

PLANNING & HERITAGE STATEMENT



**Owls Lodge
2 Linden Park Road
Tunbridge Wells
TN2 5QL**

February 2024



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1.0 Introduction

- 1.1 Kember Loudon Williams has been appointed by Mrs Knight (hereafter referred to as ‘the applicant’) to prepare this Planning and Heritage Statement, which supports a planning application for development in relation to Owls Lodge, 2 Linden Park Road, Tunbridge Wells (‘the site’). The Local Planning Authority is Tunbridge Wells Borough Council (‘the Council’).
- 1.2 The description of the proposal (‘the proposed development’) is as follows:
- ‘Proposed erection of a single storey rear extension to the existing property, sub-division of the existing dwelling to create a pair of semi-detached dwellings, and associated external alterations and landscaping works.’*
- 1.3 A detailed description of the proposed development and further details of the scheme are provided in Section 4 of this report and the supporting plans.
- 1.4 This statement focuses on the relevant planning considerations and, particularly how they relate to national and local planning policy requirements.
- 1.5 This statement sets out the background to the proposals and highlights that the application represents an appropriate development within the limits to built development of Tunbridge Wells.
- 1.6 Integral to this is an understanding of relevant planning policy as now set out in the National Planning Policy Framework, which was revised in December 2023 (hereinafter referred to as the ‘NPPF’).
- 1.7 At a more local level specific reference is made to the material provisions of the Council’s adopted Core Strategy (June 2010) and the saved policies of the Council’s adopted Local Plan (March 2006). Core policies 1, 4, 5, 6 and 9 of the Core Strategy are particularly relevant to this case, as are saved policies EN1, EN5, EN25, H5 and TP6 of the Local Plan.
- 1.8 However, it should be noted that the Council’s development plan policies pre-date the latest version of the NPPF. In view of this, the weight that can be attributed to the local policies identified in the development plan is wholly dependent on their consistency with the NPPF.

1.9 This statement is structured as follows:

- **Sections 2 and 3:** describe the application site, give a review of the planning history that is of relevance to the proposed scheme and describe the historic significance of the Tunbridge Wells Conservation Area;
- **Section 4** sets out the main elements of the proposed development;
- **Section 5** provides an overview of the relevant legislation, national and local planning policy, and guidance considerations;
- **Section 6** forms an assessment of the relevant planning consideration with particular regard to land use principles, design, heritage and amenity; and
- The planning balance and conclusions are presented in **Section 7**.

1.10 This statement demonstrates that the proposed scheme:

- Is in accordance with relevant planning policy at national and local levels;
- Delivers sustainable development consistent with the NPPF;
- Will cause no harm to the relevant heritage asset;
- Will preserve and respect the character and appearance of the area;
- Will preserve residential amenity; and
- Will appropriately take account of all other technical matters.

1.11 Overall it is concluded that the proposed development accords with all relevant up-to-date policies of the development plan and the NPPF and embraces the presumption in favour of sustainable development.

2.0 Site and Surroundings

- 2.1 Tunbridge Wells forms the majority of the main urban area within the Borough and provides a large proportion of the social, cultural and economic opportunities available in the Borough. In addition to being the Borough's principal retail centre, the town provides a wide variety of services, including primary and secondary schools, and sports and community facilities. Historical and architectural features of the town, such as the Pantiles, also provide a high quality environment that attracts a significant amount of tourism to the Borough.
- 2.2 Linden Park Road marks the south-western end of the Pantiles, and comprises a mixture of residential, leisure and retail uses as the street loops around from the Pantiles down to Sainsburys.

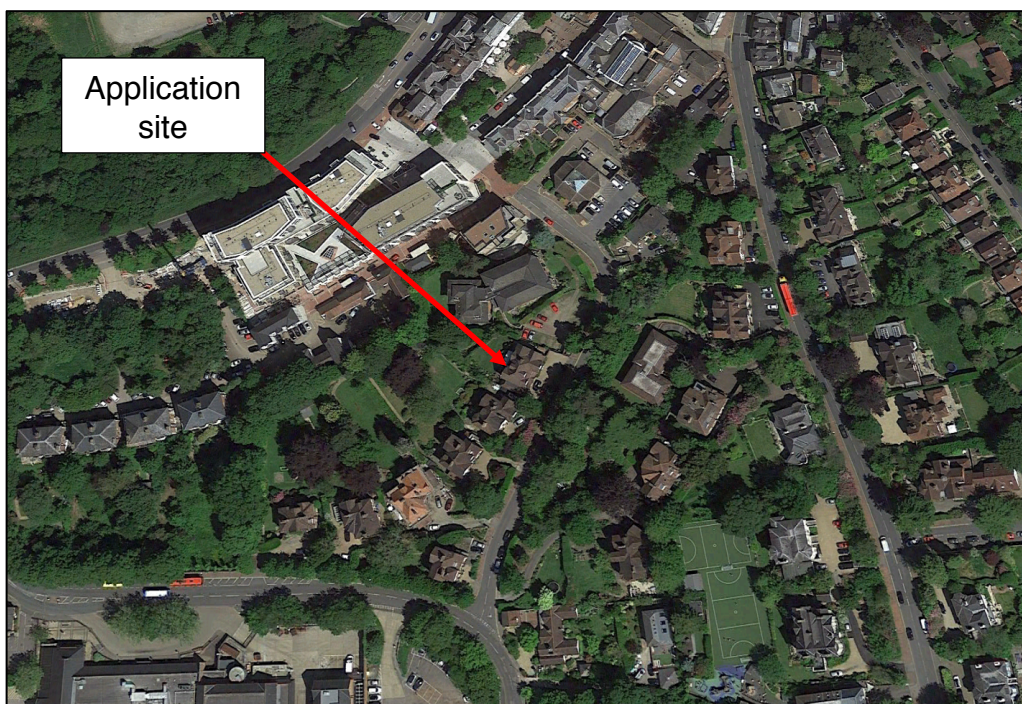


Figure 2.1: Aerial image of the site (Google)

- 2.3 The application site comprises a two storey, detached dwelling, located on the western side of the street adjacent to the block of flats at Regency Hall and the car park that serves this development.
- 2.4 The dwelling is set back from the highway, behind an entrance gate and a well-maintained mature hedge, as is typical for residential properties along the street. The frontage of the site serves as a parking area to the house and the dwelling also possesses a modest sized rear garden area.



Figure 2.2: Image of the site in the context of the existing street scene (Google)

- 2.5 As noted above, the site is located within the limits to built development for Tunbridge Wells and the Tunbridge Wells Conservation Area.
- 2.6 A review of the planning history of the site has been undertaken, based on the online planning records for the Council, and a summary of the relevant approvals is below in **Table 1**.

Application reference	Proposal	Decision and date
82/00672/FUL	Change of use from dwelling to Old Peoples home.	Granted – 30 July 1982
82/01047/FUL	Single storey extension and alterations.	Granted – 9 November 1982
83/00908/FUL	Single storey extension.	Granted – 8 November 1983
85/00577/FUL	Extension & alteration to form additional first floor bedroom. Re-signment of fire escape.	Granted – 20 June 1985
86/00738/FUL	Extension to bedroom (amended proposal)	Granted – 2 July 1986

89/01267/FUL	Single storey rear extension.	Granted – 21 August 1989
91/00804/FUL	Retrospective - Conservatory	Granted – 6 September 1991
02/00313/FUL	Change of use from nursing home to dwelling.	Granted – 15 April 2002

Table 1 - Summary of the relevant planning history for 2 Linden Park Road

- 2.9 This application represents modest additions and alterations to the existing property, which will allow an extended family unit to live close to one another whilst retaining independence for now, with the possibility of additional care being provided in the future if required.

3.0 Heritage Considerations

- 3.1 This section includes a description of the Tunbridge Wells Conservation Area, and has been informed by consulting the Royal Tunbridge Wells and Rusthall Conservation Areas Appraisal (November 2000).
- 3.2 Tunbridge Wells has evolved from an area of countryside between the parishes of Tonbridge, Speldhurst and Frant, to the town that exists today. It was Dudley Lord North who discovered the original Chalybeate spring at the meeting point of the boundaries of these parishes in 1606. The area around the springs remained free from development for thirty years. In the intervening period, however, the reputation of the healing and recuperative powers of the Wells spread, particularly amongst polite society.
- 3.3 In 1636 two small houses were constructed for coffee drinking and pipe smoking. In the following years, a walk and an avenue were created along the axis of the adjacent riverbank and market stalls were set up allowing local traders to sell their goods to the water takers. This arrangement formed the blueprint for the eventual development of the Pantiles.
- 3.4 Being less than a day's travelling time from London, the town became a popular resort, with taking the waters becoming an excuse for a holiday. Rituals associated with taking the waters included promenading, gaming and dancing. However, by the end of the 18th Century, enthusiasm for these events within the town was waning and Brighton was beginning to take over as the preferred resort in south-east England.
- 3.5 The railway arrived in 1845 and had a significant impact upon the population of the town. In 1851, the population stood at 10,000 and by 1901 the population had risen to just over 33,000.
- 3.6 Tunbridge Wells derives much of its character from the hills, upon and between which the town is sited. The historic heart of the town, the Pantiles, is set in one of the lowest parts of the valley. Hills rise away from the Pantiles to the north, east and south, in some cases 30m higher within less than 500m distance. In general, the higher ground separates the newer part of the town from the more historic area. The stream which runs through the valley and which is fed by the underwater springs, reaches the head waters of the River Medway some 6km to the west.
- 3.7 The glossary of the NPPF provides a definition of significance. Here, the 'heritage interest' of an asset may be archaeological, architectural, artistic or historic.

Significance derives not only from the physical presence of a building, but also from its setting. The NPPF defines significance as,

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only a heritage asset's physical presence but also from its setting.'

- 3.8 This definition is reaffirmed by Historic England's Historic Environment Good Practice Advice in Planning Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (2015), which confirms that the significance of a heritage asset is the sum of its archaeological, architectural, historic and artistic interest.
- 3.9 The NPPF forms the basis for our assessment of the significance of the relevant heritage assets and the contribution of the application site to their settings. We have also had regard to the Historic England guidance GPA 2: Managing Significance in Decision-Taking in the Historic Environment (2015) and GPA 3: The Setting of Heritage Assets (2017), which provide guidance on the assessment of significance and setting.
- 3.10 The categories listed below encompass distinctive yet interrelated aspects of significance such as associative, illustrative, design, social and spiritual value, and provide a useful framework for assessing and understanding significance:
- Archaeological Interest:** the potential of a place to yield evidence about past human activity.
- Historic Interest:** the ways in which past people, events and aspects of life can be connected through a place to the present, often illustrative or associative.
- Architectural and Artistic Interest:** the ways in which people draw sensory and intellectual stimulation from a place.
- Value of a heritage asset to this and future generations:** the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.
- 3.11 The significance of the Tunbridge Wells Conservation Area lies in the historic interest, the architectural and artistic interest and the value the area has to this and future generations.
- 3.12 The Conservation Area possesses historic interest, as set out above and in the remainder of the Conservation Area Appraisal not referred to specifically above.

The Pantiles, and the areas around it, has clearly played its part in the historic development of the area and so adds to the historic interest of the area. The site sits slightly detached from the Pantiles, in an immediate area characterised by residential development of varying forms, from flats to detached dwellings. The proposed development, due to its modest appearance within the street scene, will ensure that the historic interest of the area is preserved.

- 3.13 The architectural and artistic interest of the Conservation Area is clearly set out in the Conservation Area Appraisal and tells the story of the evolving town from its original inception. The existing house appears to have been constructed in the late 19th Century and so reflects the architectural approach to new houses at this time and adds to the development of the town. However, it is again the case that the modest appearance of the proposed development will ensure that the architectural and artistic interest of the area is preserved.
- 3.14 Lastly, the Conservation Area has heritage value to this and future generations due to the links it has with the original development of the town. The modest scale of the proposed development means that this value is retained.

4.0 Proposed Development

4.1 The proposed development comprises two main parts. The first is the proposed erection of a single storey rear extension across much of the width of the existing property. The second element of the proposals is the sub-division of the existing dwelling to create a pair of semi-detached houses. To facilitate the sub-division of the existing house, some associated external alterations and landscaping works are proposed.

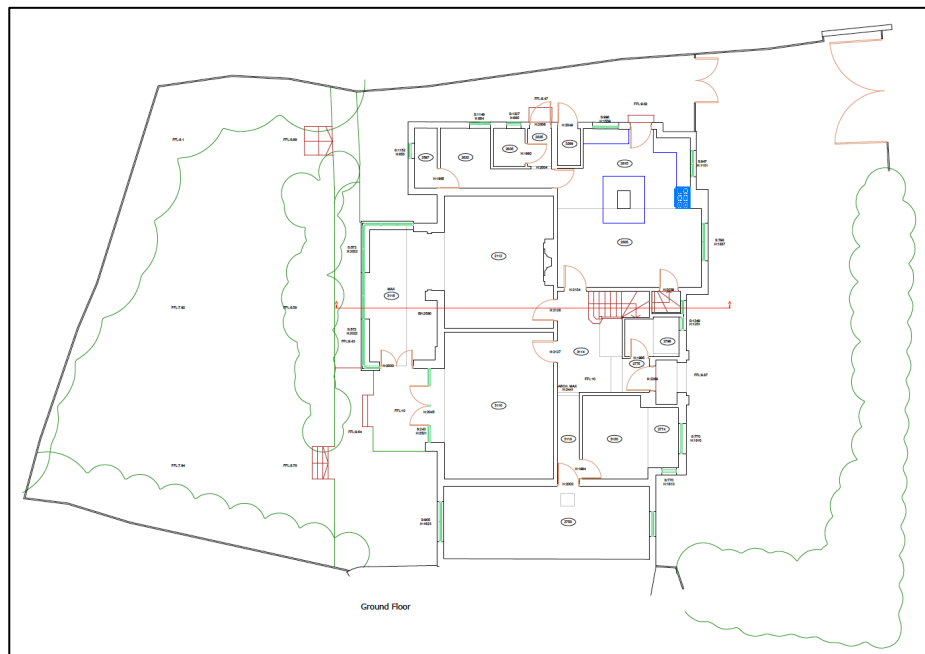


Figure 4.1: Existing ground floor plan of the house

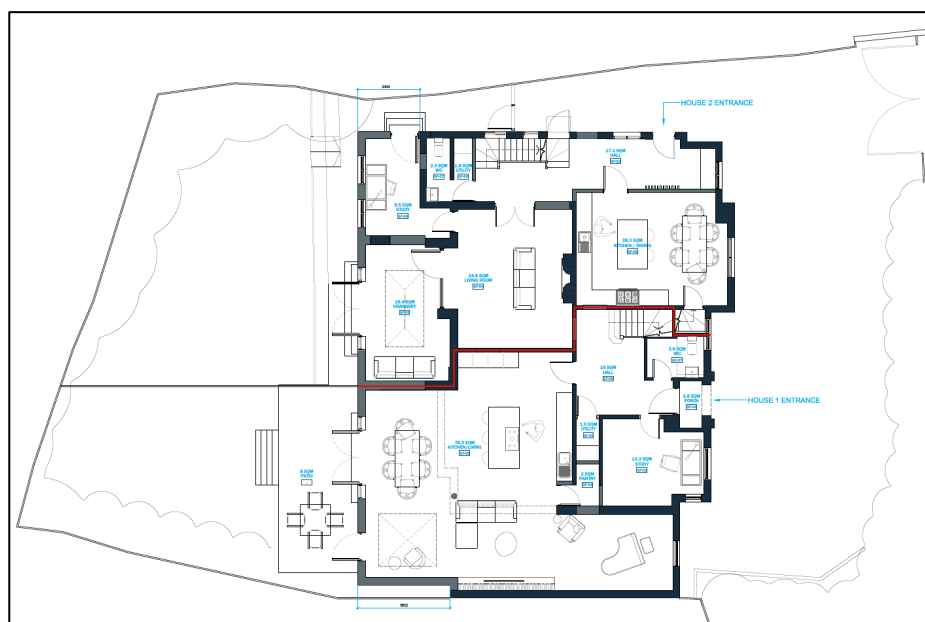


Figure 4.2: Proposed ground floor plan of the two semi-detached houses

4.2 The proposed single storey rear addition to the existing property represents a modest extension to the existing building. Being single storey in design, and having a flat roof, the proposed rear extension will have minimal impact on the surrounding area and amenities.



Figure 4.3: Existing rear elevation of the house



Figure 4.4: Proposed rear elevation of the two semi-detached houses

- 4.3 The sub-division of the house will mainly affect the internal layout of the property and the boundary treatment of the rear garden. From the street, minimal changes to the existing property will be minimal.

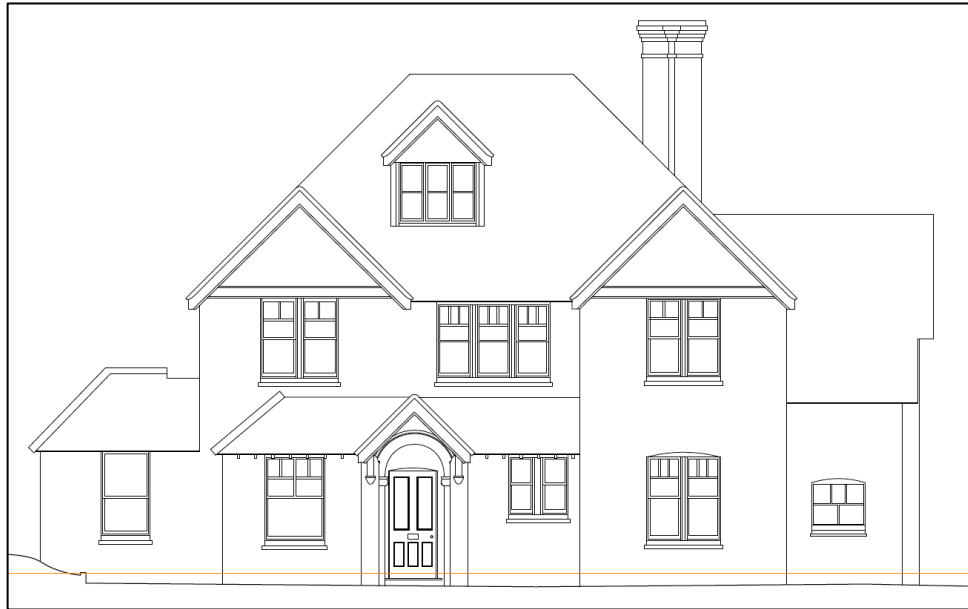


Figure 4.5: Existing front elevation of the house



Figure 4.6: Proposed front elevation of the two semi-detached houses

- 4.4 Aside from the new rear extension, the external alterations to allow the sub-division of the existing house will be minimal.
- 4.5 Landscaping works are limited to the rear of the proposed semi-detached houses, where the rear garden is proposed to be divided between the two proposed

dwelling and new patio areas are proposed to be provided. The frontage of the site will therefore remain unaltered.

- 4.6 In summary, the proposals will provide an additional dwelling within the Borough whilst preserving the character and appearance of the surrounding area and local amenities.

5.0 Legislation and Planning Policy

- 5.1 This section sets out the current and emerging planning policy as well as material considerations, which are relevant to the assessment of the site as being suitable for the development described.
- 5.2 Under Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of this planning application is the statutory development plan with other material considerations being relevant as appropriate, including the guidance within the NPPF. The weight to be attributed to the policies identified in the development plan will depend upon the consistency they have with the NPPF.
- 5.3 The Council's relevant adopted development plan includes the adopted Core Strategy (June 2010) and the saved policies of the Local Plan (March 2006). Both policy documents pre-date the latest version of the NPPF published in December 2023. The weight to be attributed to the local policies identified in the development plan is therefore dependent upon the consistency they have with the NPPF.
- 5.4 At the heart of the NPPF is the achievement of sustainable development – this includes helping to build a strong, responsive and competitive economy, and supporting strong, vibrant and healthy communities, by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 5.5 The NPPF provides a clear indication of the positive approach that is required from decision-makers towards sustainable development. Development that is sustainable should go ahead, without delay. A positive presumption applies in cases where proposals accord with the development plan and/or where policies are out of date, unless protection of areas or assets of particular importance provide a clear reason for refusing the development proposed.

Legislative Framework

- 5.6 The applicable legislative framework to this assessment includes the following:

Legislation	
The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004	Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 state that planning applications must be determined in accordance with the adopted Statutory Development Plan, unless material considerations indicate otherwise.
The Planning (Listed Buildings and Conservation Areas) Act 1990	Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework (NPPF) – December 2023

- 5.7 The NPPF sets out the Government’s approach to planning matters and is a key material consideration in the determination of this planning application as outlined above.
- 5.8 The National Planning Practice Guidance (NPPG) is also a material consideration and should be read in conjunction with the NPPF. The NPPG is an online document and is regularly updated.
- 5.9 NPPF chapters of particular relevance to the proposed development are set out in the table below:

National Policy	
National Planning Policy Framework (NPPF) (2021) and associated planning guidance (NPPG)	Chapter 2 – Achieving sustainable development Chapter 5 – Delivering a sufficient supply of homes Chapter 9 – Promoting sustainable transport Chapter 11 – Making effective use of land Chapter 12 – Achieving well-designed places Chapter 16 – Conserving and enhancing the historic environment

Development Plan

- 5.10 As per the above, when making a determination under the relevant Planning Acts, reference must be made to the development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise. The statutory development plan is identified below, with policies

deemed relevant to the proposals identified, albeit that the Core Strategy and saved policies of the Local Plan are considered to be out of date. The weight that may be applied to these policies is therefore limited.

Development Plan Policy	Relevant Policy
Core Strategy (June 2010)	Core Policy 1: Delivery of Development Core Policy 4: Environment Core Policy 6: Housing Provision Core Policy 9: Development in Royal Tunbridge Wells
Saved policies of the Local Plan (March 2006)	EN1 – Development Control Criteria EN5 – Development within, or affecting the character of, a Conservation Area H2 – Small and intermediate sized dwellings H5 – Residential development within Limits to Built Development TP5 – Vehicle Parking Standards TP6 – Tunbridge Wells Central Access Zone (residential) Vehicle Parking Standards

Material Considerations

- 5.11 In addition to the NPPF, the documents in the table below are identified as material considerations to this assessment:

Material Considerations and Guidance
Planning Practice Guidance (launched online in March 2014) (https://www.gov.uk/government/collections/planning-practice-guidance)
National Design Guide (January 2021)
Kent Design Guide
Royal Tunbridge Wells and Rusthall Conservation Areas Appraisal (November 2000)

New Borough Local Plan

- 5.12 The Council are in the process of producing their new Local Plan. The submission version of the Local Plan has been through Examination and the Council have since responded to the Inspector's findings following the Examination. A consultation on the Council's response to the Inspector's findings is currently being carried out.

6.0 Relevant Planning Considerations

Introduction

6.1 There are a range of planning considerations that are relevant to this application, and these are discussed in turn below. The relevant considerations are: the principle of the development; the harm to the heritage asset; the effect on the character and appearance of the area; the effect of the proposal upon living conditions and parking provision.

Principle of the development

6.2 Paragraph 60 of the NPPF confirms that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

6.3 Paragraph 70 of the NPPF states that 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.

6.4 In addition, paragraph 123 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

6.5 Saved policy H5 Local Plan supports the NPPF in setting out that the Council will support residential development within the limits to built development, provided that the comprehensive development of a site would not be prejudiced. Such residential developments include the sub-division of dwellings into smaller units for multiple occupation.

6.6 As has been established above, the site falls within the limits to built development and comprises an existing dwelling proposed to be sub-divided into two smaller units.

6.7 It is also the case that the development will provide an additional residential unit within the Borough.

6.8 The development will, therefore, wholly comply with the NPPF and saved policy H5 of the Local Plan and the principle of the development is one that can be accepted.

Heritage

- 6.9 Paragraph 195 of the NPPF confirms that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 6.10 Paragraph 200 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 6.11 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.12 In line with this approach, saved policy EN5 of the Local Plan sets out that proposals for development within, or affecting the character of, a conservation area will only be permitted if several criteria are satisfied.
- 6.13 As noted above, the significance of the Tunbridge Wells Conservation Area lies in the historic interest, architectural and artistic interest and the historic value of the area to this and future generations.
- 6.14 In considering any potential harm caused by the proposed development on the special character of the conservation area, the proposed development will respect the architectural styles within this part of the conservation area and the host building itself.
- 6.15 The modest and subservient design of the rear extension and other alterations to the existing property will also continue to respect the setting of the site within the conservation area.
- 6.16 The impact of the development is further softened due to the existence of the large mature hedge at the front of the site, which offers some screening of the property

from the public vantage point of the site, that being the street to the front of the site.

- 6.17 Notwithstanding this, the proposed development will preserve and enhance the existing character, scale and visual amenity of the Tunbridge Wells Conservation Area. This means it will cause no harm to the conservation area.
- 6.18 Overall, the development is wholly in accordance with the NPPF and the above development plan policies relating to heritage assets.

Design

- 6.19 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.20 Paragraph 135 of the NPPF sets out that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 6.21 Saved policy EN1 of the Local Plan confirms that all proposals for development will be required to satisfy all of a number of criteria relating to design.
- 6.22 The proposed rear extension will project away from the street and will be single storey in design. This will therefore have limited impacts on the character and appearance of the area. The new front door opening, alterations to the side elevation openings and the introduction of the rear facing balcony to the building will be modest changes to the building and will also preserve the character and appearance of the area.
- 6.23 As a result, the development will have a design, external finish and appearance that is in keeping with the character and appearance of the property. In addition, the scale and form of the extensions and alterations will be subservient and domestic in appearance to the existing building.

- 6.24 In terms of the sub-division of the property to create a pair of semi-detached houses, the street exhibits a range of property types from detached houses to flats. The property will generally retain the existing appearance of the house and so the sub-division will preserve the character and appearance of the area.
- 6.25 For these reasons, and the fact that the site comprises a well-established residential property, set within the urban context of the town and surrounded by existing residential development, the proposals will preserve the character and appearance of the area generally.
- 6.26 Overall, the development will comply with the NPPF and saved policy EN1 of the Local Plan.

Living conditions

- 6.27 Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
- 6.28 Saved policy EN1 of the Local Plan confirms that all new development will be expected to cause no significant harm to the residential amenities of adjoining occupiers, and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight and privacy.
- 6.29 Residential properties surround the site in all directions. The modest nature of the proposed development will not cause any detrimental impacts to the occupiers of the nearby residential properties. The single storey rear extension and other external alterations will be subservient to the existing building and will preserve the amenities currently enjoyed by the occupiers of neighbouring and nearby dwellings.
- 6.30 The sub-division of the house and the creation of a pair of semi-detached properties will not significantly change the use of the existing residential property to the detriment of neighbouring properties.
- 6.31 We are, therefore, of the opinion that the modest scale of the development and the continuity in the use of the pair of semi-detached houses with the existing dwelling means that the proposals will not adversely impact upon the amenity of occupants of existing nearby dwellings.

- 6.32 The development will, therefore, be in compliance with the NPPF and saved policy EN1 of the Local Plan in this regard.

Parking

- 6.33 Paragraph 115 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.34 Saved policy TP6 of the Local Plan sets the parking standards for the centre of Tunbridge Wells for residential properties.
- 6.35 The area to the front of the site will retain parking for a minimum of four vehicles. Being a sustainable location, this is more than sufficient for the pair of semi-detached houses, with visitors likely to travel to the site by public transport or to utilise the public parking available on street or nearby car parks.
- 6.36 Overall, parking provision will meet current requirements in accordance with the NPPF and saved policy TP6 of the Local Plan.

7.0 Conclusions

- 7.1 This statement has provided an assessment of the proposals against the statutory development plan and other material considerations, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 7.2 The principle of the development to extend, sub-divide and make other minor alterations to the existing house attracts significant national and local policy support.
- 7.3 The proposals will not cause harm to the Tunbridge Wells Conservation Area, and they will in fact preserve and enhance the area.
- 7.4 The scheme will preserve the character and appearance of the area and will preserve residential amenity.
- 7.5 The development is also found to provide sufficient parking within the site.
- 7.6 In conclusion, the proposed development is considered to be in accordance with the relevant national planning policy framework, and guidance, and the development plan so we invite the Council to grant planning permission for the development without delay.