been mindful of T1 the B1 class oak tree adjacent to the north east of the site. This tree is considered very important as part of the street scape and general 'green' of an otherwise very urban street.

Small pockets of planting are proposed to the north east & south east corners of the site to help soften the front edge of site. Trees

A tree survey and supporting arboriculturalist letter is appended to this application.



Overhead view showing key planting strategy

